

403.5 Reduction in Division Staff

Policy

When a reduction in Division staff is deemed necessary, it shall be done in accordance with the Education Act, applicable provincial and federal statutes and within the provisions of collective agreements or employment contracts.

Regulations

1. Where this policy and regulations and the provisions of the collective agreement or employment contract differ, the terms of the collective agreement or employment contract shall take precedence.
2. The principal/supervisor of the school/site is responsible for declaring an employee surplus within the school or site.
3. If a staff transfer is required from a school/site to another assignment within the Division, refer to the Education Act and Policy 402.2 Employee Transfers.

Teachers:

4. Any provisions of this policy shall apply to those teachers on continuing contracts only. Teachers who hold a continuing contract while on leave from a school shall have the same rights to placement as those presently assigned to a school.
5. Should a reduction in the number of Division teaching staff be warranted, the Division shall endeavor first to effect such reduction through voluntary attrition.
6. If reduction cannot be fully achieved through voluntary attrition the Board shall effect reduction through termination of contracts of employment.
7. The following criteria shall be utilized in determining which contracts of employment shall be terminated:
 - 7.1. Appropriateness of academic background and relative experience qualifications and subsequent application to the needs of the Division and Employees' experience under contract with the Division.
8. In the case of teaching staff reductions, the Board delegates to the Superintendent responsibility for applying these criteria
9. Upon the decision to terminate a contract of employment, the Superintendent shall inform the teacher, in writing, of the decision to terminate the contract of employment, the reason for doing so, and their right to an appeal to a Board of Reference under the provisions of the Education Act.

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10. Should the Division decide to eliminate a designated position, the incumbent shall have his or her designation terminated according to the Education Act, without having their contract of employment terminated. The employee shall then be considered for another position on the same basis as any other member of staff, in accordance with the appropriate collective agreement.

Support Staff:

11. Any provisions of this policy shall apply to those employees on continuing contracts only. Employees on leave of absence from the school have the same rights to placement as those presently assigned to the school.
12. In the case of support staff reductions, the Board delegates to the Superintendent or designate the responsibility for applying the criteria outlined in the appropriate collective agreement.

Non-Union Staff:

13. In the case of non-union employee reductions, the Board delegates to the Superintendent or designate the responsibility for dealing with staff reductions in accordance with the individual contracts.

The Board delegates to the Superintendent the authority to develop the procedures necessary to implement this policy.

References

Alberta Education Act: Other Statutes:	52, 205, 214, 214.1, 215, 219 Alberta Labour Relations Code, Employment Standards Code
Division Policies:	401.1 Staff Hiring, 402.2 Employee Transfers, 401.3 Non-Union Employees, 404.3.1 Leaves of Absence
Other:	Employee Collective Agreements