

DECISION OF THE DISPUTE RESOLUTION TRIBUNAL

RE: JOINT JOB EVALUATION PROVIDER GROUP

JOB #22 Home Care/Special Care Aide

Hearing Date: May 30, 2006 in Regina, Saskatchewan

Tribunal: Phil Johnson (Chair)

Aaron Fornwald (Employer Nominee)

Jim Holmes (Unions Nominee)

Presenting for the Unions: Jacquie Griffiths and Bob Laurie

Presenting for the Employers: Francis Schmeichel

Decision Date: September 5, 2006

INTRODUCTION

This Dispute Resolution Tribunal (“the Tribunal”) was formed to hear argument and render final and binding decisions regarding the Provincial Job Description and the Sensory Demands sub factor rating and rationale for Job # 22 Home Care/Special Care Aide (HC/SCA). The Tribunal is so authorized by the *Joint Job Evaluation Project Reconsideration Terms of Reference* agreed to by the Canadian Union of Public Employees, the Service Employees International Union, the Saskatchewan Government and General Employees’ Union (henceforth “the Union”), and the Saskatchewan Association of Health Organizations (“the Employer”).

With the exception of the Sensory Demands sub factor, the Joint Job Evaluation Reconsideration Committee reached consensus regarding factor ratings and rationales, the job title, job description and qualifications for the job. The *Terms of Reference* give the Joint Job Evaluation Reconsideration Steering Committee final decision-making authority over recommendations coming from the Reconsideration Committee, whether or not the Reconsideration Committee’s recommendations come with consensus support.

Like the Reconsideration Committee, the Steering Committee did not reach consensus regarding the rating and rationale for the Sensory Demand sub factor. As well, the Steering Committee did not reach agreement on the contents of the job description, nor on the job title. The parties referred the matter to dispute resolution, as provided for in the *Terms of Reference*. The Steering Committee did reach consensus on all other matters regarding Job 22.

By agreement of the Unions and Employers, the Tribunal has limited its deliberations and decisions to the HC/SCA job as it existed during the October 2000 to September 2004 time period.

The Tribunal has no authority to consider job duties prior to the 2000-2004 time period, or after, and has not done so. Nor is it within the Tribunal’s mandate to consider matters of pay or compensation. Rather, the Tribunal has made its decisions based on careful analysis of the evidence put before it, and through research of the relevant job evaluation and reconsideration data submitted to those processes by the employees and managers.

THE DISPUTE

The Union presented evidence that the appropriate Sensory Demands rating for Job 22 is degree 2.0 rather than the degree 1.5 assigned to the job by the Job Evaluation Committee and supported by management members of the Reconsideration Committee. The Union does not agree that the Provincial Job Description written by the Reconsideration Committee is appropriate, saying that it is “too general and would add duties to the SCA/HHA job classification (*i.e. Job 22*) that would lead to multi-skilling between nursing and support streams, in jobs/positions where none existed before...” In addition to proposing revisions to the job description for Job 22, the Union argued for the creation of a new job – *Daily Living Assistant/Health and Home Management Aide* – which “...does cross numerous job streams to provide a job classification that allows for the registration of the facility as an Eden Alternative™ site.”

The Employer supported the rating of 1.5 as initially determined by the Job Evaluation Committee and supported by management members of the Reconsideration Committee. The Employer has proposed revisions to the Provincial Job Description for Job 22. The creation of the new position proposed by the Union (*Daily Living Assistant/Health and Home Management Aide*) is not supported by the Employer, on the basis that the duties of the proposed new position are already included in the Job 22 Job Description, or alternately that any differences between the job description for Job 22 and the *appropriate* Job Description for *Daily Living Assistant/Health and Home Management Aide* are inconsequential, and the jobs are essentially the same.

THE SUB FACTOR

The sub factor in dispute is defined as follows:

SENSORY DEMANDS

Definition: *This sub factor considers the degree and severity of exertion associated with the job. Consider the intensity and severity of the sensory attention required by the job as well as the continuity and frequency of that effort. Consider also the choice of action available to seek relief or perform less demanding tasks. This sub factor measures the period of time where mental, visual and/or listening concentration is required on the job.*

Degree 1: *Occasional effort, less than 50% of the time. (a) Concentration is necessary in the preparation of written materials, generating materials with use of personal computer, use of computer software, short periods of driving, visual and/or listening attention with choice of action.*

Degree 2: *Regular effort, between 50-75% of the time. (a) Concentration on precision work, report writing, multiple sensory demands, long periods of driving, limited counseling, training, instruction, visual and/or listening attention with little choice of action.*

Degree 3: Frequent effort, over 75% of the time. (a) Concentration is necessary to provide recurring counseling, preparation of complicated reports requiring intensive demand (research, analysis and interpretation), competing multiple sensory demands.

Notes to Raters:

1. *Attentiveness is required for all jobs, rate tasks requiring more intense levels of concentration.*
2. *Concentration includes activities such as listening, interpreting, reading, watching, driving, inputting data or when in combination with the five senses (sight, taste, smell, touch and hearing) are required in the course of doing the job that results in mental/sensory fatigue.*
3. *Duration – consideration is given to the length of time and effort required and frequency of the task occurring during the normal workday or shift.*
4. *Frequency –*
 - Occasional** Activity occurs once in a while, (i.e. once in a while on a daily basis or several times daily, but not every day) less than 50% of the time.
 - Regular** Activity occurs often (i.e. several times daily almost every day or between 50-75% of the time).
 - Frequent** Activity occurs frequently (i.e. on a daily basis over 75% of the time).
5. *Selection of half degree must be supported with rationale and reference to the next higher degree level. An acute aspect of the job can move a rating by 0.5, such as when one aspect of the job (i.e. visual/listening attention with little choice of action) is performed at the % range of the next higher degree.*
6. *Half degrees are permitted when interpreting job content within the guidelines and explanations of the degree levels.*

THE JOB ASSIGNMENT

The Steering Committee is in dispute over the contents of the Provincial Job Description for Job 22. By review of Job Fact Sheets, Reconsideration data and presentations by the parties to the hearing on this matter, the Tribunal has determined that the Provincial Job Description will be as follows:

Title: (022) Home Care/Special Care Aide

Summary of Duties:

Provides personal care and activities of daily living for clients/patients/residents to encourage optimum level of functioning. Supports clients/patients/residents in meeting their physical, emotional and spiritual needs.

Qualifications:

Home Care/Special Care Aide certificate

Knowledge, Skills, and Abilities:

- Basic computer skills, where required by the job
- Interpersonal, organizational and communication skills
- Ability to work independently
- Valid drivers license, where required
- Food Safe training

Experience:

- Previous: No previous experience

Key Activities:**A. Direct Care and Monitoring of Clients/Patients/Residents**

- Provides bathing and grooming services (e.g. hair care, shaves, nail care, make-up).
- Dresses and undresses clients/patients/residents.
- Provides oral care (e.g. brushing natural teeth or dentures).
- Provides bowel and bladder care (e.g. suppositories, enemas, catheters, ostomy bags).
- Assists with treatments as per care plan (e.g. ointments and simple dressings).
- Monitors and assists with meals and nutritional needs (e.g. cuts meat, assists clients/patients/residents).
- Monitors and assists with proper hydration.
- Prepares meals (e.g. plans, prepares, serves and cleans up) where required.
- Assists with mobility and/or transfers of clients/patients/residents (e.g. to and from bed, chair, commode, bath chair) using various aids and lifts, following assessment.
- Observes and reports skin breakdown, condition of feet/nails, and overall condition.
- Monitors and reports vital signs and glucose levels, where required.
- Assists with daily living activities as per care plan (e.g. nutrition, personal care and mobility).
- Promotes emotional well-being of clients/patients/residents, monitors and reports to the care team changes in behaviour.
- Promotes good communication with clients/patients/residents and their support system.
- Supports/assists clients/patients/residents in meeting their spiritual, emotional and social needs.
- Provides medication assistance as per protocol, where required.
- Files/maintains documentation (charts and notes) of clients/patients/residents (e.g. fluid intake/output, weight records, etc.).
- Informs care team of clients/patients/residents current status.

B. Indirect Care

- Makes/changes bed linens, empties hamper, cleans equipment and tidies room.
- Maintains inventory and distributes/documents client/patient/resident usage (e.g. briefs, lotions, soaps, tissues).
- Charts inventory items for charting records for billing purposes.
- Launders client/patient/resident items, where required.
- Cleans, sanitizes/disinfects and prepares for use areas and equipment (e.g. tubs, commodes, floors).
- Collects specimens (e.g. urine, stool and sputum) and transports to lab, where required.
- Completes transfer/lift/repositioning assessment and posts appropriate logos.
- Assists/porters clients/patients/residents to activities, appointments, outings, where required.
- Maintains asepsis of all related equipment and surroundings.

C. Cooperation and Coordination with Other Departments

- Follows therapy guidelines for transfers and activities of daily living to meet specific client/patient/resident daily needs.
- Notifies the appropriate contact for required repairs.
- Participates in clients/patients/residents care plans and multi-disciplinary meetings.

D. Related Key Work Activities

- Provides occasional guidance to the primary function of others.
- Disposes of contaminated items/waste and sharps as per protocol.
- Cares for pets and plants, where required.
- Sets up instrument trays and autoclaves, where required.
- Answers phones and takes messages.
- Perform required checks on mechanical lifts and slings and related equipment, as per Transfer, Lift and Repositioning policy.
- Communicates and participates in emergent situations as per protocols (e.g. code blue, code white, death, fire, disaster).
- Follows universal/standard precautions, infection control and isolation techniques.
- Performs housekeeping duties, where required.
- Performs security checks, where required.

The Provincial Job Fact Sheet developed by the Job Analysis Committee described Job 22's Sensory Demands as follows:

Visual effort required on a concentrated basis:

Observing clients/patients/residents – 60-75% of day – Continuous (i.e. activity occurs almost every day)

Observing medical equipment – 30-50% - Continuous

Performing nail care – 10% - Frequent (i.e. activity occurs often)

Bowel, catheter and colostomy care – 12% - Continuous

Charting and reporting – 12% - Continuous

Checking for spills – 25% - Continuous

Taking vital signs – 6% - Frequent

Listening attentively:

Listen to clients/patients/residents – 60-75% - Continuous

Take instruction/direction from RN/LPN - 25% - Continuous

Equipment sounds – 25% - Continuous

Answer phone and take messages – 6% - Continuous

Patient call systems – 100% - Continuous

The Provincial Job Fact Sheet for Job 22 was revised by the Union for presentation to the Tribunal, as follows (* denotes item is a change from Job Analysis Committee version):

Visual effort required on a concentrated basis:

Observing clients/patients/residents – 65% of day – Continuous (i.e. almost every day)

**Interpreting clients/patients/residents needs – 60-75% - Continuous*

Observing medical equipment – 30-50% - Continuous

Performing nail care – 10% - Frequent

Bowel, catheter and colostomy care – 12% - Frequent

Charting and reporting – 12% - Continuous

Checking for spills – 25% - Continuous

Taking vital signs – 6% - Frequent

**Reading reports/orders, care plans, policies – 12-25% - Continuous*

Listening attentively:

Listen to clients/patients/residents – 60-75% - Continuous

Take instruction/direction from RN/LPN - 25% - Continuous

*Equipment sounds – 25- *40% - Continuous*

Answer phone and take messages – 6% - Continuous

Patient call systems – 100% - Continuous

**Listen to co-workers, families, staff – 40% - Continuous*

ANALYSIS

The Tribunal has carefully interpreted and applied the Sensory Demands *Guidelines and Explanations* and *Notes to Raters* in reaching a rating decision for Job 22. We have applied this factor by first determining the intensity of the job's sensory demands. This is accomplished by comparing the job's sensory demands with the examples and job characteristics described in the *Guidelines and Explanations* for each degree level of the factor. Along with determining the intensity level of the sensory demands, the frequency of the demands must be calculated. Also considered is the duration of each activity and the choice of action the job has to alleviate the demand.

Low frequency activities of the same intensity can accumulate to achieve the degree rating, or one activity with a high frequency and appropriate intensity can put the job at that particular intensity degree level. However, in order for a job to rate at degree 2 for regular effort between 50-75% of the time, it must be the case that the activities being combined are of the intensity described in degree 2 of the *Guidelines and Explanations*. In other words, a job cannot rate a degree 2 by combining a variety of degree 1 activities that total from 50-75% of the job's time.

In addition, the Tribunal reviewed a large number of Provider Group jobs rated at all degree levels of this sub factor. This review of other jobs was undertaken in order to learn how the various joint committees have interpreted and applied this sub factor throughout the job evaluation and reconsideration processes. Of course, the Tribunal reviewed only jobs in which the Sensory Demands rating was reached by committee consensus including final approval by the Steering Committee.

Although the Tribunal surveyed jobs rated at all levels of this factor, for the purpose of this report (and brevity) we will summarize only a few representative findings for jobs rated 2.0, 1.5 and 1.0.

Of jobs rated degree 2.0, we note Job 17 Child Life Worker; Job 203 Rehabilitation Worker; and Job 104 Head Laundry Services Worker.

Job 17 Child Life Worker provides pre-operative teaching, play therapy, cognitive distraction and preparation for diagnostic tests. It also provides psychosocial, recreational, and emotional support to children and adolescents before, during and after procedures. The sensory demands include *continuous* reading (5-30%), writing (6-12%), observing patients (30%), observing/listening to patients (50-90%), and teaching (25%). Attention is shifted frequently from one job detail to another.

Job 203 Rehabilitation Worker assists with delivery of rehabilitation programs to prepare clients/patients/residents for re-integration into the community. The work involves implementing and monitoring rehabilitation activities, conducting client/patient/resident review meetings, assisting patient with use of adaptive devices, providing cognitive intervention training, teaching staff/family/teachers/providers the appropriate mobility and lifting techniques, and researching and writing reports on therapy techniques. The sensory demands include *continuous* client observation (30-50%), paperwork (6-25%), and observation/listening/instructing patients (20-50%). The sensory demands also include *frequent* home visits (15%) and meetings (10%). Attention is not shifted frequently from one job detail to another.

Job 104 Head Laundry Services Worker supervises staff and maintains laundry and linen supplies and services, and provides laundry-related services to clients/patients/residents and staff. The work involves scheduling and prioritizing staff work, handling payroll issues, providing input into budget preparations and monitoring expenditures, providing input into equipment selection, staff selection and performance reviews, coordinating Laundry Services with other departments, gathering and portering soiled linen, loading and unloading washers, maintaining inventory, etc. The sensory demands include *continuous* listening to ensure machines are running properly (75%), checking linen (25-50%), checking inventory (5%), sorting (12-18%), charting laundry weights (6%), filling orders (6%), and moving carts with visual attention (12-50%). *Frequent* sensory demands include listening to resident concerns (18%), listening to staff concerns (18%), sewing (15%), preparing month-end statistics (6%), ordering supplies (6%), and scheduling staff and handling payroll issues (12%). Attention is frequently shifted from one job detail to another.

Of jobs rated degree 1.5, noted here are Job 19 Food Services Worker; Job 27 Head Environmental Services Worker; and Job 5 Caretaker.

Job 19 Food Services Worker assists with the (non-cooking) preparation and distribution of food and beverages. It provides cafeteria, catering and dining room services, and cleans and sanitizes equipment and work areas. Work involves assembling meals, trimming meat and slicing vegetables, measuring ingredients, portioning food items and assembling trays, assisting clients with meals, cleaning dishes, stocking supplies, etc. Continuous sensory demands include reading (3-50%), till operation (12-80%), sorting (20-50%), portioning (50-70%), assembling (12-70%), disassembling (12-70%), operating computer (0-6%). Attention must be shifted frequently from one job detail to another.

Job 27 Head Environmental Services Worker coordinates workflows within the Environmental Services Department and provides a clean, sanitary and safe environment for clients/patients/residents, staff and visitors. The work involves coordinating and administering staff schedules and workloads, monitoring infection control and universal precautions, conducting inspections and completing reports, ordering supplies, documenting cleaning schedules, cleaning all areas, equipment and floors, maintaining

equipment, preparing cleaning solutions, ordering clean linen and uniforms. *Continuous* sensory demands include replacement scheduling (10-25%), preparing linen/supply orders (6-20%), documenting work (5%), checking labels/chemicals (6%), performing inspections (25-50%), operating equipment (25%), listening to directions/complaints (12-25%), listening to equipment sounds (10-40%). *Frequent* sensory demands include computer operation (50%), budgets/paperwork (6-20%), filing (12%), inventory (5-12%). Attention is shifted frequently from one job detail to another.

Job 5 Caretaker monitors the cleanliness of the facility by performing minor repairs including painting and carpentry, maintaining the grounds, maintaining floors, shipping and receiving inventory, preparing cleaning solutions, cleaning and maintaining equipment, operating the garbage compactor and portering supplies. *Continuous* sensory demands include listening to equipment sounds to ensure proper functioning (35%). *Frequent* sensory demands include communications (25%), operating equipment (25%), repairing equipment (10%), reading (10%). Occasional sensory demands include driving (5%) and furniture assembly (5%). Attention must be shifted frequently from one job detail to another.

Of jobs rated 1.0, noted here are Job 15 Client Attendant; and Job 120 Porter.

Job 15 Client Attendant provides companionship and monitors the safety and well-being of clients/patients/residents. The work involves providing constant observation, completing observation sheets, assisting clients/patients/residents with nourishment, and escorting clients/patients/residents. *Continuous* sensory demands include patient observation (75-90%), listening to patient sounds (50-90%), recording client activities every 15 minutes (6%), and listening to directions (6%). Attention is not shifted frequently.

Job 120 Porter transports clients/patients/residents, documents and a variety of goods, equipment, supplies and specimens. The work involves monitoring patients during transport, monitoring patient devices, requisitioning replacement stock, performing data entry and filing, and performing general cleaning duties. *Continuous* sensory demands include observing patients (20-80%), listening to communications (10-40%), and repositioning patients/equipment (40-80%). *Frequent* sensory demands include stocking shelves/carts (10-25%), and listening to equipment sounds to ensure proper functioning (10-30%). Occasional sensory demands include computer operation (0-20%), and reading (10-20%). Attention must be shifted frequently from one job detail to another.

Tribunal rating decision: Degree 1.5

Tribunal rationale: The Tribunal has rated Job 22 Home Care/Special Care Aide at degree 1.5 on the Sensory Demands factor based on careful reading of the sub factor definition, the *Guidelines and Explanations* and *Notes to Raters*. As well, in order to understand how the factor has been applied throughout the job evaluation and reconsideration process, and to thereby ensure rating consistency, the Tribunal surveyed a large number of Provider Group jobs rated at all degree levels on this sub factor.

This sub factor is rated on an ascending scale of intensity of concentration, and by the frequency with which the activities requiring concentration occur. Consideration must also be given to the duration of the activities requiring concentration, as well as to the choice of action available to the job to seek relief or perform less demanding activities.

The activities of Job 22 Home Care/Special Care Aide are not of a similar intensity to examples of degree 2 in the *Guidelines and Explanations* section of the sub factor, nor to other Provider Group jobs rated 2.0 on this sub factor. The *Guidelines and Explanations* describe characteristics of degree 2: *Concentration on precision work, report writing, multiple sensory demands, long periods of driving, limited counseling, training, instruction, visual and/or listening attention with little choice of action.* A few examples of degree 2.0 jobs and activities have been provided above. For example, Job 203 Rehabilitation Worker assesses and evaluates the effectiveness of individual rehabilitation programs, provides cognitive intervention training and develops educational material. Such activities require an intensity and frequency of sensory demand not found in the Home Care/Special Care Aide job.

The Sensory Demands of Job 22 are most similar to those of jobs rated 1.5 on this sub factor. For example, Job 27 Head Environmental Services Worker monitors infection control, conducts inspections, completes reports and prepares cleaning solutions. Such activities meet the requirements of degree 1 as described in the *Guidelines and Explanations*: *Concentration is necessary in the preparation of written materials, generating materials with use of personal computer, use of computer software, short periods of driving, visual and/or listening attention with choice of action.* Jobs rated 1.5 receive an additional half degree for periods of more intense concentration. For example, the rationale for Job 27's rating of 1.5 is: *Occasional sensory effort scheduling and observing staff, with periods of additional concentration performing work inspections and using computers.*

Job 22 exceeds the sensory demands described in degree 1 and as exemplified in the jobs described above (Job 15 Client Attendant and Job 120 Porter) in the fact that it has periods of more intense visual and listening effort when observing clients/patients/residents.

The rating rationale for Job 22 Home Care/Special Care Aide will read as follows:
Occasional sensory effort when assisting with treatments with periods of additional concentration listening to and observing clients/patients/residents when providing care.

NEW JOB DESCRIPTION ISSUE

The Union proposed that a new job description entitled *Daily Living Assistant/Health and Home Management Aide* be created. Evidence of the necessity of this new job description is largely based on reconsideration submissions covering approximately 500 incumbents who believed that their work was not recognized in the Job Description of Job 22. The submissions were primarily from home care employees and the two Eden Alternative facilities in the province. The Union stated that: “Following the principle that every employee should be able to find their job in the Provincial Job Description without adding duties to other incumbents bundled in the same job classification, the Unions are proposing a new job classification (Daily Living Assistant/Health and Home Management Aide).”

The Tribunal has carefully reviewed the new job description proposed by the Union and compared it with the descriptions for Job 22 as proposed by the Job Evaluation Committee and Reconsideration Committee. The Job Fact Sheets and Reconsideration data was also reviewed.

The Tribunal is satisfied that the duties listed by the Union as missing from the Job Description for Job 22 (e.g. planning and preparing meals, cleaning, doing personal laundry for the resident, assisting with outings, etc.) are now included in the Job Description for Job 22 Home Care/Special Care Aide as provided in this Tribunal report. Further, when reading the Provincial Job Description, it is important to remember the statement following the Key Activities and included before the signing area of every job description: *The above statements reflect the general details considered necessary to describe the principal functions of the job and shall not be construed as a detailed description of all related work assignments that may be inherent to the job.*

Therefore, the Tribunal will not create the new job description proposed by the Union.

SUMMARY OF DECISIONS

The Tribunal has determined the appropriate job description for Job 22, which has the title Home Care/Special Care Aide.

The rating for the Sensory Demands factor is 1.5. A rationale is provided.

The Tribunal will not create the new job description *Daily Living Assistant/Health and Home Management Aide*. The duties that would have comprised that job description are included in Job 22.

