

APPENDIX 1 TO NJC PROMULGATION 1/10

Appendix D (to the National Joint Council Handbook of Agreements)

Appeals Procedure for the Staff Job Evaluation/Job Grading Scheme of the Environmental Engineering Industry Staff Salary Agreement

Stage 1

Where a job holder feels that his/her job is graded incorrectly, he/she should raise the matter with his/her immediate supervisor. The supervisor should:

- (i) explain the principles of the grading scheme and the manner in which the job holder's job has been graded; and
- (ii) clarify any question regarding the content of the job which the job holder is required in the course of his/her duties to perform.

If the job holder still wishes to appeal, he/she may submit a request in writing for a re-grading.

Stage 2

On receipt of such an appeal, the manager in the company responsible for job grading shall meet the appellant within 15 working days, when the appellant may be accompanied by the office EESA staff representative. At this stage, the appellant and the manager in the company responsible for job grading shall endeavour to resolve any differences. Where there is still a failure to agree on the grading of the job, the manager responsible for job grading shall, with the agreement of the job holder, identify in writing any points of disagreement about the job content and the grade allocated to the job.

Stage 3

Failing settlement at Stage 2 the appeal shall be referred within 20 working days to a meeting of the manager in the company responsible for job grading, the appellant, a senior management representative of the company, a full time officer of EESA and, at the request of the company, an official of the appropriate Employers' Association. Either party may request the attendance of the EEI Job Evaluation Co-ordinator in an advisory capacity.

The company shall notify the Joint Secretaries of the National Joint Council (NJC) of the meeting.

At the meeting, the company must, if it has not already done so, define in writing the content of the job which it requires to be done by the job holder. The parties should, if possible,

agree on this before the matter can be referred to a Stage 4 hearing. The principal purpose of the meeting, however, will be to establish whether the job grading awarded by the company can be regarded as fair and reasonable.

In the event of failure to agree, the points of difference between the parties also shall be defined clearly in writing, signed by the job holder and the manager in the company responsible for job grading.

Stage 4

In the event of failure to reach settlement at Stage 3, the appeal shall be referred to the Joint Secretaries of the NJC, who shall be responsible for convening a meeting of the Appeals Sub-Committee of the NJC Grading Review and Appeals Committee which the employing company and the appellant shall attend, accompanied by their representatives. The Joint Secretaries will advise the Chairman of the NJC Grading Review and Appeals Committee of the issue.

The meeting of the Appeals Sub-Committee shall be arranged to hear the appeal within 20 working days of the matter being referred to the Joint Secretaries of the NJC.

The Appeals Sub-Committee shall comprise one representative of the Employers and one representative of EESA from the NJC Grading Review and Appeals Committee under the chairmanship of the NJC Grading Review and Appeals Committee Chairman. The Job Evaluation Co-ordinator shall be in attendance. It shall also be open for the Joint Secretaries to attend the Appeals Sub-Committee. If necessary, the Chairman of the Appeals Sub-Committee shall have the deciding vote.

The decision of the Sub-Committee on an appeal for re-grading shall be final on matters regarding the grade allocated to the job.

It is not appropriate for the Sub-Committee to consider any matters not raised and defined in the written submissions from Stage 3. At the request of either party, however, and within 15 working days, any matter of principle arising from the appeal as set out in an agreed statement of the point in question may be referred to the NJC Grading Review and Appeals Committee for clarification or decision. Pending clarification of any agreed matter of principle by the Committee, the Sub-Committee may defer a decision on the appeal.

The Joint Secretaries may refer any issue of interpretation or principle to the National Joint Council or to any Sub-Committee of the Council they consider appropriate to consider and make a recommendation to the Council.