

MEMORANDUM

TO: CELA staff

FROM: Non-legal staff (Sarah, Bonnie, Mary, Linda, Maureen, Rick)

RE: Salary determination 1987-88 fiscal year

DATE: April 29, 1987

There was an important discussion

Attached is a budget proposal for the division of the salary pool from the CELA non-legal staff. On April 22, 1987 this group of staff met to consider the legal staff's back of the envelope calculations for salary allocation (see attached). After discussion the group unanimously concurred that we would circulate a separate proposal because of two factors: our concern over the lack of a policy for salary determination, which has led to "variances" in the last two years; and a concern that other staffing needs be adequately provided for.

Background

Last year for the first time, CELA Management Committee varied their approach to salary determination. For the first time in five years they did not give the same overall percentage increases to all staff. At the time CELA non-legal staff requested a rationale for this divergence be given and requested that the Board develop a policy on salary determination.

the etc. did not create a policy

However, last year the Board of Directors rejected a motion which would have standardized equal percentage increases for all staff. No effort has been made this year to develop any such policy on standardizing salary determination. We feel this vacuum leads to unfair pressure being placed on staff once again this year. While it is always hoped that staff will reach a consensus internally on the division of salary, it is increasingly difficult to accomplish this when every year is viewed as "an exception" and we don't know what the rules are for the decisions that get made.

It is important for staff morale that CELA have a consistent policy from year to year regardless of the machinations of Legal Aid. There is a morale problem created by the confusion that results from a lack of policy. Staff feel unclear about what factors are considered to be of value to the Board of Directors: commitment, performance, OLAP's criteria, or simply the status of each position within the organization?

Non-legal staff is proposing again that the Board adopt a policy of giving all staff the same percentage increase. We feel that this is a fair and equitable approach, and one that worked well for us in the five years prior to 1986. The distance between the legal and support staff is obviously still kept as those with

larger salaries still receive much greater increases in real terms than those at the lower end of the salary scale. Our proposal for a 15% increase this year does not prevent the legal staff from catching up. Over a two-year period they will have received 25% salary increases. This places each of them several thousand dollars over the highest amount paid in 1986 to lawyers in legal clinics with the same number of years of experience (see OLAP statistics).

Last year we provided information to the Board about the experience of CELA's non-legal staff; that experience, we feel, is significant. CELA has a highly qualified staff, all of whom could be paid more if they were working in the private sector.

Co-ordinator - 15 years work experience, 8 at CELA and 7 years in other managerial positions

Newsletter editor - 15 years work experience, 4 of them in editorial positions (3 at CELA), 10 years as a bookkeeper

Resource librarian - 26 years work experience, 20 years in community development, education and scientific, 6 years as a professional librarian (3 at CELA)

Clinic secretary - 27 years work experience, TV production, secretarial, administration and operating own typesetting business (2 years at CELA)

Secretary/receptionist - 9 years work experience, 5 years as research assistant to federal MP, 1 year teaching english as a second language, 2 years community development (1 year at CELA)

A further concern of non-legal staff is the indications that we are allowing OLAP to influence our salary determination. Prior to 1986, the Board always divided the salary pool as they saw fit, as an autonomous clinic board should do. However, last year members of the Board sought OLAP's advice during the salary determination process. We feel this sets a very dangerous precedent.

We further believe that the limitations placed by Ontario Legal Aid on the ability of non-legal staff to contribute to the salary pool with career progress units after six years is unequitable. The legal staff appear to be accepting this discriminatory practice by suggesting in their memo that a lower percentage raise be given to the co-ordinator who has eight years of experience at CELA. Last year we asked that the Board make special representation to OLAP to work in conjunction with OALC to change this practice. This has never been undertaken.

look at experience with very argument

absolutely no following

PROPOSAL FOR OVERALL SALARY INCREASE FOR CELA STAFF
FOR APRIL 1, 1987 TO MARCH 31, 1988

Proposed: Uniform increase of 15% for all staff, legal and non-legal.

Lawyers

	<u>1986-87</u>	<u>15% increase</u>	
TV	39,062.00	5,859.30	44,921.30
SS	36,612.00	5,418.00	42,030.00
MS	37,600.00	5,640.00	43,240.00
			<u>\$130,191.30</u>
		+ 7% benefits	9,113.39
		+ Law Society dues	1,275.00
Sub-total legal staff			<u>\$140,579.69</u>

Other Staff

	<u>1986-87</u>	<u>15% increase</u>	
SM	27,386.00	4,107.90	31,493.90
researcher	26,500.00	Ø	24,694.00
LG	20,824.00	3,123.60	23,947.60
MJ	20,824.00	3,123.60	23,947.60
BG	13,102.00	1,965.30	15,067.30
MV	8,735.00	1,310.25	10,045.25
art. student	19,962.00	2,994.30	22,956.30
			<u>\$152,351.95</u>
		+ 7% benefits	10,791.00
		+ Bookkeeping fees (Kathleen Mitchell)	2,000.00
Sub-total other staff			<u>\$165,142.95</u>

Contingency Funds

1. Replacement salary (6 weeks) (secretaries vacation time-3 wks committed)	2,200.00
2. 12 days/year temp. help and support staff overtime	2,300.00
3. legal contract help	2,300.00
4. discretionary funds for merit bonuses	1,000.00
	<u>\$7,800.00*</u>

TOTAL ALLOTMENT	<u>\$313,522.64</u>
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* Please note that this proposal takes into account unallocated funds from April 1, 1984 to April 27, 1987 for the research position, and the funds scheduled to be paid for replacing Maureen during her vacation and for Peter Pickfield's term as a contract lawyer. These funds appear in the contingency category.

NOTES

RE: CONTINGENCY FUNDS

1. Replacement of Staff on Vacation

In the last year it has not been possible for the clinic to function without their full compliment of support staff. Continual heavy work loads mean that we need to hire replacement staff when support staff are on holiday.

This year we have already committed \$1,038.45 to replace Maureen Johnston while she is on holiday. It is likely we will need to replace Linda Gilbert when she schedules her holidays as she may not take holidays over Christmas as she did last year.

2. Overtime and Other Support Staff Needs

We are requesting that the Board of Directors budget funds for at least 12 days a year for temporary help and for overtime for our staff.

a) Secretarial

This year secretarial staff have docketed around 15 days of overtime. Our personnel policy states that support staff should be paid for overtime at a rate of time and a half or, subject to approval, they may take the accumulated time off. Last year staff asked to be paid for only three days out of the 15. This was not necessarily because they preferred to get the time off; they were forced to choose it because no funds were budgeted for.

Given the nature of the work scheduled for next year, we anticipate there will be a need for the Board to provide for support staff overtime. One case where we expect this to happen is in the West Burlington case. The approval given last month to hire additional counsel to aid in the case will mean a proportionate increase in typing to be done in this case. This was certainly true last year for the alachlor case when support staff handled both CELA's and a major part of Joe Castrilli's work on the case.

b) Library

Librarian Mary Vise has requested that the Board designate funds to assist her to deal with the increased burden on her precipitated by CELA staff changes. This year when Frank Giorno left, both his files and the former researcher's files fell to Mary to integrate into the library, into the archives or storage. The volume is significant. Mary is already backlogged with day-to-day work and with her ongoing efforts to integrate all of CELA's files into one retrievable system. She can barely keep up by working two

days a week and cannot make significant dents in the backlog.

Attempts have been made to secure funding to increase her to full time for a year. Part of our application to the Ministry of the Environment for these funds were granted for the computer equipment for our library resource centre. However, the funds for Mary to program and operate the equipment were denied. While we will be continuing to seek funds for this purpose from the Ministry and other sources, it is unlikely they will be secured in the near future.

3. Legal Contract Help

It is prudent to budget for contingency funds for contract legal help. It is unrealistic to assume that replacement needs will not arise during the total of 12 weeks vacation to which CELA lawyers are entitled. Already \$961.52 has been expended for Peter Pickfield's work on the West Burlington case.

4. Discretionary Funds for Merit Bonuses

Legal staff has suggested that funds be provided specifically to allow for a merit bonus for this year's articling student. In the past, when staff has left, the CELA Board has recommended bonuses for contributions which those staff have made to CELA. This did not happen when Grace Patterson and Frank Giorno left, because there were no funds on hand for this purpose.