

## **REDUCTION IN SUPPORT STAFF**

### **Background**

The Division believes that its mandate to provide educational and support services to students enrolled in Division schools requires that it be sensitive to the educational needs of the students.

However, the Division's ability to provide such services may be constrained from time to time. In such circumstances, the following factors may be taken into account by the Superintendent:

- Student enrollments, both current and projected,
- Government and/or local financial support for education,
- Student educational needs,
- New and/or revised curricula,
- Changes in the function or number of existing physical facilities,
- Changes in student/teacher ratio,
- Changes in the needs of individual students with diverse needs and/or students with diverse needs leaving the school,
- Changes in transportation requirements.

Should the Superintendent be of the opinion that any of these factors warrant a reduction in the number of support staff positions, this Administrative Procedure will be applied to a particular school, or a particular site. (In the instance of transportation and maintenance, each is considered to be a particular site).

The Superintendent and staff have the responsibility for applying this Administrative Procedure and for implementing any termination of employment.

### **Procedures**

1. Should Superintendent deem a reduction in the number of support staff employees to be warranted, the procedures outlined in the "Layoff and Recall" Article of CUPE Local 4839 Support Staff Collective Agreement will be followed in the case of unionized staff or in the case of non-union staff, taking into consideration ability, qualifications, and training.
2. Should ability, qualifications, training and seniority/experience be equal, the Superintendent or designate will endeavour, first, to affect such reduction through voluntary attrition by virtue of:
  - 2.1 Voluntary resignation,
  - 2.2 Voluntary retirement,

- 2.3 Voluntary leave of absence; or
  - 2.4 Voluntary changes in employment status (i.e. full time to part time).
3. If the reduction cannot be fully achieved through voluntary attrition, the Superintendent will endeavour to affect the reduction through termination of employment.
  4. The following criteria may be utilized in the determination of which contracts of employment may be terminated.
    - 4.1 Appropriateness of academic and experience qualifications and the application of such qualifications to the needs and programs of the school and/or Division. Every effort will be made to ensure that appropriately qualified staff are retained for programs approved by the Division.
    - 4.2 Relative competency. Relative competency may be personal skills and attributes determined on the basis of performance appraisals by the Division's administrative and supervisory staff and other matters deemed appropriate by the Superintendent.
    - 4.3 Seniority. Where personnel qualifications, program needs, and relative competence are deemed equal, then seniority (i.e., years of service) with the Division will be the determining criterion.
  5. Upon application of these criteria and determining the need to terminate the employment of a support staff member, the employee's supervisor shall inform the staff member, in writing, of the decision to terminate the contract of employment.
  6. This Administrative Procedure does not require the Division to assign an employee whose employment may be terminated to any position that is or may become vacant unless specific provision is made in another Administrative Procedure or in Support Staff Collective Agreement.

Adopted/Revised/Reviewed: JUN 2016/NOV 2016/SEP 2019/NOV 2019/JUL 2023

Reference: Section 52, 53, 68, 196, 197, 222, 225 Education Act  
Employment Standards Code  
Labour Relations Code