
Professional Position Evaluation Appeals

Department Policy Number

080 004

Effective Date

January 1, 2002

Purpose

This policy outlines the appeal process for AUFA professional staff members with respect to position evaluation.

Definitions

Agreement	Terms and Conditions of Agreement between The Governors of Athabasca University (the Board) and Athabasca University Faculty Association (AUFA).
Appeal	Request for a review of a decision of the Professional Position Evaluation Committee or the act of or instance of appealing.
Appeal Committee	Professional Position Evaluation Appeal Committee.
Appellant	Professional staff member appealing the results of his or her position review by the Evaluation Committee.
Evaluation Committee	Professional Position Evaluation Committee.
Labour Relations Coordinator	Labour Relations Coordinator or designate.
Respondent	Representative of the Professional Position Evaluation Committee.

Policy

The results of a position classification by the Evaluation Committee (as established in article 4.5 of the Agreement) are subject to appeal by the incumbent of the position.



Regulation

- 1.0 Where this policy is inconsistent with the Agreement, the latter will prevail.
- 2.0 Article 9.6 of the Agreement and the procedural guidelines of this policy governs appeals.
- 3.0 Membership
 - 3.1 Appeal Committee membership is determined in accordance with the Agreement.
 - 3.2 The Chair of the Appeal Committee shall act as report writer.
 - 3.3 The Labour Relations Coordinator is a non-voting member of the Appeal Committee and will act as secretariat for the Appeal Committee for the collection and distribution of materials and advises on process.
- 4.0 The Appeal Committee may make inquiries, review documents and files, and interview persons it considers advisable in the circumstances in arriving at its final recommendation.
- 5.0 Any and all information considered by the Appeal Committee, and its agreed upon procedures, must be seen and heard by the Appellant and the Respondent.
- 6.0 The Appeal Committee shall not be bound by rules of evidence or procedures of the courts of law.
- 7.0 It is understood that an Appellant or Respondent may have the assistance of another in preparing and presenting an Appeal to the Appeal Committee.
- 8.0 The appropriate section of the Agreement shall govern the time frame for an Appeal. Time frames may be extended or altered with the mutual agreement of the Faculty Association and the University. Such agreement shall be in writing and facilitated through the Labour Relations Coordinator.
- 9.0 The Appeal Committee shall by majority vote determine any other procedures that may be necessary. The Appeal Committee shall provide these procedures to all persons involved in the Appeal hearing.
- 10.0 The appropriate section of the Agreement shall govern the time frame for appeals. Time frames may be extended or altered with the mutual agreement of the Faculty Association and the University. Such agreement shall be in writing and facilitated through the Labour Relations Coordinator.

Procedure

- 1.0 Initiation



- 1.1 The Appellant submits in writing to the Labour Relations Coordinator a request to Appeal the decision of the Evaluation Committee within 25 working days of receiving the results.
- 1.2 The Appeal Committee must meet within 20 working days of receipt of the notice of a position evaluation appeal and shall be expected to complete its deliberations within 10 working days.

2.0 Hearing Process

- 2.1 Prior to the hearing, the Appellant and Respondent each prepare and submit a written report to the Labour Relations Coordinator. The Labour Relations Coordinator distributes the reports and other relevant materials to the Appellant, Respondent, and the Appeal Committee members.
- 2.2 The Appellant and Respondent each should be prepared to make a verbal presentation, respond to questions from the Appeal Committee, and provide a rebuttal.
- 2.3 The Chair may allow other persons, including the Appellant's supervisor to be present during the appeal proceedings. These persons shall not be entitled to participate except when called as a witness.
- 2.4 The order of presentation before the Appeal Committee is:
 - (a) Appellant
 - (b) Respondent
 - (c) Rebuttals (in same order)
- 2.5 The Appellant and Respondent may each call a reasonable number of witnesses and must provide advance notice of their list of witnesses to the Labour Relations Coordinator. The Appeal Committee makes the final determination with respect to the list of witnesses after hearing from both the Appellant and the Respondent.
- 2.6 The Appellant presents the basis for the Appeal, expected level, and normally a factor analysis from his or her viewpoint.
- 2.7 The Respondent defends the results of the Evaluation Committee's review. Defense is on the same basis as the decision: changes from previous position description, position evaluation and factor analysis, and comparison to other relevant positions in the organization.
- 2.8 Appeal Committee members, the Appellant, and Respondent may ask questions or request clarification of any statement made.
- 2.9 The Chair is in charge of the committee and shall have the authority to intervene in or to end the questioning at any point.



3.0 Decision

- 3.1 The written decision of the Appeal Committee is final and binding.
- 3.2 The Appeal Committee reviews all available information and reaches a conclusion:
 - (a) the results of the classification review by the Evaluation Committee were either correct or not correct
 - (b) if decision stands, the Appeal Committee confirms the results of the classification review
 - (c) if the decision is overturned, the Appeal Committee must be able to state, with supporting rationale, that the Evaluation Committee either:
 - misunderstood or misapplied the systems, or
 - did not take something into account.
- 3.3 If the classification review decision was overturned, the Appeal Committee may rate the position or refer it back for re-writing of the position description via the Labour Relations Coordinator.
- 3.4 The decision of the Appeal Committee must be made on:
 - (a) proper application of the system
 - (b) proper job analysis
 - (c) actual content of the position description (and not what was supposed to be there)
 - (d) evaluation of the position duties NOT the individual performing the duties
 - (e) job today, not its potential
- 3.5 The Appeal Committee must not classify a position that creates a precedent without substantiation.
- 3.6 The Appeal Committee Chair is responsible for communicating the decision of the Appeal Committee in writing to the Appellant, the Appellant's supervisor, the Respondent, and the Labour Relations Coordinator. The written decision must identify any change in point factors.



Approved By

Executive Group

Amended Date/Motion No.

Related References, Policies and Procedures

[080 001 - Position Descriptions and Classification Review](#)

Applicable Legislation/Regulation

[AUFA Agreement](#)

[Alberta Freedom of Information and Protection of Privacy Act](#)

[Universities Act](#)

Responsible Position/Department

This policy is maintained and administered by Human Resources. For further information, please contact the Labour Relations Coordinator. Contact information is available on the Human Resources web site at <http://www.athabascau.ca/html/depts/staffrec/general.htm>.

Keywords

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Classification

Appeals