

Exempt Staff Handbook



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ITEM 1 - PREAMBLE

This handbook guides the employment relationship between the University of Saskatchewan and each employee within the exempt staff group (defined below). Employees in this group are exempt from bargaining units by the nature of their duties.

This document is intended to reflect the practices as of **March 1, 2016** at the University of Saskatchewan with respect to the exempt staff group.

This handbook is intended to be brief, providing a general frame of reference to guide the employment relationship, while recognizing the flexibility required to address the needs of exempt staff and the university. Where this document is silent, more specific direction may be available through university policies or advice from Human Resources. Exceptions to these terms may be made as a condition of employment to support the recruitment and retention of critical positions. Such exceptions can only be made following consultation with the associate vice-president of Human Resources, and in some cases, may require the approval of an appropriate vice-president.

This document will be reviewed and revised on an annual basis, and/or following changes to collective agreements for bargaining units on campus, to ensure fair and equitable terms of employment for exempt staff. Feedback and input with respect to the document is welcome at any time and should be forwarded to the associate vice-president of Human Resources.

ITEM 2 - DEFINITIONS

Academic Year is defined as the period July 1 to June 30.

Associate Vice-President of Human Resources refers to the associate vice-president of human resources or a person designated to act in his/her place.

Board of Governors is responsible for overseeing and directing all matters respecting the management, administration and control of the university's property, revenues and financial affairs. The Board of Governors consists of members appointed pursuant to the University of Saskatchewan Act.

Department or Unit refers to an academic department, an administrative department, a college, a school, an institute, an administrative unit, a division or the library.

Employee/Exempt Staff for the purposes of this handbook, refers to staff who are exempt from membership in a bargaining unit by virtue of their job duties and who are primarily paid from the university's operating budget. This group does not include senior administrators (deans, associate deans, associate vice-presidents, etc.) or people hired under research funds. An employee must be designated as exempt staff for the terms of this handbook to apply.

Employer refers to the University of Saskatchewan.

Fiscal Year is defined as the period May 1 to April 30.

FTE refers to full-time equivalent.

President refers to the president of the University of Saskatchewan or his/her designate.

Retirement occurs when an employee elects to leave employment at the university and is immediately eligible for University of Saskatchewan pension benefits.

Service refers to the time spent by an employee performing the duties assigned by the employer.

Supervisor refers to the employee authorized by the university to direct the work of an employee and to whom the employee reports. It is a generic term which includes or refers to the head of an academic department, the head of an administrative department, the dean of a college, the director of a school, institute or administrative unit, the head of a division, the librarian or other administrative head.

Types of Exempt Staff:

Permanent Staff refers to an employee who has completed the probationary period and whose employment is expected to continue indefinitely.

Seasonal Staff refers to an employee who occupies a recurring seasonal position and who has successfully completed the probationary period. Such an employee has the expectation that the recurring employment will continue indefinitely.

Term Staff refers to an employee hired for a stated period of time.

Casual Staff refers to an employee whose hours of work are for brief or irregular periods.

University refers to the University of Saskatchewan.

Vice-President refers to any of the vice-presidents of the university or his/her designates.

Vice-President (Finance and Resources) refers to the vice-president of finance and resources or his/her designates.

ITEM 3 - RECRUITMENT

3.1 Advertising of Positions

The university is committed to advertising all positions to provide opportunities throughout the university and in the community, and to encourage applications from a diverse group of individuals. There may be reasons for waiving advertising of positions, for example, reasons of exigency, to support a strong internal candidate or for a workplace accommodation. Such waivers may occur following consultation with Human Resources.

3.2 Selection

Selection decisions will be based on merit. The best candidate for the position will be selected based on qualifications and experience of the candidate compared to the needs of the position.

3.3 Probation

All exempt staff will serve a one-year probationary period. If during this period of time, the employee does not meet the expectations of the position, employment may be terminated with minimum notice periods (as defined in provincial employment standards legislation). Probationary periods also apply to promotions and transfers within the exempt staff group. In the event that a probationary employee has previous continuous service with the university, and is not successful during the probationary period in a new position, the provisions of Item 11 will apply.

ITEM 4 - ASSIGNMENT OF DUTIES

4.1 Job Profiles

Job duties are assigned by the employee's supervisor through a job profile which describes the primary purpose of the position, the nature of the work, the education / qualifications required, and the accountabilities of the job. The job profile should be reviewed on an annual basis by the supervisor and the employee (concurrent with performance and salary reviews). Changes or additions to the job profile are to be approved by the supervisor. Consultation and support for this process is available through Human Resources.

If the supervisor and the employee determine that the position has grown, then the supervisor and the employee may submit position information to Human Resources for review to determine appropriate family and/or phase placement. Please visit the Human Resources website for further information.

4.2 Hours of Work

In determining hours of work, consideration should be given to the regular operating hours of the unit and the need to balance work and personal life. Exempt staff are expected to manage their work time to meet these goals, while achieving the outcomes they are accountable for in their positions.

It is the responsibility of exempt staff and their supervisor to monitor hours of work and review workload over cyclical periods.

Notwithstanding the above, the provincial employment regulations recognize that there are certain employees who are exempt from overtime provisions, **including, employees who perform services that are entirely of a managerial character.**

In situations where overtime provisions do apply, all hours must be documented and authorized in advance by the supervisor. Those employees will receive compensating pay of time off in lieu of pay (at time and one-half) for hours of work exceeding 37.5 hours per week.

If assistance is needed in determining whether overtime is applicable, the supervisor should contact Human Resources.

4.3 Additional Assignments or Acting Appointments

The duties of exempt staff are expected to vary widely and will grow and change over the course of a year. The annual salary review process will determine if a salary adjustment should be made to recognize significant job change. If, during the year, an employee is required to take on additional or acting duties of a nature that goes beyond their job family and phase, additional compensation will be considered. The extent and nature of such compensation will be determined following consultation with Human Resources.

ITEM 5 - SUPPORT FOR PROFESSIONAL DEVELOPMENT

5.1 Membership in Professional Associations

Where membership in a professional association is required by the university, such membership will be paid by the university. In certain cases, it may be feasible for the university to obtain an institutional membership in lieu of underwriting the membership of individual employee. Inquiries as to eligibility should be referred to the associate vice-president of Human Resources. Job profiles, job advertising information and offer letters will include a reference to an employment requirement to hold membership in professional associations. Where membership in a professional association is not required, a membership may be paid from a professional allowance (Item 5.2).

5.2 Professional Allowances

It is expected that individuals will commit to continued professional development and pursue appropriate opportunities. Professional allowances, which are granted yearly, shall be used to defray expenses associated with related professional activities, or activities which enhance an employee's work performance, ability or effectiveness.

Eligibility

All permanent, seasonal and eligible term (term \geq 6 months and \geq 0.5 FTE, except those on unpaid leave) exempt staff are eligible for professional allowances as per the following tables.

Effective March 1, 2015

Salary Band	Annual Allocation
1	\$1,000
2	\$1,500
3	\$1,500
4	\$2,000
5	\$2,500

Claimable Expenses

As legislation on taxable benefits change from time to time, please consult the Financial Services Division website for a listing of current claimable expenses. As non-taxable benefits, any goods, books or equipment purchased using professional allowance funds remain the property of the university.

Annual Allocations

- 1) Annual allowances will be allocated on March 1 each year based on the employee's family and phase as outlined in the above table. Employees appointed between September 1 and February 28 will have their annual allowance pro-rated by 50%.
- 2) Unused allowances at the end of each fiscal year will be rolled into the allowance for the following year. The cumulative total in these accounts will be capped at 5 times the annual allotment.
- 3) In special circumstances, exceptions can be made to the annual entitlement amounts and account cap. Written requests for exceptions can be made in writing to Human Resources.

Claims

Guidelines for professional allowance accounts for exempt staff can be found on the Financial Services Division website.

- Positions within **salary bands 1, 2 and 3** follow the guidelines for Accountable Professional Expense Fund (APEF).
- Positions within **salary bands 4 and 5** follow the guidelines for Deans and Senior Administrators Expense fund (DSAE).

5.3 Tuition Waiver

Exempt staff shall be entitled to have tuition fees waived for one (1) three-credit course per academic term for courses taken at the University of Saskatchewan. Registration is completed through the normal class registration procedure. The tuition waiver is accessed through Student Accounts and Treasury, Financial Services Division.

Provided that space is available in the course, the tuition for auditing one (1) six-credit unit course or equivalent, per academic year, will be waived by the university.

If the course is taken during normal working hours, approval must be obtained in advance from the supervisor.

ITEM 6 - SALARIES

6.1 Salary Ranges

Annual salary ranges for each salary band are provided in the table below. Salaries are reviewed on an annual basis. Position placement within a salary band is determined by the market rate for each position.

Effective March 1, 2015 to February 28, 2017

Salary Band	Minimum	Maximum
1	\$39,000	\$64,400
2	\$49,500	\$81,750
3	\$66,000	\$109,000
4	\$87,000	\$145,750
5	\$112,500	\$188,500

6.2 Performance Review Process

Information is available on the Human Resources website.

6.3 Salary Review Process

Information is available on the Human Resources website.

ITEM 7 - BENEFITS

7.1 Benefit Plans

Note: The following information is for general reference and guidance. Updated information and details are available on the Human Resources website and in the plan documents.

Exempt staff are required to enroll in the following benefit plans for which they are eligible according to the terms of those plans.

- a) **Housing Allowance** – Permanent, seasonal, or eligible term employees (a minimum 3 year term), may apply to Payroll for a salary advance of up to \$12,000 for the purpose of purchasing a house in or around Saskatoon. Applications to Payroll must be made within three (3) months of the date of possession. The housing allowance is repayable in equal monthly payments over a maximum period of 5 years. The housing allowance can be accessed to purchase a maximum of two principle residences.
- b) **University Pension Plan** – Permanent, seasonal and term employees (term > 6 months) are immediately enrolled in the Academic Pension Plan, which is a defined contribution plan (referred to as the Money Purchase Plan). Employees already contributing to the university's Non-Academic Pension Plan at the time of appointment to an exempt position will be given the option of retaining membership in that plan.
- c) **Salary Continuance Plan (Sick Leave)** – Permanent, seasonal and term employees (term \geq 2 years) are eligible for disability benefits as defined under the Salary Continuance Plan. Employees hired on a term or part-time basis, who are not included under the provisions of the Salary Continuance Plan are entitled to an allowance of one and one-quarter (1.25) days sick leave per month of employment. The allowance is cumulative and is prorated for part-time employees. Employees may be required to submit medical information to support absences. Such information is submitted in confidence to Wellness Resources, part of Human Resources, and an occupational health nurse or advisor will work with you throughout your medical leave and return to work. If the information is inconclusive, the employee may be referred for an independent medical assessment to support either an absence from work, or a return to work. Such examination shall be at the university's expense. The salary continuance plan is the qualifying period for Long Term Disability through Sun Life Financial, should you be totally disabled from your own occupation for longer than 90 calendar days.
- d) **Long Term Disability (LTD)** – Permanent, seasonal, and term employees (term \geq 2 years) are eligible for Long Term Disability. Once the qualifying period has been exhausted and the employee is totally disabled from their own occupation, an application will be submitted to Sun Life Financial. Benefits with an approved claim are payable from Sun Life at 66 2/3% of pre-disability income, up to the maximum age of 65.
- e) **Basic Group Life Insurance Plan** – Permanent, seasonal and term employees (term \geq 6 months) are entitled to coverage under the university's Basic Life Insurance Plan. This plan provides a lump sum benefit to the employee's beneficiary in the event of the employee's death.
- f) **Optional Life and Accidental Death and Dismemberment Insurance** – Permanent, seasonal and term employees (term \geq 6 months) are eligible to participate in the Optional Life and Accidental Death and Dismemberment plans which provide for the employee to purchase additional insurance at competitive group rates to suit their personal situations. Insurance premiums are based on age and smoker status.

- g) **Business Travel Insurance** – Exempt staff are entitled to Business Travel Accident Insurance beginning on the date they are hired. Coverage is available for accidental death occurring anywhere in the world while traveling on authorized university business.
- h) **Dental Plan** – Permanent, seasonal and term employees (term \geq 6 months) are entitled to coverage under the Dental Plan. Coverage is available to employees, spouses and dependent children as defined by the plan.
- i) **Extended Health Care Plan** – Permanent, seasonal and term employees (term \geq 6 months) are entitled to coverage under the Extended Health Care Plan. Coverage is available to employees, spouses and dependent children as defined by the plan.
- j) **Flexible Spending Program**– Permanent, seasonal and term employees (term \geq 6 months) are entitled to coverage under the Flexible Spending Program which allows reimbursement for tuition, tuition related fees, health and wellness related fees, and health and dental related expenses not covered under the Extended Health Care Plan or Dental Plan.
- k) **Fitness Benefit** – Exempt staff shall have access to the university’s Physical Activity Complex as part of a wellness initiative subject to the priorities of teaching, research and intramural and intercollegiate sports, as established by the university. This is a taxable benefit. Detailed information is available through the Physical Activity Complex.
- l) **Post-Retirement Spending Account**- Exempt staff who retire after age 55 with a minimum 10 years of service will receive a Post-Retirement Spending Account in the amount of \$1,000 per year for a two-year period following retirement. The spending account is restricted to the reimbursement of private health and dental insurance premiums only.

ITEM 8 - GENERAL LEAVES

- 8.1 **Application for general leaves** must be approved by the supervisor, and then forwarded to Human Resources for processing. Some leaves will be granted automatically as per the university’s policies and provincial employment standards, and others may be granted if the request is reasonable, the leave is not unduly disruptive to the operations of the unit, and it is possible to replace the employee on a temporary basis. Refer to The Saskatchewan Employment Act for additional unpaid leaves of absence that are provided for under the provincial employment standards.
- a) **Leaves are not normally granted** for employees to pursue alternate employment, although special circumstances may receive consideration.
 - b) **Requests for leaves** must be approved by the supervisor and forwarded to Human Resources for processing as appropriate.
 - c) **All employees granted leave for any of the purposes shown below** must arrange with Human Resources for the continuation of employment benefits for which they are eligible during the period of leave, if they wish to continue their benefits coverage. The university’s

costs of benefit coverage during any paid leave will be paid by the university subject to any restrictions imposed by legislation or the benefit plan. The university's costs of benefit coverage during any unpaid leave will be paid by the employee, unless stated otherwise in the leave section. The benefit coverage is subject to any restrictions imposed by legislation or the benefit plan.

8.2 Types of Leaves:

- a) **Leave, Special** - While there are no sabbatical leave provisions for exempt staff, Special Leave may be granted to pursue developmental activities for periods of up to twelve (12) months duration, at full or partial pay for long term, permanent exempt staff. A program must be proposed by the employee, supported by the supervisor and approved by the vice-president of finance and resources in consultation with the associate vice-president of Human Resources. A report must be submitted to the supervisor on completion of the leave.
- b) **Leave, Paid Education** - Permanent, seasonal, or eligible term employees may apply for paid education leave to enroll in seminars, short courses, and other similar instructional programs for the purpose of obtaining or enhancing skills and knowledge directly related to their employment at the university. Application for paid education leaves are subject to approval of the employee's supervisor, must be forwarded to Human Resources at least four (4) weeks prior to the commencement of the proposed leave and are subject to a requirement to return as follows:
 - i. **Requirement to Return**

An employee granted paid education leave is required to return to employment with the university following completion of the leave for a period of two (2) months for every month or part of a month of education leave taken, and shall sign a promissory note to this effect prior to proceeding on leave. Where an employee does not complete this return to service commitment, the portion of the commitment completed, if any, shall be credited against the employee's promissory note and the balance of any salary benefit received shall be repayable to the university, in accordance with the terms specified in the promissory note, unless waived by the university.
- c) **Leave, Unpaid Education** - The provisions for paid education leave in 8.2.b do not apply to education leave requested for the purpose of commencing or continuing full-time studies toward a university degree, diploma or technical program. Such leaves are normally unpaid, are to a maximum of one (1) year, are subject to approval by the supervisor, and will be granted if the leave is not unduly disruptive to the operations of the unit, and it is possible to replace the employee on a temporary basis. Unpaid leaves of a longer duration require support of the supervisor and the associate vice-president of Human Resources.
- d) **Leave, Without Pay** - Leave of absence without pay may be granted to enable exempt staff to spend time away from the university. Such leaves are subject to approval by the supervisor, and will be granted if the leave is not unduly disruptive to the operations of the unit, and it is possible to replace the employee on a temporary basis. Such leaves may be granted for up to a maximum of one (1) year. Unpaid leaves of a longer duration require support of the supervisor and the associate vice-president of Human Resources.

- e) **Leave Without Pay, Medical** - Leave of absence without pay for medical reasons may be considered when an employee is unable to be at work for medical reasons, but may not qualify for Long Term Disability benefits, and/or is in the process of a LTD claim appeal. In these cases, Wellness Resources will work with the employee, and sufficient medical documentation to support the unpaid leave of absence for medical reasons will be requested.
- f) **Leave, to Hold Political Office** - The university shall, upon written request from an employee to the supervisor grant leave of absence without pay for an employee to be a candidate in a federal, provincial, or municipal election. An employee who is a candidate for office shall be entitled to take vacation at the time of an election in lieu of leave without pay. An employee elected to public office shall be entitled to a leave of absence without pay during the term of office. The university agrees to permit the employee to restrict the period of leave to coincide with legislative responsibilities if such partial absence will not seriously affect the employee's performance of duties.
- g) **Leave, Court Attendance** – An employee summoned for court attendance or directed by the university to attend (e.g. jury duty or as a court witness), shall suffer no loss of salary while so attending. Remuneration paid to the employee by the court must be remitted to the university within thirty (30) days of receipt.

h) Leave, Maternity / Adoption / Parental

Parents who are caring for a newborn or recently adopted child are eligible for maternity, adoption or parental leave as outlined below:

i. Maternity Leave

Exempt staff who declare in writing to Human Resources to be the biological mother of a newborn infant is entitled to seventeen (17) weeks of maternity leave without pay. The leave may commence at any time during the twelve (12) week period prior to the infant's estimated date of birth and shall be of uninterrupted duration. A medical certificate from a qualified medical practitioner must be provided with the written declaration. The certificate must confirm the pregnancy and give the estimated date of birth.

ii. Adoption Leave

Exempt staff who declare to be caring for a recently adopted child is entitled to seventeen (17) weeks of leave without pay. The employee is normally required to make application to Human Resources at least four (4) weeks prior to the date of adoption. If the employee cannot give four (4) weeks notice, the university will accept as much notice as is given to the adoptive parents by the Department of Social Services.

iii. Parental Leave

Employees also eligible for maternity/ adoption leave - An employee who qualified for maternity or adoption leave is also entitled to thirty-five (35) weeks of parental leave without pay. The maternity / adoption and parental leaves must be taken in one continuous period.

Employees not eligible for maternity/ adoption leave - An employee who declares to Human Resources to be caring for a newborn infant and did not qualify for maternity or adoption leave is entitled to thirty-seven (37) weeks of parental leave without pay. The employee is normally required to make the written declaration to Human Resources at least four (4) weeks before the leave is to begin. The leave can be taken any time between 12 weeks before the estimated date of birth or the day the child will come into the employee's care and fifty-two (52) weeks after the date the child was actually born or came into the employee's care.

iv. Vacation, Job Reinstatement and Notice of Return to Work

By mutual agreement between the university and the employee, annual vacation may be taken as part of, or as an extension of leave for new parents. The employee will be reinstated to a same or a similar position, under similar terms and conditions, with no reduction in salary or benefits. An employee should notify Human Resources in writing at least four (4) weeks prior to the day on which the employee intends to return to work, unless otherwise mutually agreed.

- i) Supplemental Benefits Plan** - After twelve (12) months of continuous service at the university, employees who are caring for a newborn or recently adopted child are eligible to receive supplemental benefits providing they are in receipt of Employment Insurance (EI) benefits. The university will pay the difference between EI Benefits and 95% of the employee's regular weekly earnings in effect immediately preceding commencement of the leave for a maximum of twenty-one (21) weeks.

In no case will the total amount of supplemental benefits, employment gross benefits, and any other employment earnings received by staff exceed 95% of the employee's regular weekly earnings.

i. Benefit Coverage

During the paid portion of the leave, the employee and the university shall pay their respective shares of the cost of continuing benefit coverage. During the unpaid portion of the leave, benefits will be handled as if the employee is on leave without pay (8.1.c).

ii. Vacation

An employee's vacation accumulation date will not be adjusted for the length of any combined maternity, adoption or parental leave. An employee eligible for the Supplemental Benefits Plan is also eligible to accrue annual paid vacation for the period during which they collect the Supplemental Benefits Plan.

Unpaid annual vacation will accumulate for the portion of any combined maternity, adoption or parental leave that is not covered by the Supplemental Benefits Plan, or for the entire leave for members who do not qualify for the Supplemental Benefits Plan.

- j) Leave, Bereavement and Compassionate** - An employee will be granted reasonable leave of absence for urgent personal reasons such as bereavement, serious family illness, etc.

Generally, permission should be obtained from the supervisor prior to taking such leave so that arrangements can be made to carry on with the employee's duties during the absence. In emergent situations, the employee will inform their supervisor as soon as possible of the need for a leave. Upon receipt of written application for the leave, the supervisor, taking the particular circumstances of the situation into consideration, will authorize the leave with or without pay and benefits. Leaves will not be unreasonably denied.

- k) Leave, Personal / Family** - In order to meet the needs of an employee to attend to emergent, personal or family situations, a maximum of three (3) days of paid leave is available per year. This leave is intended for situations that need to be attended to but may not normally be scheduled in advance. It is not considered an automatic annual entitlement nor is it cumulative. In emergent situations, the employee will inform their supervisor as soon as possible regarding the need to take such a leave. In non-emergent situations, the employee and the supervisor will consult in advance to determine how the request might be accommodated.

ITEM 9 - HOLIDAYS AND VACATION

9.1 Holidays - The University Recognizes the Following Statutory Holidays:

New Year's Day
Family Day
Good Friday
Victoria Day
Canada Day
Saskatchewan Day
Labour Day
Thanksgiving Day
Remembrance Day
Christmas Day
Boxing Day

- 9.2 Special Holidays** – In recognition of the need for exempt staff to work in excess of normal operating hours, the university will provide three (3) additional days off during the fiscal year. These days will normally be taken between December 25 and January 1 when the university is closed. Alternate days will be provided if the employee is required to work during the Christmas and New Year's season.

Annual Vacation - The vacation anniversary date shall be the nearest first of the month to the date of appointment. Part-time employees will earn vacation on a pro-rated basis.

- a) Vacation Accumulation (20 working days)** - During the first six (6) years of service, an employee will earn vacation at the rate of one and two-third days per calendar month [twenty (20) working days per year] with the first part month pro-rated, if necessary.
- b) Vacation Accumulation (25 working days)** - After six (6) years of service until sixteen (16) years of service, the employee will earn vacation at the rate of two and one-twelfth working days per calendar month [twenty-five (25) working days per year].

c) **Vacation Accumulation (30 working days)** - After sixteen (16) years of service, the employee will earn vacation at the rate of two and one-half working days per calendar month [thirty (30) working days per year].

9.3 Vacation Taken - Vacation is to be taken after it is earned. The employee is expected to use the entitlement by the end of the fiscal year following the year in which it is earned. It is the responsibility of the supervisor to ensure that a vacation may be taken annually by the employee. Wherever possible, the vacation shall be planned in accordance with the wishes of the employee.

9.4 Vacation Carry Over – Vacation is to be used in full in the fiscal year following that in which it is earned. Under special circumstances, an employee may, at the time of reviewing annual vacation, request permission from the supervisor to carry over up to and including one-half of their annual vacation entitlement from one fiscal year to the next. The employee, upon written approval of this carry over request, which will not be unreasonably denied, must use all annual entitlement in the fiscal year into which vacation is carried forward.

ITEM 10 - PERFORMANCE AND CONDUCT

Employees are expected to demonstrate a high standard of performance that includes demonstrating conduct consistent with university policies and standards and achieving the outcomes for which they are accountable.

Where performance is less than satisfactory, the university is committed to providing employees with an opportunity to improve performance and is committed to supporting an employee's success. Most performance difficulties can be resolved at an early stage. When performance standards are not met, the university will provide support through focused performance feedback and coaching. If performance problems persist, further corrective measures will be taken. These include but are not limited to the following:

- 1) written clarification of expectations
- 2) written reprimand (warning)
- 3) suspension
- 4) termination for just cause (if the above steps do not result in improvement)

These measures are intended to help employees succeed by correcting any performance problems before they become more serious. However, notwithstanding the foregoing, and for just cause the university may proceed immediately with termination. Termination for just cause does not require notice or pay in lieu of notice.

Just cause means there are grounds for discipline or termination. Some examples of just cause include (but are not limited to) gross misconduct, significant and uncorrected performance problems, violation of policies and standards, theft, fraud, dishonesty etc.

ITEM 11 - TERMINATION OF EMPLOYMENT

For any issues related to termination of employment, consultation must occur with Human Resources through the associate vice-president of Human Resources.

Exempt staff may be terminated as a result of reorganization or changing requirements for which the employee is not suited or other exceptional circumstances where clear just cause for termination may not be defensible. Decisions to terminate exempt staff will only be made when other options (retraining, reassignment) are not practical. Where termination occurs for reasons other than just cause, individuals will be treated fairly and reasonable notice (or pay in lieu of notice) will be provided as per the following:

11.1 Reasonable Notice or Pay in Lieu of Notice

Exempt staff are not members of a union and therefore Collective Agreement provisions and “arbitral jurisprudence” of the grievance/arbitration process for unionized staff does not apply. Rather, legal rights for exempt staff come from the “common law” and are applied by the courts. Legal rights may also flow from the provincial employment standards. The university must apply the provisions of the “common law” and the provincial employment standards to exempt staff.

Under the “common law” an employee who is terminated without just cause, is entitled to fair and reasonable notice or pay in lieu of notice.

The primary purpose of a notice period (or pay in lieu of notice) is to provide the employee a reasonable bridging period to find new employment or to retire (in the case of long service employees). An appropriate notice period is determined by a number of factors and will differ from case to case. Some factors may include, among others, the provincial employment standards, the employee’s age, their length of service, level of position in the organization, education, availability of similar employment, period of time before eligible for pension and retirement benefits, and whether they were enticed away from a previous job during recruitment.

Appropriate notice periods must be determined with the assistance of Human Resources. A general guideline for notice periods is one month per full year of service, up to a maximum of 24 months. Settlement packages may include considerations in addition to the above depending on the reasons for the termination, the individual circumstances of the employee and taking into consideration the factors described above. In addition, out-placement services and other supports as applicable will be offered as part of a termination package.

11.2 Other Termination Processes

- a) **Resignation** – An employee shall provide a minimum of one month written notice of intent to resign to their immediate supervisor. The notice period should be in addition to any unused vacation entitlement which may be used or paid out following discussion and agreement with the supervisor, taking into account the operations of the unit.

b) Retirement – An employee who intends to retire must provide notice to their supervisor at least six months prior to the expected date of retirement. While it is not a requirement, normal date of retirement is:

- i. The 30th day of June coinciding with or next following the employee's 67th birthday for employees under the Academic Pension Plan or
- ii. The first day of the month immediately following the employee's 65th birthday for employees under the Non-Academic Pension Plan

ITEM 12 - PROBLEM RESOLUTION PROCESS

Notwithstanding the provisions of Items 10 and 11, the university supports a problem solving process to resolve differences between employees and their supervisors. In situations like this, either party may bring forward issues and concerns through Human Resources. A Human Resources consultant is assigned to each college and administrative unit and may provide assistance directly or refer the parties to an alternate process.

ITEM 13 - PERSONNEL FILES

13.1 Access to Official Personnel File

Employees shall have the right to examine their official personnel file maintained in Human Resources at any time during regular office hours in company with a representative from Human Resources. Examination of the file shall be kept in confidence. Employees may add to the file a response to any document contained therein.

13.2 Confidential Documents

The university is committed to maintaining staff confidentiality. Access to file information will be subject to provincial privacy laws.