

FORT LA BOSSE SCHOOL DIVISION

TITLE – NON-UNIONIZED SCHOOL SUPPORT STAFF LAYOFF* POLICY - **GDQA**

Approval Date - 23/01/12

Cross Reference -

Resolution # - 29/12

Implementation - 23/01/12

Legal Reference -

Last Reviewed - 23/01/12

Accumulation of Service

Accumulated service, for the purpose of this policy, will be defined as the time a School Support Staff Worker has been employed by Fort La Bosse School Division since the first day of work following the most recent designation to the current work group and as provided for in the following circumstances.

1. A School Support Staff Worker will retain and accrue service if absence from work because of:
 - a) illness or accident up to the maximum days accumulated under sick leave provisions;
 - b) a leave of absence up to thirty (30) calendar days, other than following sick leave per Board policy;
 - c) maternity leave under the Employment Standards Act (C.C.S.M. E-110); and/or
 - d) sabbatical leave.
2. A School Support Staff Worker will retain but not accrue service if:
 - a) absent because of illness or accident recognized and acknowledged by the Board for more than the maximum number of days accumulated under Board policy;
 - b) on leave of absence approved by the Board in excess of thirty (30) calendar days;
 - c) absent because the Division has granted more maternity/parental leave than required by the Employment Standards Act (C.C.S.M. E-110); and/or
 - d) laid off for a period of time less than twenty six (26) months.
3. A School Support Staff Worker will lose service and forfeit all rights to further consideration for preferential re-employment for any of the following reasons:
 - a) resignation;
 - b) failure to return to work after the termination of any leave granted by the Board;
 - c) refusal to accept a position for which the Board has determined they have the necessary skills, abilities and training; and/or
 - d) not being recalled within twenty six (26) months following the date of lay-off.

Seasonal Layoffs

Layoffs as a result of the normal summer period of school closure will not in and of themselves initiate any action under this policy. The Division will issue the necessary notices as per Permanent Layoffs item four (4) when layoffs of any other nature are necessary.

Permanent Layoffs

Layoff will be herein defined as a loss of position due to an administration decision either initiated or approved by the Board. Wherever reasonably possible any required staff reduction at a specific school will be accommodated through natural attrition, transfer and/or leave-of-absence.

1. In the interests of maintaining continuity of programming for as many students as possible any lay-off during the school year will be considered according to seniority on a school by school basis.
2. When the Division expects that an end of school year lay-off will be necessary it will;
 - develop a length-of-service list for the locale(s) under consideration for downsizing that may include any/all of Boundary, Elkhorn, Kola, Oak Lake, Plainview, Reston, and/or Virden.
 - forward a length-of-service list to the employees within the specific impacted locale(s) who may be affected by the position(s) to be eliminated.
3. From within the specific locale and employee group the Division will retain those employees who have the greatest length of service, provided those so identified have the necessary skills, abilities, and training to perform the tasks required.
4. In the event the Division determines that a lay-off is necessary the employee(s) identified as having to be laid-off will receive written notification to that effect no less than one (1) month prior to their last scheduled day of work.
5. The notice of layoff and a copy of this policy will be forwarded to the identified School Support Staff Worker(s). If a School Support Staff Worker wishes to be considered for re-employment they must, within 10 calendar days of receiving the notice of lay-off, indicate that intent in writing and deliver the correspondence to the Division Office.
6. The Division will, at the request of a discontinued School Support Staff Worker, provide a letter indicating the loss of position was due to a reduction in the workforce and not related to the performance of the individual.
7. If the length of experience as defined under accumulation of service should be equal for two or more employees in the identified work group, the School Support Service Worker(s) to be declared surplus will be declared by the Division.

Return to Work

School Support Staff Workers who are laid off will be placed on a within locale re-employment list. Former employees who continue to meet the eligibility requirements will be called back to work in order of the longest length-of-service within their locale, provided that the thus identified employee(s) possesses the skills, abilities and training required to meet the expectations of the available position.

It will be the responsibility of the School Support Services Worker to provide the Division Office with a current address to which a recall notice may be delivered.

Term Employees

The foregoing lay-off policy is not applicable to those School Support Staff Workers employed on a term basis where the termination date of the position was determined at the time of hire.

