

1.0 POLICY STATEMENT

- 1.1 This policy outlines the terms and conditions of employment for Out of Scope Employees of MacEwan University.

2.0 PURPOSE

- 2.1 The purpose of this policy is to act as a reference for employees and managers.

The *Alberta Employment Standards Code* and Regulation outline the minimum standards of employment for Out of Scope Employees. The University cannot provide less than what is outlined in Employment Standards and in some cases the University provides more.

3.0 APPLICABILITY

- 3.1 This policy applies to all Out of Scope Employees. This policy is supplemented by the Academic Senior Administrator policy, which outlines additional terms and conditions that reflect the unique nature of Academic Senior Administrator positions.

4.0 DEFINITIONS

Academic Senior Administrator

The president, the provost and vice-president academic, the vice-provost, deans, and associate deans.

Acting

An employee who is temporarily assigned the full duties of a position in a higher classification for a period that is greater than fifteen (15) days and less than three (3) months. In the case of senior administrator positions, e.g., associate vice-presidents, deans, vice-presidents, etc., this period may be extended.

Additional Responsibility

The temporary assignment of additional duties to an employee for a period that is greater than fifteen (15) days and less than three (3) months. Additional Responsibility may include specific tasks or a portion of a job from a higher classification.

Employment Standards

Minimum standards of employment for employers and Out of Scope Employees in the workplace. In Alberta, Employment Standards are contained in the *Employment Standards Code* and the Employment Standards Regulation.

Casual Employee

An employee who is appointed for up to thirty five (35) hours per week on an irregular basis.

Compensation Program

MacEwan University's compensation structure and its administration

Continuing Employee

An employee who has been appointed to a full or part time position on an ongoing basis, includes Academic Senior Administrators, and does not include Term Employees or Casual Employees.

Full Time Equivalent Ratio (FTE)

Defines the hours of work for a part time employee relative to MacEwan University's typical hours of work for a full time employee, which are seven (7) hours per day and thirty five (35) hours per week.

Out of Scope Employee

An employee of MacEwan University who is not included within the scope of the bargaining units of the Grant MacEwan University Faculty Association or the MacEwan Staff Association.

Secondment

When a continuing employee is temporarily assigned the full duties of another Out of Scope position in the same classification. Generally, the purpose is to provide the employee with a developmental opportunity in another department while addressing a short term need.

Term Employee

An employee who is appointed on a full or part time basis for a specified period of time or for a specific project or activity.

5.0 POLICY ELEMENTS**5.1 Confidentiality**

During the course of employment with MacEwan University, employees have access to certain confidential and proprietary information, disclosure of which could be harmful to the interests of MacEwan University. Employees are accountable for safeguarding the confidential information of MacEwan University unless given written consent by MacEwan University to disclose the information or as required by law. This commitment to confidentiality extends beyond the end of the employment relationship and does not have an end date.

5.2 Position Responsibilities and Performance

- 5.2.1 Position responsibilities are outlined in position descriptions and verified by the position's manager.
- 5.2.2 The performance of an employee should be evaluated regularly, with a formal review conducted at least once per year.
- 5.2.3 The evaluation of an employee's performance will be based on a combination of the responsibilities outlined in the position description and individual performance goals.
- 5.2.4 Performance concerns should be documented in writing and may be accompanied by a plan for improving the employee's performance. The employee's manager is responsible for ensuring that the plan is implemented and for taking steps to address unacceptable performance.

5.3 Compensation

- 5.3.1 The Compensation Strategy for MacEwan University is approved by the Board of Governors and outlines MacEwan University's intended pay position relative to its identified labour market.
- 5.3.2 Salary administration is overseen by Human Resources to ensure that management

decisions are made in accordance with the MacEwan University Compensation Program.

5.3.3 Individual placement within the salary schedule is determined using a combination of market conditions, job evaluation, internal equity, and individual education, skills and experience.

5.3.4 Employees in Acting or Secondment appointments or performing Additional Responsibilities will be compensated in accordance with MacEwan University's Compensation Program.

5.4 Overtime

5.4.1 Eligibility for overtime pay is outlined in Employment Standards. The following types of positions are not eligible for overtime pay:

- Management – positions with direct reports;
- Professional – examples include chartered accountants, lawyers, psychologists, or information systems professionals; and
- Employees working in a confidential capacity – examples include labour relations work or policy development.

5.4.2 Employees in positions that do not fit into the categories outlined in 5.4.1 are eligible for overtime as follows:

- Overtime worked must be approved in advance by the employee's manager;
- Overtime is banked or paid out at time and a half; and
- Overtime applies to hours worked in excess of the University's standard work day of seven (7) hours and work week of thirty five (35) hours.

5.5 Benefits and Pension

5.5.1 Continuing Employees working in a minimum 0.5 FTE position are eligible to participate in MacEwan University's benefits program.

5.5.2 Full time Term Employees with appointments that are longer than ten (10) months are eligible to participate in MacEwan University's benefits program with the exception of pension, life and accidental death and dismemberment insurance, and short and long term disability.

5.5.3 MacEwan University participates in a pension plan for Continuing Employees as outlined in the University's Pension Participation Policy.

5.5.4 The receipt of benefits and pension by an Out of Scope Employee is contingent upon the eligibility requirements established within the relevant benefit or pension plan.

5.6 Hours of Work

5.6.1 Typically, full time Continuing Employees work seven (7) hours per day and thirty-five (35) hours per week with two (2) consecutive days off. Out of Scope Employees may be required to work additional hours or an alternate schedule to accomplish the job assignment.

- 5.6.2 Hours of work may be altered to meet the needs of MacEwan University, to accommodate an employee's specific needs, or for other reasons as mutually agreed to between the employee and the employee's manager.
- 5.6.3 It may be necessary for certain critical operational areas to schedule employees on an on-call basis. When this is required, the employee will be paid a standard on-call rate and will be paid for actual hours worked at time and a half.

5.7 MacEwan University Recognized Holidays

- 5.7.1 Continuing Employees are eligible for provincially and federally recognized Statutory Holidays.
- 5.7.2 Statutory Holidays may be amended by legislation and currently include:

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

MacEwan University has also designated the following days as general holidays:

Easter Monday
Heritage Day
Boxing Day

- 5.7.3 In order to receive statutory or general holiday payment, an eligible employee must be at work or on an approved leave with pay (e.g., vacation) on the last scheduled working day prior to, during (if required), and the first scheduled working day following the holiday observed by MacEwan University.
- 5.7.4 Part time Continuing Employees are only eligible for payment for statutory or general holidays that fall on days when the employee normally works. Such payment will be prorated based on the employee's normal working hours.
- 5.7.5 In addition to statutory and general holidays, MacEwan University will recognize up to three (3) Christmas Floater Days for Continuing Employees. The dates of observance of the Christmas Floater Days will be determined by Executive Council.
- 5.7.6 Christmas Floater Days cannot be used as part of an employee's notice of resignation unless that employee is retiring.
- 5.7.7 Casual and Term Employees will receive payment in lieu of statutory and general holidays at the rate of 4% of regular earnings.

5.8 Vacation

The purpose of vacation time is to ensure that employees have rest from work without loss of income each year. Vacation must be planned in advance and approved in writing by the employee's manager. Work assignments should be managed so that employees are able to take vacation

without negatively impacting the ongoing operation of their department.

5.8.1 Full-time Continuing Employees will be entitled to the following paid vacation:

Years of Service	Base Vacation Entitlement
Up to 6	20 Days
7-15	25 Days
16+	30 Days

5.8.2 In consultation with Human Resources, the hiring manager may recognize a candidate's related prior experience when determining the appropriate vacation entitlement.

5.8.3 Part time Continuing Employees will accrue vacation based on their Full Time Equivalent Ratio multiplied by the entitlements identified in clause 5.8.1.

5.8.4 Periods of maternity, parental, disability, and Workers' Compensation Benefit leave shall be included in years of service for vacation entitlements. All other leaves without pay will be excluded from years of service for vacation entitlements.

5.8.5 Casual Employees will receive payment in lieu of annual vacation at the rate of 4% of regular earnings during the first five (5) years of continuous employment and at the rate of 6% of regular earnings during their continuous employment beyond five (5) years.

5.8.6 Term Employees will receive payment in lieu of annual vacation at the rate of 6% of regular earnings.

5.8.7 Vacation cannot be used to extend a resignation or retirement notice period. Vacation accrued as of the last day worked will be paid out to the employee as a lump sum.

5.8.8 No more than six (6) weeks of vacation can be carried over from one calendar year to the next without written approval from the appropriate Vice-President.

5.9 Sick Leave

5.9.1 MacEwan University offers paid time off for Continuing and Term Employees who are ill or injured.

5.9.2 Sick leave is intended to be used for incidents of short term employee illness or injury that are less than two (2) weeks in duration or during the two (2) week qualification period for Short Term Disability.

5.9.3 Sick leave is accrued at a rate of twelve (12) days per year to a maximum accumulation of 30 days.

5.9.4 Part time employees will accrue sick leave based on their Full Time Equivalent Ratio.

5.10 Leaves of Absence

5.10.1 Continuing Employees may be eligible for the following leaves with pay:

5.10.1.1 Jury Duty

Leave with pay will be granted to an employee summoned for jury duty. Any additional payment the employee receives for serving as a juror must be signed over to MacEwan University.

5.10.1.2 Bereavement Leave

Employees can access leave with pay of up to five (5) consecutive working days in the event of the death of a family member or friend, upon approval by the employee's manager.

5.10.1.3 Personal Leave

Employees are granted personal leave of five (5) working days per calendar year. The leave will be pro-rated for part-time employees and those working less than a full year.

- Personal leave must be approved in advance, where possible, by the employee's manager;
- There will be no carryover of unused personal leave hours from one calendar year to the next; and
- Unused personal leave hours are not paid out.

5.10.2 Employees may be eligible for the following leaves without pay:

5.10.2.1 Leave of absence

Leaves of absence without pay may be approved by the employee's manager in consultation with Human Resources.

5.10.2.2 Maternity / Parental / Adoption Leave

5.10.2.2.1 Leave without pay for maternity, parental, or adoption leave will be granted in accordance with applicable legislation. Written notice should be provided to the employee's manager at least six (6) weeks in advance of the leave, where possible.

5.10.2.2.2 Continuing eligible employees will receive additional salary support for a portion of their maternity leave.

5.10.2.2.3 Requests for an extension to the leave may be approved by the appropriate manager.

5.10.2.2.4 Employees will provide written notice of their intent to return to work or request to change their return date at least four (4) weeks before the end of the leave.

5.10.2.2.5 Whenever possible, the employee will be reinstated in the same position held prior to taking the leave. If that is not possible, the

employee will be provided with alternate work that is of a comparable nature and salary.

5.10.2.3 Compassionate Care Leave

5.10.2.3.1 Compassionate Care Leave is meant for those employees who require time away from work to provide care or support to a family member with a serious medical condition with a significant risk of death. Compassionate Care Leave without pay will be granted in accordance with applicable legislation.

5.10.2.3.2 Whenever possible, the employee will be reinstated in the same position held prior to taking the leave. If that is not possible, the employee will be provided with alternate work that is of a comparable nature and salary.

5.10.3 An employee will not accrue vacation or sick days during any period of leave without pay, nor will they receive payment for recognized holidays.

5.11 **Termination of Employment Initiated by MacEwan University**

In consultation with Human Resources, the employment of an Out of Scope Employee may be terminated, subject to the following:

5.11.1 With cause – no requirement for notice or severance.

5.11.2 Without cause:

5.11.2.1 In compliance with the terms of an individual employment agreement, where applicable.

5.11.2.2 Continuing employee: Each termination will be reviewed and assessed based on the employee's specific circumstances.

Employment Standards sets out the minimum amount of notice or pay in lieu of notice that must be provided upon termination. In addition to the minimum, the University will consider such factors as the reason for the termination, length of service, level of position, employment history, and age when determining a fair and appropriate severance package.

5.11.2.3 Term employee: No notice of termination is required when the duration of the term assignment comes to an end. When MacEwan University ends the assignment early, an appropriate amount of notice or pay in lieu of notice will be determined, in accordance with the provisions set out in Employment Standards legislation.

6.0 ASSOCIATED PROCEDURES

7.0 RELATED POLICIES, FORMS, AND OTHER DOCUMENTS

MacEwan University Policies:

- Employee Code of Conduct
- D1300 Rewards and Recognition
- D1320 Pension Participation
- D1400 Health and Safety
- D1620 Recruitment
- D2000 Professional Development

Related Legislation

- *Employment Standards Code (Alberta)*
- Employment Standards Regulation (Alberta)

8.0 ACCOUNTABILITY

Policy Sponsor

Vice-President, Finance and Administration

Office of Administrative Responsibility

Human Resources

9.0 HISTORY

Relevant Dates

Approved: **16.04.21**

Effective: **17.01.01**

Next Review: **21.04.21**

Modification History

16.04.21: New policy approved by Board Motion 01-04-21-2015/16. This policy replaces policies D1020 Administrative Support & Supervisory Personnel Employment Policy, D1030 Employment Policy for Administrators, D1040 Employment Policy for Officers, and D1050 Employment Policy for Executive Officers.