

Out of Scope Employees

Background

The Division fulfills its responsibilities through maintaining collective bargaining units and individualized contracts that do not fall within a collective bargaining scope. An Out of Scope Employee is an employee who is excluded from a formal bargaining unit that establishes a Collective Agreement for its employees. Out of scope contracts are typically those pertaining to:

- Executive Management, with direct accountability to the Superintendent of Schools;
- Senior Management, with accountability to a member of the Executive Management;
- Supervisors, with accountability to a member of the Executive Management or the Senior Management;
- Professional Positions, with accountability to a member of the Executive Management, the Senior Management or Supervisors;
- Technical and Support Positions, with service support and accountability to a member of Executive, Senior Management, Supervisors or a school principal including employees that operate under specific conditions of employment.

Section 52 and 225 of the *Education Act* affirm the basis for the Board, through delegation to the Superintendent, hiring out of scope employees in order to ensure that all of the Division's fiduciary responsibilities are addressed with sufficient expertise, and to a high standard of performance.

Out of Scope Employees are categorized as a result of specializations, requirements for confidentiality, the length, frequency, and diversity of service responsibilities, legislative requirements, or a combination of any of these factors that are required to address the needs of Greater St. Albert Catholic Schools. The Board recognizes the important contribution and performance of out of scope staff in pursuing and supporting the Division's mission, vision, values, and goals.

Positions and responsibilities outlined within Out of Scope Contracts do not replicate those responsibilities already established within collective agreements.

This administrative procedure establishes the organization, accountability, and rationale for compensation for out of scope employees.

Guidelines

A. Out of Scope Positions

Superintendent of Schools

1. Employment of the Superintendent of Schools is subject to the conditions set out in Section 222 of the *Education Act*, and in the Superintendent's contract of employment with the Board of Trustees.
2. The Superintendent of Schools, as the Chief Executive Officer and Chief Education Officer of the Division, is exclusively accountable to the Board of Trustees for the performance of the Division, and serves as the only employee that the Board directs in this regard.
3. The Superintendent of Schools delegation of authority is set out in Policy 11 of the Board Policy Handbook.
4. The performance assessment goals, and related quality indicators for the Superintendent of Schools are set out in Policy 12 of the Board Policy Handout.
5. The Board of Trustees regularly evaluates the Superintendent who is responsible for the overall performance of the Division in relationship to Policy 12, through an evidence based process.
6. The Superintendent of Schools is expected to develop a managerial structure that includes the development of Executive Management Positions, comprised of a Secretary – Treasurer and/or a Deputy Superintendent and/or Assistant Superintendents. Executive Management Positions will be out of scope in nature and are responsible for demonstrating success in meeting or exceeding those quality indicators that have been delegated to them by the Superintendent of Schools. Such delegation complements other operations within the leadership of Executive Management positions.
7. The managerial structure of the Division is updated as required and outlines the Executive Management and Senior Management functions and direct reports within the Division (Appendix A).

Secretary – Treasurer

8. The Secretary – Treasurer serves as the Corporate Secretary, the Chief Financial Officer of the Division, and is responsible for the management and oversight of capital assets, finance, capital projects, student transportation, operations and maintenance, records management, and FOIP coordination.

Executive Management Positions

9. Notwithstanding the need to honour existing continuing contracts of employment, every effort will be made to establish term contracts for Executive Management Positions.

10. Executive Management Positions will be structured as full time positions.
11. In addition to the Secretary – Treasurer’s position, personnel are hired as Deputy Superintendent or Assistant Superintendents to address the areas of Learning Services, Human Resource Services, and any other areas deemed necessary to support the effective operation of the Division.
12. All Executive Management Positions report to the Superintendent of Schools as required, and these reports will be used as a mechanism to report to the Board on the progress of the Division in relationship to specific areas of responsibilities and Board accountability to the public.
13. The Superintendent of Schools may delegate authority to a member of Executive Management as required.
14. Subject to the approval of the Board, the Superintendent of Schools will appoint a member of Executive Management to temporarily assume the responsibilities of the Superintendent of Schools during his / her absence from work.
15. Contracts of employment for Executive Management Positions will be administered by the Superintendent of Schools in accordance with contractual standards recommended by legal counsel.
16. The Superintendent of Schools shall implement an annual evaluation process that assures the success of each Executive Management team member in meeting established goals and quality indicators.

Senior Management Positions

17. Should the Division require additional personnel to assume delegated responsibilities for Executive Management, Senior Management positions will be established that are out of scope in nature. These positions will typically, but not exclusively be titled as Associate Superintendent, or Non-Certified Director or Manager positions.
18. Senior Management Positions may be established as part-time positions through the approval of the Superintendent of Schools.
19. Notwithstanding the need to honour existing continuing contracts of employment, every effort will be made to establish term contracts for Certificated Senior Management positions.
20. Executive Managers will assure that those hired into Senior Management positions will uphold the same standards of evaluation that is used for Senior Executive Management Positions.

Supervisory Positions

21. Should the Division require additional personnel to assume delegated responsibilities for Executive Management or Senior Management, Supervisory positions will be established that are out of scope in nature. These positions will require specialized and confidentiality requirements that operate within a diverse range of responsibilities and service arrangements. These positions will also be responsible for the supervision and direction of Technical and Support positions within their department.
22. Supervisory Positions may be established as part-time positions with the approval of the Superintendent of Schools.
23. Executive Managers will assure that those hired into Supervisory positions will uphold the same standards of evaluation that is used for Senior Executive Management and Senior Management Positions.

Professional Positions

24. Should the Division require additional personnel to assume delegated professional responsibilities for Executive Management or Senior Management, Professional positions will be established that are out of scope in nature. These positions will require specialized and confidentiality requirements that operate within a diverse range of responsibilities and service arrangements.
25. Professional Positions may be established as part-time positions with the approval of the Superintendent of Schools.
26. Regular evaluation mechanisms that hold all out of scope employees accountable to an Executive Manager or Senior Manager are to be established.

Managerial Assistant Positions

27. As Executive Management and Senior Management budgets will permit, Assistant Positions may be established to provide clerical, administrative, or organizational support for Executive Management and Senior Management positions.
28. At the discretion of the Executive Manager responsible for an area where an Assistant Position will be necessary, full time, part time, temporary, or casual positions may be established.
29. Regular evaluation mechanisms that hold all out of scope employees accountable to an Executive Manager or Senior Manager are to be established.

Technical and Support Positions

30. Division Maintenance, Learning Technology Services, Learning Services, Human Resource Services and Division Finance will establish out of scope contract

positions as required to meet the evolving organization needs of these departments. These positions will require specialized and confidentiality requirements that operate within a diverse range of responsibilities and service arrangements.

31. Technical and Financial Support Positions may be offered by an Executive Manager or a Senior Manager as full-time, part-time, term, or continuing positions.

B. Compensation

1. Compensation and Conditions of Employment for the Superintendent of Schools are within the exclusive domain of the Board of Trustees, according to the Contract provisions that have been established between the Board of Trustees and the Superintendent of Schools.
2. Compensation of all other employees are to be based upon a transparent set of indicators which includes the performance and growth in effectiveness of an employee who operates within a mission and performance based milieu.
3. Employee compensation will be based upon Board allocations to decentralized budgets. Compensation that exceeds board allocation to these budgets will:
 - 3.1. Require Board approval.
 - 3.2. Compensation for all Out of Scope Employees that are established within the Division shall be based upon an interrelationship of criteria that includes:
 - 3.2.1. Expertise and credentialing as required for the position;
 - 3.2.2. Responsibility for outcomes as delegated and outlined within each contract;
 - 3.2.3. Market conditions and demand for the position when compared to similar positions within and outside the Division;
 - 3.2.4. Key growth and competency requirements of the Division;
 - 3.2.5. A proven capacity to meet or exceed performance based goals / outcomes;
 - 3.2.6. Days of mandated Division work, as stipulated within a contract of employment;
 - 3.2.7. Sustaining an appropriate continuum of salary increases throughout the employment hierarchy within the Division.
4. In order to establish a reasonable gap between the hierarchy of compensation categories within the Division, the cost-of living index, and / or non-merit based contractual enhancements that are experienced within other large scale in scope contracts may factor into compensation considerations for all out of scope employees.

5. All newly hired out of scope employees will be required to undergo a routine criminal record check, and complete a confidentiality agreement.
6. The organization of existing Division positions within the categories provided are included in Appendix B and will be updated as required. The listing of positions within the categories achieves the goal of providing transparency and understanding with respect to the interrelationship of out of scope positions and bears no correlation to compensation expectations for each position listed.

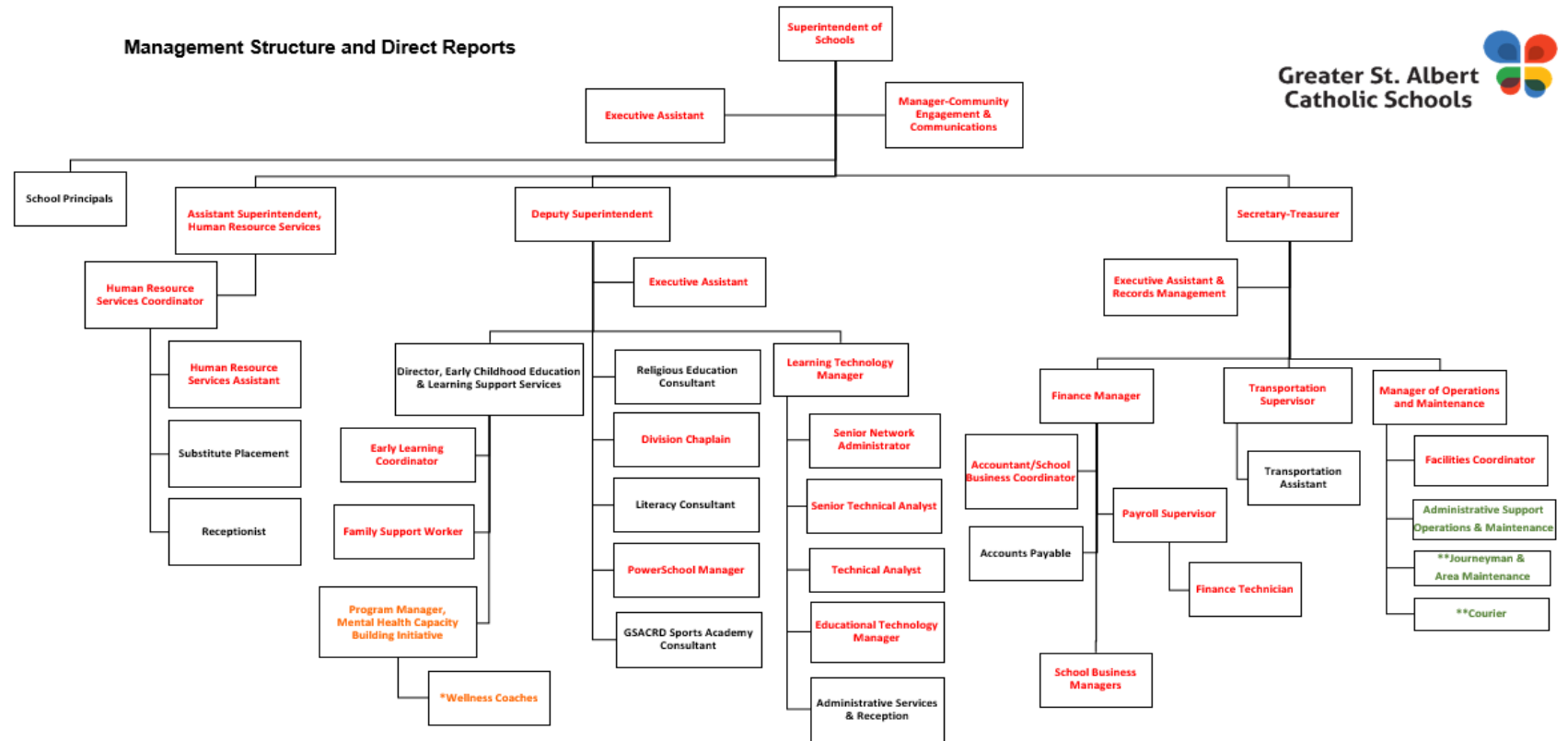
C. Banked/Lieu Time & Overtime

1. As per the Employment Standards Code overtime and banked time is available **only** to Technical/Support staff as listed in Appendix B – Employment Categories and Positions of Out of Scope Employees.
2. It is understood that additional hours may be required from time to time, due to cyclical demands, deadlines, and special projects to ensure specific outcomes are realized. In recognition of these demands, additional hours may be banked as specified below provided that the Technical/Support staff member has entered into an overtime agreement (individual or group) with the employer.
3. Banked/Lieu time / Overtime is defined as follows:
 - 3.1.1. *Banked/Lieu Time* - Lieu Time is defined as all extra time worked that when combined with the employees scheduled hours does not exceed 8 hours per day or 44 hours per week or as otherwise outlined in their employment contract.
 - 3.1.2. Lieu Time hours are earned, banked and/or paid on an hour for hour basis.
 - 3.1.3. Overtime - Overtime is defined as all extra time worked that when combined with the employees scheduled hours exceeds 8 hours per day or 44 hours per week or as otherwise outlined in their employment contract.
 - 3.1.3. Overtime hours are earned banked on an hour for an hour and one half basis (1.5). Any time that has been banked at the overtime rate, and is eligible for payout, will be paid at straight time.

D. Process for Banked Time/Overtime

1. Minimum increments of 30 minutes, when in excess of the employees normal work schedule, may be banked for use within 6 months of the pay period for which it was earned, at a time that is mutually agreeable and pre-approved by the Supervisor.

2. It is intended that the banking of time / overtime, as required due to heavy demands, allows the Out of Scope Employee some flexibility within the regular work schedule for personal obligations that may arise during the regular work day. Any banked time may also be available for use during summer Fridays when Division Support Departments may be closed due to participation in a pre-approved condensed work week.
3. All banked time / overtime and subsequent lieu withdrawals must be entered by the employee using the Division Absence System (EASI). All lieu bank / overtime deposits MUST be pre-authorized and lieu bank withdrawals must be made from an existing balance of time previously deposited. Withdrawals to the lieu bank may not create a negative balance.
4. Employees are expected to use banked time / overtime within 6 months of being earned. Unused banked time, from the previous 6 months will be paid out.



- *Out of Scope Employees are noted in red*
- **May be Out of Scope if qualifications are outside of the ATA, CUPE or UNIFOR criteria.*
- *** Out of scope employees working within a group Conditions of Employment*

Employment Categories and Positions of Out of Scope Employees (Alphabetical Order)

The following positions are not eligible for overtime hours & overtime pay as identified by Employment Standards:

Executive Management

- Deputy Superintendent
- Assistant Superintendent
- Secretary – Treasurer
- Superintendent of Schools

Senior Management

- Manager - Community Engagement & Communications
- Finance Manager
- Learning Technology Manager
- Manager of Operations and Maintenance
- PowerSchool Manager

Supervisors

- Human Resource Services Coordinator
- Payroll Supervisor
- Transportation Supervisor

Professional Positions

- Accountant

The following positions are eligible for overtime hours and overtime pay as identified by Employment Standards:

Technical and Support Positions

- Administrative Support – Operations & Maintenance
- *Area Maintenance
- *Courier
- Early Learning Coordinator-Lead
- Executive Assistant
- Facilities Coordinator
- Family Support Worker
- Finance Technician
- Human Resource Services Assistant
- *Journeyman
- School Business Manager
- Senior Technical Analyst
- Senior Network Administrator
- Technical Analyst
- *Therapist

*Out of scope employees working within a group Conditions of Employment

Implemented April 22, 2016

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