



GUIDE

Filling out the “Application for Review Services” form

The information you provide in this application form will assist us in processing your application and investigating your complaint. The following explanations of the parts of the form are to assist you in providing complete and accurate information.

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Part 1: Who is applying?

Are you filling out the form on your own behalf, or are you applying on behalf of someone else? Check **all** the boxes that apply to you.

If you are applying on your own behalf, you are the applicant. Provide us with your name, job title and contact information in the spaces provided.

If you are applying on behalf of someone else put the name of that individual or organization in the space for the applicant. Your name and job title should go in the box reserved for the name and title of the *Person to contact*.

If you are applying on behalf of a bargaining agent, and the application is in reference to more than one job class or an issue affecting multiple job classes, leave the job title box blank. You will be able to explain your issues in Part 4.

Confidentiality: see Part 5

Part 2: Employer

Provide the name of the employer in whose work place the pay equity issue occurred. This may be a current or former employer.

If you are the employer and applying you may indicate “as in Part 1”.

Part 3: Union / Association / Labour Organization (if applicable):

If you are an employee normally represented by a bargaining agent (union / association), but are making this application without their representation, provide us with information about how to contact them here.

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Part 4: Why are you applying?

You may indicate the nature of your pay equity issue by ticking the box next to the appropriate description at the beginning of this section. You must also provide a description of the circumstances of your pay equity issue in the space provided below the listed options.

If you are not certain that any one of the listed options fits your situation, simply provide us with your description of the situation.

You may attach additional pages if you want to provide a more detailed description. You may also attach any relevant documents that you have that you think would assist in the investigation of the following:

Pay equity was not done / I don't know if pay equity was done

All public sector employers in Ontario, and private sector employers with more than 10 employees, are required to establish compensation practices that provide for pay equity. If you work for an employer that you believe should have done pay equity and hasn't, or if you are not sure, you can file an application.

Pay equity is not being maintained

Employers must maintain pay equity once they have established it.

I disagree with the results of pay equity

You may file an application if:

- a pay equity plan has been posted or re-posted in your workplace
- your employer has undertaken a comparison process and you disagree with the comparison results.

I have been fired, harassed, or have been punished because of pay equity

If you believe that you have been punished, coerced, harassed or intimidated for exercising your rights under the *Pay Equity Act* you may file a complaint.

Employer and union cannot reach an agreement on pay equity

Where employees are represented by a union, pay equity must be negotiated between the union and the employer. Either the union or the employer can apply and notify the Commission that they have been unable to reach agreement on pay equity.

Pay equity is not being implemented according to the plan

A pay equity plan posted by the employer is a binding document. The employer must implement the plan. If this is not being done, employees or the bargaining agent can complain.

There has been a violation of the Act, the Regulations or an Order of the Commission

If you know, or think you know, of a section of the *Act* that was contravened, and / or a condition of a Review Services order that was not followed, check this box.

Other

If you're unsure which box to check, use this section to outline the nature of the situation – a brief description will do. The exact basis for the application will be identified during the investigation.

Part 5: Confidentiality and Signature

If you are an employee or group of employees, you can file an application without having to have your name released to your employer. Your employer will be informed that an application has been filed, but not by whom. You can remain confidential in one of two ways:

- by appointing an agent who will act on your behalf throughout the course of the investigation; or,
- by requiring the review officer to keep your name from the employer, unless you first expressly give him / her permission to release your name to the employer.

If remaining unknown to your employer is important to you, indicate your desire for confidentiality in this part by checking the boxes that apply.

Where can I go for more information or help?

We are here to help. We can answer your questions by e-mail at pecinfo@mol.gov.on.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 pecseminars@mol.gov.on.ca or through our site at www.payequity.gov.on.ca

All communications are confidential.

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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