

# ROLE OF A REVIEW OFFICER

## In Dealing with Non-Union Objections and Complaints

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This fact sheet is to help non-union employees understand how a Review Officer proceeds when investigating objections or complaints. For an explanation of the application process for objections or complaints, see our fact sheet "Making Objections or Complaints".

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### What is the role of the Review Officer (RO)?

Review Officers are neutral. They do not represent either you or your employer.

You can expect the RO to give an opinion on how the Act applies to your case, discuss options with you, and explain the investigation and settlement process. ROs will not settle the complaint without your agreement.

#### *Review Officers:*

- **Investigate** objections to pay equity plans and complaints that the Act has not been complied with;
- **Mediate** between employers and employees to try to resolve objections or complaints. They may try to help you and your employer to see options and look for solutions;
- **Enforce** the Act by writing Orders or Notices of Decision to resolve objections or complaints;
- **Help** you understand the Act by answering your questions and providing you with the information you need to understand the process.

#### *If a solution cannot be reached between you and your employer:*

- The RO becomes a decision-maker and may write an Order that resolves the issues in dispute;
- The RO can also decide, after an investigation, that there is no violation of the Act, that a complaint cannot be dealt with because it is not covered under the *Pay Equity*

Act, or that the complaint is being made in bad faith. In these cases the RO may issue a "Notice of Decision".

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## **How does the Review Officer investigate and settle or decide objections and complaints?**

*The Review Officer will:*

- Call you before speaking to your employer to get more information about your objection or complaint;
  - Keep information confidential if you ask them to do so;
  - Ask for documents or interview other people to investigate your objection or complaint.
  - Present the complaint to your employer and ask for the employer's response;
  - Try to mediate a settlement by helping you and your employer to see options and look for solutions;
  - If a settlement cannot be reached, resolve any issues still in dispute by writing an Order or "Notice of Decision".
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## **What is my role in resolving this dispute?**

*You are a decision-maker:*

As an applicant, you have the right and the responsibility to make your own decisions based on complete information, an understanding of the process, and the available options. You may ask your RO what information he or she will be getting from your employer. The RO needs your participation in the investigation, settlement discussions and resolution. Decisions about whether to accept a settlement offered by the employer, to withdraw, or to go further with your case are up to you.

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## **What if I disagree with the Order or Notice of Decision, or my employer disagrees and does not follow the Review Officer's Order?**

- If you or your employer disagree with the RO's Order or Notice of Decision either of you can apply to the Pay Equity Hearings Tribunal (PEHT) for a hearing. The hearing is like a court proceeding but is less formal;
- If your employer is not following the Order, the Pay Equity Office may ask the PEHT to enforce the Order;
- It is important for you to keep your own records of the objection or complaint. The RO cannot represent you or your employer before the Tribunal. The only information the Tribunal will request from Review Services is a copy of the RO's Order or Notice of Decision.

To find out more about the PEHT processes, or to get a copy of the guide to the PEHT rules, call (416) 314-0004 or toll free 1-800-668-3946, or visit their website at <http://www.labour.gov.on.ca/pec/peht/index.html>

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## How do I get more information?

We are here to help. We can answer your questions by e-mail at <mailto:pecinfo.pecinfo@ontario.ca> or by phone at (416) 314-1896, or toll-free at 1-800-387-8813. Publications and seminars are available free of charge. Request these by contacting us at <mailto:pecseminars.pecseminars@ontario.ca> or through our site at [www.payequity.gov.on.ca](http://www.payequity.gov.on.ca)

All communications are confidential.

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### The Pay Equity Commission

**This fact sheet is for information only, and is not intended to restrict Review Officers or the Pay Equity Hearings Tribunal in their determination of matters. Refer to the Pay Equity Act for exact interpretation.**

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