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TURNING SWIII INTO SWII: WHAT DOES THAT MEAN?

CLRCS/OPSEU 472

So, if you're an SWIII at CLRCS, then you're probably pissed, at least a little, but probably more than that. And if you're an SWII, then you're probably pissed too, just your reasons might be different. And if you're anyone belonging to OPSEU Local 472, you're quite likely to see red when you hear that management is insisting on eliminating all SWIII positions — Support Worker 3 — and moving all your SWIII members down to an SWII — Support Worker 2 — classification.

Before beginning I have to present the proper context, in that SWIII and SWII are different classifications for employees, a system based upon their education, professional development, additional qualifications, and good old-fashioned experience, both practical and in years put in.

Needless to say, SWIII is paid at a higher rate than SWII. And that right there sits at the crux of the issue. Because management thinks they can sail the ship just as well without the higher classification. In my opinion, this kind of thinking is wishful, and also in my opinion, has nothing to do the quality of care management is entrusted with.

It has to do with cutting money out of the operational budget. But in a way that's decidedly not cool.



That said, it's also a proposal that may not be allowed within the guardrails of the collective agreement, although that agreement came to a close last November. But just because of that expiry date, it doesn't mean that everything in that agreement perished along with it. The agreed-to conditions in the last document remain in place until a new collective agreed is reached. So it's important to convey the fact that the two sides are still governed by the terms and conditions of the expired agreement. So even though there's a strike going on, the rules still exist.

So what would be the operational argument supporting the elimination of an entire classification of employee, other than money? It's fine for management to unilaterally declare no further need for SWIIIs in their future operations, but how can they be so sure that the loss of all that battle experience will not come home to roost if they're successful at getting what they want. To me, it seems the agency is willing to take their chances in a crapshoot, gambling that the removal of the higher classification won't have a negative impact on the quality of service delivery.

I'm not big on gambling personally. The wins are enticing, although how I would know that I couldn't tell you, since I've lost every bet I've ever made. But I do understand that gambling

generally involves the threat of loss, and when you look at the percentages, the system is generally bent in a way for you to experience more losses than wins. And the losses tend to end up being more money than the wins, usually by far.

But here management is playing with a different currency, the well-being of developmentally-disadvantaged adults. It seems to me to be a pretty risky thing to be playing games of risk with, with a pretty unfortunate downside to it if management gets it wrong. In my view, these clients and their families have paid enough in terms of tears and anxieties over the past many weeks. So now management is telling me that, after all the hurt the strike has caused, they will no longer have access to SWIII level support at any time moving forward, that is once the workers currently at that classification clear out of town, retire, or just flat-out quit in disgust?

Usually a collective agreement will define the classifications of the employees working under it. But the distinction between SWIII and SWII are a bit nebulous, in that the requirements to pass from one classification to the other aren't as clear-cut as they may be in other industries. The classification system used in developmental services generally reflects increasing skill, experience, judgment, responsibility and/or specialized duties as you move from II to III.

Section 27.02 of the collective agreement states that the employer will come up with a list of job classification and descriptions. Yet aside from a wage grid, I don't see such an effort anywhere. Maybe it's out there somewhere, but I just can't find it.

I'll make a primitive attempt to illustrate the differences through the use of an organizational table:

	SWII	SWIII
Basic role	Direct support	More advanced/specialized support
Skill/ knowledge	Qualified support worker	Higher level of knowledge/skill
Judgment	Routine/established situations	Greater independent judgment
Responsibility	Direct support responsibilities	Greater responsibility and/or specialized responsibilities
Experience	Typically lower classification	Typically greater experience/qualification
Pay classification	Lower	Higher
Position	Established SWII job	Established SWIII job

CLRCS, on its own website, confirms that five SWIII positions remain at issue. Its stated proposal is that those employees impacted would be moved into SWII positions, while still retaining their existing SWIII wage rates. The agency, in a moment of largesse, even says that the four most senior affected employees can retain their existing schedules. I guess it sucks to be the fifth most senior person.

Very generous of CLRCS to offer to maintain the SWIII wage rate despite the demotion in classification. Do we know the longevity of this beneficence? Is there a time period that covers this “grandfathering” of wages? Or will those wages be paid to those people in perpetuity until the day they are no longer employees of CLRCS?

Still, being knocked down to a SWII position doesn’t eliminate the education, development, and experience of the SWIII worker. Those unique traits don’t simply disappear. Admittedly an extreme example, but it kind of reminds me of foreign-educated doctors driving cabs. A case where somebody of greater credentials is forced to work in an area below the suitability of their qualifications.

If I’m an SWIII worker, will I be tempted to look at that table above and maybe recalculate my efforts so as to fall more closely with the SWII classification? Should I tone down the exceptionalism of my work and experience? Maybe don’t take on those greater responsibilities, exercise superior judgement, or accept any specialized responsibilities? Because if I’m that worker, it seems to me my employer has already judged the attributes that make me so special and decided that it doesn’t need them. Which means that everything in the table’s SWIII column is deemed no longer needed by the agency.



I wander how that looks and feels to client families?

But what about those SWII workers, or even SWIs? Looks like your path to professional growth has just been slammed shut, if this proposal were to go through. Essentially, not matter your endeavours at professional development and the acquisition of critical experience, you can only top out at SWII if you work for Community Living Renfrew County South. In other words, if you ever want to aspire to SWIII, you’re going to have to do it somewhere else, which means at some point disgruntled SWIIs are going to be leaving to go places where their upward mobility isn’t intentionally scuttled by an apparatchik wanting to save dollars on your back.

Terrific. We develop sound and responsible SWII workers only to lose them to other agencies or work places because we’re prepared to gamble that we don’t need any of the “best of the best” for our clients. What a cynical and intentionally myopic way to run a shop.

I further imagine that prospective employees of CLRCS might see this as they're looking for future work placements and rule CLRCS out for this reason alone.

These are the "demotions" the union is referring to in their dispute with management. And while the offer to continue at the current rate still exists for demoted workers, it's still a demotion in terms of rank and a possible negative for anyone wishing to work outside the agency at their real and earned classification

For the record, the expired collective agreement the sides signed does not actually spell out the duties or qualifications that distinguish SWII from SWIII, but it does treat them as separate classifications and gives each a separate wage grid. The employer is required to provide the Union with the job descriptions for all bargaining-unit employees.

Article 20.02 of the agreement could be important:

"When a new classification is created or an existing classification is revised, the Employer must notify the Union and provide all relevant information concerning the proposed new or changed classification.

The parties then meet within 30 days to negotiate the wage rate for the new or revised classification. If they can't agree, the employer can establish the salary range, subject to arbitration."

This seems to give management the ability to mess around with employee classifications, but that authority is expressly subject to the rest of the agreement in terms of word and spirit. In other words, even though the Executive-Director is leaning on her "*management has the right to manage*" stick, she can't just go charging in willy-nilly and unilaterally make changes without getting some feedback from the union. And in addition, a lack of agreement between the two parties can lead to arbitration. Which is funny because I can't see her wanting to go to arbitration for any reason, mostly because she and her crack advisors have devised a losing case.

This, to me, has all the appearances of a naked money grab, although the projected savings directly related to this scheme don't show up until those grandfathered employees move on from employment at CLRCS. As well, it smacks of being a managerial power play that's attempting to claim more ground at the union's expense.

But worse, it's taking those skills, qualifications, and experience of an SWIII worker and saying out loud that those attributes are no longer needed in the care of our disadvantaged children.

For me, that's the greater crime.

Another supposedly clever move from somebody in the managerial class that probably has them back-slapping, scotch-sipping, and cigar chomping over at the club. If you're at the

club, and you happen upon Greg Belmore there, maybe ask him about it, since he's an HR kind of guy.

He's also the president of the Board of Directors of CLRCS.

Don't be surprised if he's got nothing to say to you.