

chapter E-12.001, r. 2

Updated to 1 May 2017

Regulation respecting pay equity in enterprises where there are no predominantly male job classes**Pay Equity Act**

(chapter E-12.001, ss. 13 and 114, 1st par., subpars. 1 and 2)

DIVISION I**IDENTIFICATION OF TYPICAL JOB CLASSES**

1. For the purpose of identifying predominantly male job classes in an enterprise subject to the Act where there are no predominantly male job classes, the pay equity committee, or the employer in the absence of a pay equity committee, for as long as there are no predominantly male job classes, must use the following typical job classes:

Typical job classes	Job description
Foreman	Schedule I
Maintenance worker	Schedule II

O.C. 315-2005, s. 1; O.C. 695-2005.

DIVISION II**REMUNERATION OF TYPICAL JOB CLASSES**

2. The pay equity committee, or the employer in the absence of a pay equity committee, must determine the hourly rate of remuneration that would be paid for each job class identified under section 1 on the basis of the job descriptions set out in Schedules I and II if there were such job classes in the enterprise. To that end, the pay equity committee, or the employer in the absence of a pay equity committee, must consider the following factors: the sector of activity, the size of the enterprise, and the region in which the enterprise operates.

O.C. 315-2005, s. 2; O.C. 695-2005.

3. In determining the hourly rates of remuneration, the pay equity committee, or the employer in the absence of a pay equity committee, must comply with the following standards:

(1) the hourly rate of remuneration assigned to each job class identified under section 1 must not be less than the minimum hourly wage rate determined by regulation of the Government under section 40 of the Labour Standards Act (chapter N-1.1); and

(2) the hourly rate of remuneration assigned to the maintenance worker job class must be equal to 60% of the hourly rate of remuneration assigned to the foreman job class.

O.C. 315-2005, s. 3; O.C. 695-2005.

4. For the purposes of the valuation of differences in compensation, the flexible pay referred to in section 65 of the Act or the value of a benefit having pecuniary value referred to in section 66 of the Act must be added to the hourly rate of remuneration assigned pursuant to sections 2 and 3 where

(1) the flexible pay or the benefit having pecuniary value is currently available in the enterprise; and

(2) if the relevant job class existed in the enterprise it would in all likelihood be eligible for the flexible pay or the benefit having pecuniary value.

O.C. 315-2005, s. 4; O.C. 695-2005.

DIVISION III

IMPLEMENTATION OF PAY EQUITY

5. Once the pay equity committee, or the employer in the absence of a pay equity committee, has assigned an hourly rate of remuneration to each job class pursuant to sections 2 and 3, the pay equity committee, or the employer in the absence of a pay equity committee, must implement pay equity as provided in the Act.

O.C. 315-2005, s. 5; O.C. 695-2005.

6. This Regulation comes into force on 5 May 2005.

O.C. 315-2005, s. 6.

SCHEDULE I

JOB DESCRIPTION

Title:	Foreman
Similar job titles:	manager
	team leader
	supervisor
	coordinator

Descriptive summary:

Under the authority of a management officer, organize, coordinate and supervise the activities and the work of the personnel in a department, an administrative or production work unit, or other unit.

Characteristic duties and responsibilities:

- (1) Organize, coordinate and supervise the department's activities. Assign tasks;
- (2) Establish methods to meet work schedules and coordinate joint work activities with other departments;
- (3) Resolve work problems and recommend measures to improve productivity, quality or other performance measurements;
- (4) Recommend personnel actions such as hiring and promotions and provide training.

Job qualifications, efforts and conditions:

For the purposes of assigning an hourly rate of remuneration and determining the value of the job class, the characteristic duties and responsibilities must be assessed having regard to the conditions under which the work would be performed, the qualifications and the efforts that would be required to hold such a job in the enterprise. The assessment of those factors must reflect the organizational practices of the enterprise and its way of doing business.

O.C. 315-2005, Sch. I; O.C. 695-2005.

SCHEDULE II

JOB DESCRIPTION

Job title: Maintenance worker

Similar job titles: caretaker
handyman
labourer

Descriptive summary:

Perform general carpentry, painting, plumbing, electrical and other maintenance work that is not required to be performed by a specialized worker.

Characteristic duties and responsibilities:

- (1) Make minor routine repairs to facilities, hardware, furniture, and other repairs;
- (2) Inspect premises to ensure proper functioning of lighting, heating, ventilation or other systems and make simple adjustments;
- (3) Maintain public areas (hallways, stairs, washrooms, or other areas), carrying out cleaning tasks such as sweeping, waxing and other tasks;
- (4) Maintain outdoor areas, performing such duties as lawn mowing and snow removal and other tasks.

Job qualifications, efforts and conditions:

For the purposes of assigning an hourly rate of remuneration and determining the value of the job class, the characteristic duties and responsibilities must be assessed having regard to the conditions under which the work would be performed, the qualifications and the efforts that would be required to hold such a job in the enterprise. The assessment of those factors must reflect the organizational practices of the enterprise and its way of doing business.

O.C. 315-2005, Sch. II; O.C. 695-2005.

REFERENCES

O.C. 315-2005, 2005, G.O. 2, 976
O.C.. 695-2005, 2005 G.O. 2, 2401