

# **REPORT ON THE PAY INVESTIGATION FOR SPECIAL EDUCATION SUPPORT WORKERS**

**Prepared by Top Drawer and Pulse HR for the Pay Investigation Steering  
Group**

## **Introduction**

As part of the government five year plan of action to address pay and employment equity for women in the state sector the Ministry of Education conducted a pay and employment equity review of the Ministry's employees in 2006.

The review was a bipartite process in which the Ministry, NZEI and PSA had a commitment to developing a shared understanding of the gender profiles within the Ministry and of any policies, practices or behaviours contributing to these profiles. The review was conducted using the process recommended by the Department of Labour Pay and Employment Equity Unit, and was carried out by a review committee comprising of four Ministry management two union members from each union and one official from each union. The committee examined all available data and information to establish whether there are any differences in outcomes for staff by gender.

The Review Committee's response plan and its recommendations were endorsed by the Secretaries' Forum (The Secretary for Education, and the National Secretaries of NZEI and PSA). The response plan was also endorsed by the Ministry Leadership Team.

One of the recommendations from the review was that a high priority be given to a pay investigation for support workers. A pay investigation steering committee was convened to progress this work and terms of reference agreed. A copy of the terms of reference are attached as Appendix 1.

This paper outlines the process that was undertaken for the pay investigation and the outcome of the pay investigation.

## **Background**

### **Support Workers**

The scope of the pay investigation is all special education support workers (SESW) employed by the Ministry of Education - specifically Education Support Workers (ESWs), Communication Support Workers (CSWs) and Behaviour Support Workers (BSWs).

Support workers work in educational settings contributing to the presence, participation and achievement of the child. They are a member of a team that includes parents/caregivers/whanau, teachers and Ministry of Education specialists staff. Other specialist's professions such as Neurodevelopment Therapists may also be part of the team. The role of the support worker is to support the learning and teaching process.

The findings of the PAEE review were that special education support workers are a group of Ministry employees that have specific pay and employment equity issues. The committee agreed that a pay investigation is the best way to address a number of issues identified for this group throughout the review. These issues include the following for support workers:

- Low pay rates
- Lack of recognition of relevant qualifications
- Training and development
- Career development
- Precarious Employment status – part time/fixed term tenure
- Lack of access to Ministry resources
- Lack of ability to participate within the Ministry

The support workers collective agreement provides for rates of pay from \$13.09 to \$17.60 on an hours worked basis (the minimum adult wage of \$12.00 per hour). Support workers normally work during the school year which can vary from year to year, but is usually between 38 and 40 weeks. They do not get paid during school term breaks. They also receive four weeks annual leave (five weeks annual leave after four years continuous service).

The majority of support workers work part time hours and for most their employment is of a fixed term nature.

Support workers consistently reported their strong dissatisfaction with their pay rates through the PaEE staff survey and validation feedback processes.

### **The Pay Investigation**

The pay investigation is a study of job size and remuneration<sup>1</sup> in the female dominated occupations of support workers. The investigation used a rigorous evidence based approach and a systematic enquiry into all the factors affecting remuneration and identifies whether, and if so to what extent, gender affects remuneration levels in these female dominated occupations. The investigation also covered other factors that affect remuneration including market rates, performance payments and other employment conditions.

The investigation ascertains whether the total remuneration of support worker jobs is equal to the remuneration of a range of comparator male occupations of equally measured jobs

The pay investigation process recommends the use of two male dominated comparators. In selecting the most appropriate comparators the steering group considered the following criteria:

- size (largish numbers)

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<sup>1</sup> Remuneration includes rates of pay and other forms of remuneration such as allowances and includes mileage reimbursement and travelling time

- ability to access information from another organisation and relevant union (through collective agreements etc)
- people focused (carer) roles
- same entry level requirements
- same ANZSCO<sup>2</sup> skill level

Using the above criteria, the steering committee identified and ranked seven possible comparator roles, this comparison is shown in the Terms of Reference (Appendix 1).

Based on the selection criteria the steering committee selected Corrections Officers and Hospital Orderlies as the most suitable comparators for this investigation.

## **The Process**

A steering committee with both Ministry and NZEI representatives was selected to consider and agree training for staff, manage communication with staff and to review the final report and make recommendations to the Secretaries Forum.

Two external consultants were appointed, Janice Burns of Top Drawer and Lyndy Young of Pulse HR to manage the technical aspects of the pay investigation, including:

- Data gathering and validation of job information (both the SESW and the comparator positions),
- Training of data gatherers and job evaluators,
- Evaluation of the jobs using the Equitable Job Evaluation (EJE) methodology,
- Analysis of remuneration factors affecting SESWs pay,
- Analysis of the remuneration of SESW positions and the comparator positions in relation to the job evaluations; and
- Preparation of a final report for the Steering Committee's consideration.

### **Phase 1 – Data Gathering**

Data Gathering is the collection of quality gender neutral job information and is critical to the overall success of the pay investigation as it forms the foundation on which all other decisions will be made – the job evaluations and subsequent remuneration decisions.

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<sup>2</sup> The Australian and New Zealand Standard job classification system

For the SESW pay investigation four trained data gatherers collected job information (the two external consultants and two trained Human Resources staff from the Ministry). Job information was collected for each of the SESW roles – Behaviour Support Worker, Education Support Worker and Communication Support Worker and the comparator positions. Whilst the support workers are remunerated using a single pay scale there were some concerns that the jobs may not be substantially similar and that a decision as to the appropriateness of single pay scale should not be assumed and that each job should be evaluated, rather than a composite SESW position.

The data gathering process involved separate interviews of at least three job holders and one manager for each of the roles using the EJE Job Questionnaire. SESW job holders and their managers were interviewed from around the country, in city and rural areas, North Island and South Island, to ensure that the job information collected was representative of the job no matter where it was located. Similarly the comparator position job holders and managers came from different locations. The information gathered in these interviews was summarised into one complete composite questionnaire for each position.

## **Phase 2 – Validation of Job Information**

The formal job descriptions and the composite job questionnaires were sent to at least one job holder and one manager for each role (who weren't involved in the data gathering phase) for validation as accurate job information. Apart from minor alterations the job information was accepted as being valid for each position.

Copies of the validated job information for each role are attached as appendices as follows:

Behaviour Support Worker – Appendix 2

Education Support Worker – Appendix 3

Communication Support Worker – Appendix 4

Corrections Officer – Appendix 5

Orderly – Appendix 6

## **Phase 3 – Collection of Remuneration Information**

In addition to job information the external consultants also collected and summarised the current pay information for the SESWs and the comparator positions. This was also validated by the respective employers, the Ministry of Education for the SESWs and the Department of Corrections for the Corrections Officers. The Orderly remuneration information was sourced directly from the new multi-employer collective agreement for Orderlies.

A summary of the rates of remuneration for each position are attached as Appendices as follows:

SESW Remuneration – Appendix 7

Corrections Officer Remuneration – Appendix 8

Orderly Remuneration Information – Appendix 9

#### **Phase 4 – The Job Evaluations**

The validated job information for each job (the position description and job questionnaire) were used to evaluate the positions. The jobs were evaluated using two separate job evaluation tools:

- The Equitable Job Evaluation System and
- Mercer's Compers System

The Equitable Job Evaluation System was developed by the Department of Labour's Pay and Employment Equity Unit to specifically facilitate better recognition of the nature and contribution of female-dominated occupations to the performance of work. The Equitable Job Evaluation is an analytical points factor system which has 12 factors broken into three subgroups or families. A summary of the EJE factors is attached as Appendix 10.

Mercer's Compers System is the job evaluation system currently being used by the Ministry of Education. A summary of the Compers job evaluation factors is attached as Appendix 11.

The EJE job evaluations were carried out by a job evaluation committee made up of 6 trained job evaluators chaired by one of the external consultants. The job evaluators included management and union representatives and one of the external consultants.

The role of the job evaluation committee was, firstly to gain an understanding of the jobs to be evaluated, by reviewing the position descriptions and job questionnaire; and secondly, to evaluate the jobs in an impartial, gender-neutral and consistent manner, using EJE and ensuring that the process complied with NZ Standard for Job Evaluations.

A rationale for the decisions reached in the EJE job evaluation committee were recorded by factor for each job. The rationales for the job evaluations using EJE are attached as Appendix 12.

The Compers job evaluations were carried out by a consultant from Mercers the rationales for the decisions reached in the Compers job evaluations were recorded by factor for each job and are attached as Appendix 13.

## Results of the Job Evaluations

### EJE Job Evaluations

The factor level results of the EJE Evaluations are shown below in Table 1 and the Comparative Weighted Scores for the EJE Evaluations in Table 2.

The results of the EJE job evaluations for the SESW role are very similar. The jobs scored at the same level for all the factors in the Skills Family (knowledge, problem solving, interpersonal and physical skills) and the Responsibility Family (responsibility for leadership, responsibility for resources and responsibility for service to people). The differences in the evaluations occurred in the Demands and Working Conditions Family, with the CSW job scoring one factor level lower on Emotional Demands, Physical Demands and Working Conditions. These factors measure the consequences of the work environment on the job holder and in terms of the overall make up of the evaluation the Demands and Working Conditions scores contribute 10% to the complete job evaluation. Whilst the final EJE evaluation for BSWs and ESWs came out at 383 points and the CSW position at 365 points, in EJE evaluation terms this would not be seen as a significant difference in job size.

**Table 1: EJE Comparative Level Scores**

Factor	BSW	CO	ESW	Orderly	CSW
Knowledge	3	3	3	2	3
Problem Solving	3	3	3	2	3
Interpersonal skills	4	4	4	2	4
Physical skills	2	2	2	2	2
Responsibility for leadership	1	1	1	1	1
Responsibility for resources	2	2	2	2	2
Responsibility for organisational outcomes	2	2	2	2	2
Responsibility for Services to People	4	3	4	2	4
Emotional demands	3	3	3	3	2
Sensory demands	3	3	3	2	3
Physical demands	2	2	2	3	1
Working conditions	2A	2B	2A	2B	1B

**Table 2: EJE Comparative Weighted Scores**

Factor	BSW	CO	ESW	Orderly	CSW
Knowledge	44	44	44	30	44
Problem Solving	42	42	42	28	42
Interpersonal skills	70	70	70	42	70
Physical skills	28	28	28	28	28
<b>Total skills score</b>	<b>184</b>	<b>184</b>	<b>184</b>	<b>128</b>	<b>184</b>
Responsibility for leadership	15	15	15	15	15
Responsibility for resources	30	30	30	30	30
Responsibility for organisational outcomes	30	30	30	30	30
Responsibility for Services to People	60	45	60	30	60
<b>Total Responsibilities Score</b>	<b>135</b>	<b>120</b>	<b>135</b>	<b>105</b>	<b>135</b>
Emotional demands	19	19	19	19	13
Sensory demands	19	19	19	13	19
Physical demands	13	13	13	19	7
Working conditions	13	19	13	19	7
<b>Total Demands Score</b>	<b>64</b>	<b>70</b>	<b>64</b>	<b>70</b>	<b>46</b>
<b>Total Weighted Score</b>	<b>383</b>	<b>374</b>	<b>383</b>	<b>303</b>	<b>365</b>

### Compers Job Evaluations

The results of the Compers evaluations are shown in Table 3.

The results of the Compers evaluations have identified some subtle differences in the SESW jobs as well. The BSW scored higher than both the ESW and CSW on Problem Complexity (2 levels higher than the ESW and 1 level higher than the CSW) and Scope for Problem Solving (1 level higher). The CSW and BSW also scored 1 level higher than the ESW on the Knowledge factor in the Compers evaluation.

The final Compers points have been converted into grades with the ESW and CSW both at grade 9 and the BSW at grade 10, however the BSW is right on the cusp of grade 10 which starts at 220 points.

**Table 3: Compers Comparative Scores and Evaluation Results.**

Role	Compers Factors						Points	Compers Grade	Unit Size
	1/2	3/4	5	6	7	8/9			
Communication Support Worker	3I	7/6	2B	0A	BF4	7/6	210	9	15
Education Support Worker	3I	6/6	2B	0A	BF4	6/6	200	9	15
Behaviour Support Worker	3I	8/7	2B	0A	BF4	7/6	220	10	15
Orderly	2I	5/5	2A	0A	AF3	4/5	145	6	11
Corrections Officer	3I	7/6	3A	0A	BF3	7/6	205	9	14

*Note: Unit Size is an indication of the size of the organisation that the job is working in. It has a very small impact on the scores attributed to factors 1 and 2 of the Compers evaluations.*

## Interpretation of the Job Evaluations

In comparison to the comparator roles BSW and ESW are evaluated at a slightly higher level than the Corrections Officer, which in turn is slightly higher than the CSW in the EJE evaluations. The main points of difference in the job evaluations are that the Corrections Officer has scored slightly lower than the SESWs on the Responsibility for Services to People Factor and higher on the frequency on Working Conditions in comparison to the BSW and ESW, and at a higher level for Working Conditions compared to the CSW. These differences are as a result of the Corrections Officer having less of an interactional relationship with the prisoners than the SESWs and the complexity of the needs of the people that the SESWs are providing service to. The difference in the Working Conditions scores is an acknowledgement of the increased risk of harm associated with working in a prison.

However having said there are some differences in the way the jobs have been evaluated and the final scores, the differences are not significant in terms of EJE evaluations and would indicate that in terms of job size that the SESW and the Corrections Officer jobs are a similar size.

However the Orderly position is different in terms of its evaluation. The job is more procedures based with little flexibility to problem solve other than task prioritisation. Orderlies are required to be pleasant and polite to their clients but the nature of the relationship is more transactional. There is a need to be alert in caring out the job but the requirement for sensory attention is less than the other positions. However the working conditions are less pleasant than the SESWs with exposure to blood, human waste and risk of illness. These differences have resulted in lower scores in Knowledge, Problem Solving, Interpersonal Skills, Responsibility for Services to People and Sensory Demands, but a higher score in the Working Conditions Factor.

The Compers evaluations for the Corrections Officer and Orderly have a similar outcome to the EJE evaluations. The Corrections Officer has been sized at a similar level to the SESW positions – slightly higher than the ESW and slightly lower than the BSW and CSW.

In summary, both the Compers and EJE job evaluations indicate that the BSW, ESW and CSW are substantially similar in terms of their job size, the Corrections Officer and SESW jobs are also substantially similar in terms of job size. The Orderly position is a smaller job in comparison to the SESW positions and the Corrections Officer roles.

## Remuneration Information

The remuneration information for the different roles, which is detailed in Appendices 7 - 9 has been summarised in the table below for comparative purposes. The hourly rates for the Orderlies and Corrections Officers have come directly from their respective collective employment agreements which are minimum rate documents, i.e. staff may be paid above these rates. The table also includes the latest remuneration information sourced from Mercer's Total Remuneration Survey (New Zealand) July 2008 for the different job sizes as evaluated by Mercer using the Compers evaluation system. For ease of comparison all figures are expressed as an hourly rate.

**Table 4: Summary of Remuneration Information**

Position	Current Hourly Rate		Remuneration Survey – Public Sector		
	Low	High	Median Base Salary	Median Total Employment Cost	Median Total Employee Reward
SESW	\$13.09	\$17.60	\$19.65	\$19.96	\$20.04
Corrections Officer	\$20.66	\$21.67	\$19.65	\$19.96	\$20.04
Orderly	\$14.62	\$16.67	\$16.45	\$16.59	\$16.59
Grade 10			\$20.86	\$21.22	\$21.35

*Note: The remuneration survey information shown for the SESWs is for Grade 9. The Grade 10 remuneration information is shown separately in the last row of the Table.*

## **The Remuneration Survey Terminology**

Base Salary: Includes the basic wage or salary for the job.

Total Employment Cost (TEC): The total value of all components that are fixed e.g. salary, car, superannuation, health insurance etc.

Total Employment Reward (TER): The complete package of benefits available to the individual inclusive of all fixed and variable items (commissions, bonus etc).

Median: The mid point of the market – 50% of organisations pay above this point while 50% pay below.

## **Interpretation of Remuneration Information**

Organisations use remuneration survey information to guide their decision making in terms of setting fair and appropriate remuneration for positions. Whilst base salary is simple and easy to identify and enables ease of comparison to other positions it does not, give a complete picture. Total Employment Cost (TEC) and total remuneration (TER) give a more meaningful measure of the organisation's remuneration costs. More companies are paying on this basis and because some offer employees the opportunity to select from a range of benefits and have the cost of the benefits deducted from their remuneration, thus reducing their bases salary, base salary data can be subject to distortions.

The median is a conservative yet competitive market position that does not promote the organisation as a top payer but ensures it keeps pace with the market.

Based on the remuneration information the SESWs are being paid \$1.53 less than Orderlies (a job that has been evaluated as smaller) and \$7.57 less than Corrections Officers (a job that has been evaluated as a similar size) at the lower end of their pay scale. At the upper end of the SESW pay scale the SESWs rate of pay is \$4.07 less than the Corrections Officers and 93 cents more than Orderlies.

A concern about using Corrections Officers as a comparator was the impact that shift work has on Corrections Officers' pay. Penal rates for Corrections Officers were substantially removed in 1993 and the remainder in 1998. In 1993 there was an adjustment made to pay to reflect the loss of penal rates, but in 1998 the adjustment was minimal. Over time the effects of these adjustments to pay have been minimised and it appears job size is a more substantial contributor to remuneration negotiations. There is no longer any reference to penal rates and we are unable to quantify any additional payment of salary for working shifts.

Based on the remuneration information from the survey, if the Ministry wished to be paying at or about the median of the market then the pay rate for a competent SESW would be between approximately \$19.65 (base salary for Grade 9) and \$21.35 (TER for grade 10) depending on the market position and grade used to assist in setting the rates of pay.

## **Other Factors Affecting Special Education Support Workers' Remuneration**

Part of the brief for the pay investigation was to identify any factors impacting on the SESWs pay. The current rates of pay for SESWs were analysed and based on this analysis (see Appendix 7) it was found that:

- BSWs were more highly paid than ESWs and CSWs with an average hourly rate of \$16.78 compared to \$14.81 and \$15.18 respectively.
- Male SESWs are paid a higher average hourly rate (\$15.98) than female SESWs (\$14.93), even though females had on average longer service. That male BSWs and CSWs are paid more than females doing the same job.
- The nature of the employment agreement impacts on the SESWs remuneration with the average pay of SESWs employed on a fixed term agreement being lower than those employed on a permanent employment agreement with the same length of service.
- Men are more likely to be employed on a permanent employment agreement (37.93%) than females (13.86%)

## **Conclusion**

Whilst there are minor differences in the job evaluations (both EJE and Compers) for the three SESW roles, the BSW, ESW and CSW are essentially the same job size. Both evaluation methodologies show that the SESW roles are of a similar job size to the Corrections Officer Level 1 position and significantly bigger than the Orderly roles.

The remuneration information, both in terms of the remuneration survey material and comparator pay rates indicate that the SESW positions have been historically undervalued in terms of the actual skills, responsibilities, demands and working conditions required in the role.

In addition the fixed term and tenuous nature of the majority of the SESWs is impacting on their pay negatively. Also the gender of the SESW appears to be affecting the pay with men, on average (performing the same job with less service) being more highly paid than women.