

cc

**The Municipal Corporation of the
Town of Fort Erie**

BY-LAW NO. 71-07



**BEING A BY-LAW TO APPROVE AND POST A REVISED PAY
EQUITY PLAN FOR NON-BARGAINING UNIT EMPLOYEES**

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, subsection 224(d) provides that it is the role of council to ensure that administrative practices and procedures are in place to implement the decisions of council; and

WHEREAS the *Pay Equity Act*, R.S.O. 1990, c. P.7, subsection 7(1) provides that every employer covered by the *Act* shall establish and maintain compensation practices that provide for pay equity in every establishment of the employer; and

WHEREAS subsection 14.1(5) of said *Act* further provides that if the employer is of the view that, because of changed circumstances in the establishment, the pay equity plan for that part of the establishment that is outside any bargaining unit is no longer appropriate, the employer may amend the plan and post in the workplace a copy of the amended plan with the amendments clearly indicated; and

WHEREAS circumstances have changed since an Internal (Supplementary) Pay Equity Plan was posted July 10, 1991; and

WHEREAS Council-in-Committee considered Confidential Administrative Reports CAO-03-2007 and CAO-07-2007 and the confidential Report Outlining The Development Of A Revised Job Evaluation, Pay Equity And Salary Administration Program – February 2007 (McDowall Report); and

WHEREAS it is deemed desirable to adopt and post a revised Pay Equity Plan;

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

1. **THAT** the revised Pay Equity Plan, in the form attached as Schedule A to and forming part of this by-law, be approved and posted and that the required adjustments be implemented, all in accordance with the requirements of the *Pay Equity Act*.
2. **THAT** if there is a conflict between this by-law and any previous by-law the provisions of this by-law shall prevail.

3. **THAT** pursuant to the provisions of Section 227 of the *Municipal Act, 2001*, the Clerk of the Town of Fort Erie is hereby authorized to effect any minor administrative modifications or corrections to the by-law and schedules that are solely of a numerical, grammatical, semantic or descriptive nature or kind as may be necessary after the passage of this by-law.

READ A FIRST AND SECOND TIME THIS 14th DAY OF MAY, 2007



MAYOR

DEPUTY



CLERK

READ A THIRD TIME AND FINALLY PASSED THIS 18th DAY OF JUNE, 2007



MAYOR



CLERK

I, Carolyn J. Kett, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true certified copy of By-law No. 71-07 of the said Town. Given under my hand and the seal of the said Corporation this day of _____, 2007.

PAY EQUITY PLAN

As Required by "The Pay Equity Act"

**ESTABLISHMENT AND
EMPLOYER:**

Town of Fort Erie (which includes the employees of the Fort Erie
Public Library Board for pay equity purposes)

POSTING DATE:

**THE PAY EQUITY PLAN
COVERS:**

All full-time and permanent part-time non-union job classes within
the establishment.

**JOB CLASSES USED AS BASIS
OF COMPARISON:**

All full-time and permanent part-time non-union job classes were
evaluated.

For this Pay Equity Plan, one (1) Male Job Class in the Bargaining
Unit were evaluated and used as a comparator:

- Crew Leader – Roads/Parks/Facilities

**GENDER-NEUTRAL
COMPARISON SYSTEM USED
FOR EVALUATION OF JOB
CLASSES:**

The McDowall Universal Evaluation Plan was used for evaluation
of all job classes. A 12-factor, point factor job evaluation system,
incorporating skill, effort, responsibilities of the job and the
working conditions under which the job is normally performed.

The 12 factors are listed in Schedule I of this document.

RESULTS OF COMPARISON:

All the jobs evaluated and the results of the comparisons based on
jobs of similar value are shown in the ladder chart attached as
Schedule II of this document.

All jobs within a defined similar value group or category as shown
in this schedule are of similar value based on job evaluation.

To provide fair, equitable pay equity adjustments that are in keeping
with the *Pay Equity Act* a job-to-job comparison method of
determining pay equity adjustments was used to do this.

Under the job to job comparisons, a male job of comparable value
defined as being within same range of points or range determined
by bands is used as a comparator to the female jobs in the same
range of points category (similar value group).

**FEMALE JOB CLASSES
REQUIRING ADJUSTMENTS
BASED ON VALUE
COMPARISONS:**

There are two (2) Female Job Class requiring pay equity adjustments. The Ladder Chart is outlined in Schedule II.

The CHIEF ADMINISTRATIVE OFFICER (and the CEO, LIBRARY for the purposes of the Library jobs) will communicate directly with those incumbents that will receive an adjustment given that salary information is considered confidential.

**FIRST PAY ADJUSTMENTS
IMPLEMENTED:**

The required adjustments for this revised Pay Equity Plan will be implemented at the date of posting.

PLAN POSTING:

The Revised Pay Equity Plan document has been prepared and posted in the work place.

EMPLOYEE REVIEW:

Since this is a revised Pay Equity Plan, employees of the Town of Fort Erie and the Fort Erie Public Library Board covered by this Plan have 90 days from the date of posting to review this document and submit comments and a request to meet and review the evaluation of their job with the Committee and/or Consultant acting on behalf of Council and the Library Board.

REVIEW OF COMMENTS:

The Committee and/or Consultant shall review the comments of employees and the applicability of comments to achieving pay equity as required by the *Pay Equity Act*.

CHANGES:

These "Requests for Reconsideration" will be reviewed by the Consultant acting on behalf of Council and the Library Board. Based on this review, the Pay Equity Plan may be changed.

POSTING OF NOTICE:

The revised Pay Equity Plan document, as amended (this document revised) may be posted not later than seven (7) days after the review period, if amendments to the Plan are required under the terms and conditions of the *Pay Equity Act*.

OBJECTIONS:

Any employee or group of employees may file notice of objection with the Pay Equity Commission within 127 days subject to the above, whether or not the employee or group of employees has submitted comments to the CHIEF ADMINISTRATIVE OFFICER or the CEO, LIBRARY, in the case of the Library employees.

DEEMED APPROVAL:

If no objection has been filed with the Pay Equity Commission, this Pay Equity Plan is deemed to have been approved by the Commission.

**DECISION NOT TO DEAL
WITH COMPLAINTS:**

A Review Officer may decide that a complaint should not be considered if the Review Officer is of the opinion that,

- (a) the subject matter of the complaint is trivial, frivolous, vexatious or made in bad faith; or
- (b) the complaint is not within the jurisdiction of the Commission.

NO INTIMIDATION:

The Council, the Library Board, the CHIEF ADMINISTRATIVE OFFICER, or the CEO, LIBRARY or anyone acting on behalf of the Town shall not coerce or penalize or discriminate against any person who has made or may make a disclosure under the provisions of the *Pay Equity Act*, is exercising rights within the Act or is/has acted or may act in compliance with the Act.

FURTHER INFORMATION:

Further information, details of the *Pay Equity Act* including employer and employee obligations and rights are provided in the *Pay Equity Act*.

The Pay Equity Plan document is hereby posted in accordance with the *Pay Equity Act* of Ontario.

ON BEHALF OF THE TOWN OF FORT ERIE

Chief Administrative Officer

Date

CEO, Library

Date

Schedule I

Pay Equity Plan – Job Evaluation System

**The Town of Fort Erie
Factors Used to Evaluate Jobs**

McDowall Universal Evaluation Factor	Primary Elements of Job Worth Measurement (For Pay Equity Purposes)
1. Knowledge/Education/Training	Skill
2. Experience	Skill
3. Decisions & Skill in Operations	Skill
4. Ingenuity and Creativity	Skill
5. Independent Action	Responsibility
6. Budgets and Funds	Responsibility
7. Mental Effort and Impact	Effort
8. Confidentiality	Responsibility
9. Leadership Supervision & Functional Advice	Responsibility
10. Influencing Others (Contacts)	Responsibility
11. Physical Skill and Effort	Effort
12. Disruption to Lifestyle & Working Conditions	Working Conditions

Schedule II

Town of Fort Erie Employee Ladder Chart

Similar Value Group	Band Width			Job Code	Job Title (listed in alphabetical order within Similar Value Group)	Job Class
	From	To	Spread			
13	962	1135	18%	31	CAO	M
12	822	961	17%	30	Director, Community & Development Services	M
				52c	Director, Corporate Services/Treasurer	F
				33	Director, Infrastructure Services	M
				34	Director, Legal & Legislative Services	N
11	707	821	16%	12	CEO, Library	M
				19	Fire Chief	M
10	614	706	15%	22	General Manager, Community Gaming/Development	M
				35	Manager, Engineering	M
				51c	Manager, Facilities Management	M
				4	Manager, Operations	M
9	538	613	14%	20	Chief Building Official	M
				36	Deputy Fire Chief	M
				37	Manager, Development Approvals	M
				6	Manager, GIS & Information Services	M
				21c	Manager, Human Resources	M
				18	Town Clerk	F
8	475	537	13%	5	Manager, Parks & Open Space Development	F
				23	Manager, Revenue & Collections	F
				24	Manager, Supply & Services	M
				27	Manager, Utility Services	M
				41	Municipal Engineer, Development/Renewal	M
				38	Museum Curator	F
				40	Senior Design Engineer	M
				17	Senior Policy Planner	M
7	423	474	12%	13	Business Administrator, Library	F
				42	Coordinator, Development Approvals	M
				45	Development Coordinator, Health & Wellness	F
				29	Executive Assistant to CAO/Policy Analyst	F
				8	Executive Assistant to Dir of IS/Office Manager	F
				43	Neighbourhood Planner	M
				16	Senior Development Planner	F
				25	Supervisor, Facility Operations & Maintenance	M
				1	Supervisor, Fleet Services	M
6	380	422	11%	26	Supervisor, Road & Drainage Services	M
				11	Coordinator, Community Liaison & Development	M
				47	Coordinator, Law Enforcement	M
				10	Financial Analyst	F
				46	Supervisor, Parks & Cemeteries	M
5	345	379	10%	2	Systems Administrator, IT	M
				39	Deputy Museum Curator	F
				9	Legal Assistant	F
				15	Office Manager, Operations	F
				48	Municipal Law Enforcement Officer	M
				7	Payroll Administrator	F
4	316	344	9%	14	Supervisor, Construction Projects	M
				3	Coordinator, IT Support	M
3	291	315	8%	44	Planning Technician	M
				54-u	Crew Leader - Roads/Parks/Facilities	M
				28	Executive Assistant to Mayor	F
				49	Legislative Assistant	F
2	271	290	7%	32	Secretary to Committee of Adjustment	F