

IN THE MATTER OF AN ARBITRATION

BETWEEN:

THE COLLEGE COMPENSATION AND APPOINTMENTS
COUNCIL (FOR COLLEGES OF APPLIED ARTS AND
TECHNOLOGY)

-AND-

ONTARIO PUBLIC SERVICE EMPLOYEES' UNION (FOR
SUPPORT STAFF EMPLOYEES)

EXPEDITED ARBITRATION FOR JOB EVALUATION

GRIEVANCE OF MOYA ALLEN,
PROGRAM SYSTEMS CO-ORDINATOR,
MOHAWK COLLEGE, HAMILTON

OPSEU File 724113

Mary Ellen Cummings, sole Arbitrator

Appearances:

Tracy Prokipczck, Mary Hyde and Moya Allen for OPSEU Local
241

Jason Green, Heide Bell and Sheila Walsh for Mohawk College

Hearing held November 26, 2009 at Hamilton, Ontario
Award released December 2, 2009 at Georgetown, Ontario

AWARD

1. I was appointed by the parties pursuant to Article 18.4.3.1 of their collective agreement, to hear and determine on an expedited basis, a dispute concerning the job evaluation of the Program Systems Co-ordinator, Administrative Services & Campus Management, School of Health Sciences.

2. The grievor, Moya Allen, has held the position for about 4 years. In general terms, the Program Systems Co-ordinator is responsible for scheduling the clinical placements for students in the Registered Nurse and Registered Practical Nurse programs. The College works with a number of agencies to create opportunities for its students to be placed in health care settings at various points in their education process. The placements are an integral part of the learning program and the College of Nurses require completion of the placements before the students can be registered and able to work. The College of Nurses also regulates the content of the placements, and these requirements, in turn, become part of the education plan established by Mohawk College.

3. In addition to scheduling clinical placements, the Program Systems Co-ordinator schedules “groups”, that is groups of about 14 students who will work with a member of faculty in a health care setting, to fulfil the Problem Based Learning elements of the curriculum. Again, the “groups” are an integral part of the curriculum and must be scheduled at particular points in students’ careers.

4. The Program Systems Co-ordinator works closely with the Clinical Community Co-ordinator. That position is an academic one. That incumbent is responsible for selecting appropriate placements, having regard to the educational needs and the requirements of the governing regulatory college. But it is clear that the two positions work together, and in the hearing, it was at times difficult for the incumbent to differentiate between the responsibilities of her position and those of the Clinical Community Co-ordinator. I mean no criticism. I have no doubt that the work is satisfactorily accomplished because the incumbent has a good understanding of the educational content of the placements and a strong appreciation of the need to schedule them so that all students can meet the requirements of their courses in a timely way. But it is essential to remember that the Clinical Community Co-ordinator, not the Program Systems Co-ordinator, determines what is an appropriate placement.

5. One of the main challenges for the Program Systems Co-ordinator is the need to find more placements to meet growing enrolment, at a time when changes in health care are making placements harder to find. Experienced nurses are retiring, meaning fewer are available to mentor the students in a placement situation. Health care agencies have hired large number of newly qualified nurses, meaning that the agencies are preoccupied with their own training and are less willing to take on student placements. Ward closures, whether short term or long term, can also send the Program Systems Co-ordinator scrambling to find new placements, often at the last minute. Because the placements and “groups” are closely matched to students’ learning progression, it is not a simple matter to substitute one for another.

6. The position requires the establishment and maintenance of administrative systems to place and track the students in the clinical placements and “groups”. This involves creating and posting lists for the students and faculty and tracking the students’ educational progress. The position creates schedules for the clinical placements, and provides the information to all concerned, including faculty and students.

7. The parties agree that the content of the Position Description Form is accurate. The grievor is unsatisfied with the rating on three subfactors, Independence of Action, Service Delivery and Audio Visual Effort.

8. I will set out the subfactor in italics, give a brief summary of the parties’ positions, the information they rely on, then my decision and the reasons for it.

Independence of Action

9. *This subfactor measures the level of independence or autonomy of the position. The following elements should be considered:*

- *The types of decisions that the position makes*
- *What aspects of the tasks are decided by the position on its own or what is decided by, or in consultation with, someone else, such as the supervisor*
- *The rules, procedures, past practice and guidelines that are available to provide guidance and direction*

These considerations, when taken as a whole, will define the parameters and constraints of the position within which the incumbent is free to act.

10. The College proposes Level 3; *Position duties are completed according to general processes. Decisions are made following general guidelines to determine how tasks should be completed.* The union and Ms. Allen propose Level 4; *Position duties are completed according to specific goals or objectives. Decisions are made using industry practices and/or departmental policies.* The notes to raters are helpful:

Level 3-specific results or objectives that must be accomplished are pre-determined by others. The position has the ability to select the process(es) to achieve the end result, usually with the assistance of general guidelines. The position has the autonomy to make decisions within these parameters.

Level 4-the only parameters that are in place to guide the position’s decision-making are “industry practices” for the occupation and/or departmental policies. The position has the autonomy to act within these boundaries and would only need to consult with the supervisor (or others) on issues that were outside these parameters.

11. The grievor explained that she has guidelines and policies to follow, but that she can decide the processes. For example, when McMaster University started a BScN Accelerated Nursing Stream, Ms. Allen had the responsibility to schedule the placements. She understood that they would be dependent on the plan of study, so she contacted the University to get it, so see which theory courses were being offered when, so she could schedule the appropriate “groups” and placements. Ms. Allen understands that the plan of study is heavily regulated by the College of Nurses and as a result, she has to make

sure that the placements she schedules follow the plan of study. This is where it is important to differentiate the work of the Clinical Community Co-ordinator from the Program Systems Co-ordinator. The Clinical Community Co-ordinator determines which placements are appropriate and meet the plan of study, and in turn, the requirements of the College of Nurses. The Program Systems Co-ordinator must ensure that the placements are scheduled to meet the plan of study and must track student progress.

12. In my opinion, Level 3 is the right fit. The Program Systems Co-ordinator knows what placements have been approved for each cohort and level of skill. She has the discretion to schedule the placement or “group” within those parameters. The position may not go outside those parameters. It is not for Ms. Allen to determine if a placement meets the College of Nurses requirements. That decision is made by others, so it is not accurate to say that her decisions are governed by industry practice. Instead, the decisions of the Program Systems Co-ordinator’s decisions are governed by the guidelines set by others within the department and within the nursing program.

13. I affirm the employer’s evaluation at Level 3.

Service delivery

14. This subfactor is described as follows:

This factor looks at the service relationship that is an assigned requirement of the position. It considers the required manner in which the position delivers service to customers and not the incumbent’s interpersonal relationship with those customers.

All positions have a number of customers, who may be primarily internal or external. The level of service looks at more than the normal anticipation of what customers want and supplying it efficiently. It considers how the request for service is received, for example directly from the customer, through the Supervisor or workgroup or project leader; or by applying guidelines and processes. It then looks at the degree to which the position is required to design and fulfil the service requirement.

15. The College seeks Level 2; *provide service according to specifications by selecting the best method of delivering service.* OPSEU and Ms. Allen seek Level 4, *Anticipate customer requirements and pro-actively deliver service.* I explained in the hearing that I saw no basis in the duties and responsibilities of the position set out in the PDF to consider Level 4, but it was appropriate to consider whether Level 2 or Level 3 was the better fit. Level 3 reads *Tailor service based on developing a full understanding of the customer’s needs.*

16. The grievor and the union focused on the need to adapt how the Program Systems Co-ordinator approaches health agencies, depending on the needs of the agency. Some use HSPnet, a computerized database that allows Mohawk College and the agency to exchange information about placements easily. Other agencies want to be approached by e-mail or by phone, or on their own forms, or at different times of the year and the Program Systems Co-ordinator responds to those different needs because she wants to make it as easy as possible for the health agency to accept the Mohawk College placements.

17. But I agree with the position of the College that the really important customers to whom service is being delivered are the students. The Program Systems Co-ordinator makes contacts with agencies and schedules placements and “groups” so that the students can complete their educational objectives. That is why this position exists.

18. As the employer submitted in this case, the Notes to Raters are particularly helpful in clarifying the difference between Level 2 and Level 3;

Level 2-service is provided by determining which option would best suit the needs of the customer. The incumbent must know all of the options available and be able to explain them to the customer. The incumbent selects or recommends the best option based on the customer’s need. There is no, or limited, ability for the incumbent to change the options. For example, positions in the Financial Aid area would need to thoroughly understand the various student loan programs that are available and based on a student’s unique situation select or recommend the program that would best address the student’s financial situation. The incumbent does not have the ability to change the funding programs, which are established by an external agency.

Level 3 refers to the need to “tailor service”. This means that in order for the position to provide the right kind of service, he/she must ask questions to develop an understanding of the customer’s situation. The customer’s request must be understood thoroughly. Based on this understanding, the position is then able to customize the way the service is delivered so that it suits the customer’s particular circumstance.

19. The grievor said that she understood the need to focus on the students as the customers. She then related an example of a student who wanted to return to the program after an absence caused by illness. The student needed a placement to happen at a different time. At the request of the Clinical Community Co-ordinator, the grievor contacted one of the placement agencies to see if the change could be made, and the agency agreed. In my view, that is not an example of the Program Systems Co-ordinator tailoring the service she provides, but is an example of the placement agency tailoring at the request of the Clinical Community Co-ordinator. The Program Systems Co-ordinator made the inquiry and conveyed the information back and forth, but did not tailor her service.

20. I agree with the position of the employer that Level 2 is a very good fit for this position, as is confirmed in the Notes to Raters. The Program Systems Co-ordinator must be very knowledgeable about the students’ academic progress and the curriculum requirements of each program. She must then select from the available and approved placements and assign the students to the appropriate placement or “group”. The position must ensure that enough placements at the right skill level are available and alert the Clinical Community Co-ordinator if there is a problem. But the Program Systems Co-ordinator does not have the ability to change the placements available to or to alter the curriculum requirements. The Program Systems Co-ordinator must select the best option, but has no ability to change the options.

21. I confirm the evaluation by the employer of this subfactor at Level 2.

Audio Visual Effort

22. This factor read as follows:

This factor measures the requirement for audio or visual effort. This factor measures the following two aspects:

a) *the degree of attention or focus required, in particular for:*

-periods of short, repetitious tasks requiring audio/visual focus

-periods where task priorities and deadlines change and additional focus and effort is required to achieve the modified deadline

b) *activities over which the position has little or no control that make focus difficult. This includes the requirement to switch attention between types of tasks and sensory input (e.g. multi-tasking where each task requires concentration)*

Assess the number and type of disruptions or interruptions and the impact of these activities on the focus or concentration needed to perform the task. For example, can concentration be maintained or is there a need to refocus or change thought processes in order to complete the task.

Two of the Notes to Raters are relevant to this job:

5. In determining what constitutes an interruption or disruption, you must first decide whether the “disruption” (i.e. customer requests) is an integral or primary responsibility of the position (e.g. customer service, registration/counter staff, help desk, information desk). Then consider whether these activities are the primary or secondary aspect of the job. For example, if an individual has no assigned tasks or duties while tending to customer requests, then those requests cannot be seen as disruptions.

6. Consider the impact of the disruption on the work being done. For example, can the incumbent in the position pick up where he/she left off or has the interruption caused a disruption in the thinking process and considerable time is spent backtracking to determine and pick up where he/she left off.

23. The employer rated the job at Level 3; *extended periods of concentration*, with “focus maintained”. The union seeks the same Level 3, but with “focus interrupted”. Those terms are defined;

Focus Maintained-concentration can be maintained for most of the time.

Focus Interrupted-the task must be achieved in smaller units. There is a need to refocus on the task at hand or switch thought processes.

24. As set out in the manual, the first step is to determine whether disruptions are a primary or integral part of the job. The employer submits that interruptions by students, faculty, and agencies responding to placement requests, are an integral part of the job because the position exists to “coordinate” placements and groups. The chief activity of the position, the employer argued, is to communicate with all of those constituents and produce schedules that meet the needs of all, an outcome that cannot be accomplished without a lot of interruptions.

25. The union and Ms. Allen did not disagree with that analysis but focused more on the impact of any interruptions.

26. I conclude that the position is one whose primary responsibility attracts disruptions.

27. Both parties agree that, at times, the Program Systems Co-ordinator is required to perform tasks that require concentration, and whose efficiency and accuracy will be compromised by interruptions. Heide Bell, Manager Admin Services, the grievor’s supervisor, noted that the College has provided a private office so that the grievor can close the door when she needs to focus, and she has been reminded that she can make that choice. Everyone appreciates that Ms. Allen is reluctant to do so because she wants to be available to students, but the opportunity is available.

28. The Position Description Form sets out three activities that require extended periods of concentration; entering clinical requests in the HSPnet database, planning “groups” and creating timetables. The PDF indicates that concentration can “usually” be maintained throughout the duration of the activity. Ms. Allen commented that it is important for her to maintain concentration or she might make mistakes that would not be found until well down the road, when it might be very difficult to fix the situation. Ms. Allen said that if she is interrupted when in HSPnet, it times out and she must log back in and then re-trace her steps.

29. In its submissions, the employer acknowledged that an interruption in HSPnet would cause a disruption, but because the grievor is familiar with the tasks involved, it would not take long to return to where she left off.

30. In my view, Level 2, “focus maintained” is the best fit. I find that Program Systems Co-ordinator is a position where being interrupted is a primary activity, with the result that the interruptions need to be seen differently. But, both parties also agree that some important tasks require that concentration be maintained. The College advises that the grievor may close her door to interruptions when performing those tasks and the grievor acknowledges that she is usually able to maintain concentration and focus when required.

Summary

31. I affirm the employer’s evaluation on all three disputed subfactors. The position is rated at 487 points, payband G.

Signed at Georgetown Ontario, this 2nd day of December, 2009.

A handwritten signature in black ink, consisting of several vertical strokes on the left and a long, sweeping horizontal stroke that curves upwards on the right.

Mary Ellen Cummings