

STAFF REDUNDANCY

Background

The Division may periodically face excess or redundant staff situations due to budget shortfalls, declines in enrolment, reduced demands for instruction in specialized areas or other unforeseen circumstances. In these instances, every effort will be made to reassign the staff to other vacancies in the Division. As such, attrition is favored as the best way to reduce staff when necessary.

The Division will take into consideration known resignations, retirements, and approved leaves of absence, as well as the effect of approved redeployment programs, before implementing procedures for termination. In addition, the employment contracts of temporary teachers will terminate on their expiry dates.

However, if no appropriate placements are available in the Division, procedures for terminating contracts of employment will be implemented in accordance with the following procedures.

Procedures

1. The principal shall name those teachers who are identified surplus to the needs of the school, paying particular attention to:
 - 1.1 The need to retain staff with the teaching expertise necessary for the maintenance of the total school program;
 - 1.2 Availability of teaching positions within the school that falls within the teacher's qualifications;
 - 1.3 Past teaching assignments of the teacher.

The principal shall provide the Director or designate with the rationale used in identifying the teacher(s) as surplus to the needs of the school.

2. The respective departments shall identify non-teaching staff positions considered surplus to the needs of the Division. Positions covered by a collective agreement shall be reduced in accordance with the layoff provisions of the respective agreement. Other staff shall be reduced with consideration of the needs of the Division and the knowledge, skills and expertise of the staff affected.

The respective supervisor shall provide the Director or designate with the rationale used in identifying the staff considered surplus to the needs of the Division.

3. When making organizational plans for the school year, the principal, upon receipt of the school's staff allocation and student projection, will make decisions regarding:

- 3.1 The instruction to be offered to meet the needs of the school population.
- 3.2 The way in which the school will be organized to best provide the programs.
- 3.3 The need to retain staff with the teaching expertise necessary for the maintenance of the total school program.
- 3.4 The distribution of the teaching assignments among the teachers on regular contract known to be remaining at the school.

As soon as staff reallocation or reduction appears imminent for the following year, the principal shall advise the Director or designate of that possibility.

4. When the total instructional needs for the projected school population are not sufficient to provide assignments to all the teachers, the Director or designate, in consultation with the principal, shall identify teacher(s) to be declared surplus.

Teachers declared surplus to the needs of a school shall be considered for placement in other vacant positions within the Division. If, after filling all the known vacant positions, there is a surplus of regular contract staff, procedures for termination of teaching staff will be implemented.

The guidelines for termination are as follows:

- 4.1 The Director or designate will identify the teacher(s) whose contract(s) will be subject to termination, by considering the following:
 - 4.1.1 teaching requirements or educational programs of the Division;
 - 4.1.2 the teacher's ability and qualifications;
 - 4.1.3 the teacher's length and quality of service to the Division.
 - 4.2 A teacher who is identified surplus to the needs of the Division under the provisions of Section 210 of the Education Act will be provided with thirty days' notice of termination of contract and will be provided redundancy pay in accordance with the requirements of the provincial teachers' agreement in effect at that time.
5. Unionized staff will be laid off or terminated in accordance with the layoff and/or termination provisions of the applicable collective agreement.
 6. When making organizational plans for the school year, the Director will make decisions regarding central staff requirements based on system needs, expected workload and budget considerations.
 7. Staff declared surplus will be considered for placement in other vacant positions within the Division. If no suitable placement can be made, procedures for termination will be implemented.

The guidelines for termination due to redundancy will be as follows:

- 7.1 Unionized staff will be laid off or terminated in accordance with the layoff and/or termination provisions of the applicable collective agreement.

- 7.2 Out-of-scope staff will be terminated by giving appropriate notice or pay in lieu thereof, in accordance with the Labour Standards Act of the Province of Saskatchewan or the employee's contract of employment. Appropriate severance pay provisions may be made considering the respective staff member's position and years of service with the Division.
 - 7.3 Teaching staff will be terminated in accordance with the provision of 4.2.
8. All staff subject to termination under this procedure will be provided with information regarding supportive counseling.

Legal Reference: Section 85, 87, 108, 109, 175, 210, 213, 215, 216, Education Act