



## ***MANAGEMENT PERSONNEL POLICY***

This policy replaces the Policy for Management Staff. This current policy was adopted for the first time by Board of Governors' resolution number 2826 on May 7, 2014, and subsequently amended by resolutions:

2835 (Board of Governors) June 13, 2014

Boxed text is for information purposes and does not form a part of the official text of this policy.

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### SECTION 1 PREAMBLE

This Policy was developed in accordance with Articles 261 and 262 of the *Règlement déterminant certaines conditions de travail des cadres des collèges d'enseignement général et professionnel* (hereinafter called the "Regulation"), and is within the terms of or complementary to this Regulation. In the case where this document conflicts with the Regulation, the latter takes precedence.

### SECTION 2 GENERAL PROVISIONS

#### 2-1.00 Objectives

This Policy has the following objectives:

- a) create a working environment which promotes the satisfaction, effectiveness, and productivity of the College's management personnel;
- b) maximize the College's effective use of its human resources;
- c) determine the responsibilities of its management personnel;
- d) define the working conditions of the College's management personnel; and
- e) establish effective communication between the College and its management personnel.

#### 2-2.00 Scope

This Policy applies to management personnel of the College and defines their conditions of employment.

The conditions of employment of temporarily appointed managers are governed by Articles 7, 8 and 9 of the Regulation.

#### 2-3.00 Definitions

Unless otherwise indicated, the terms:

- **employment**
- **appointment**
- **non-renewal**
- **termination of employment**
- **dismissal**

have the meaning set out in Article 1 of the Regulation.

##### 2-3.01 Association des cadres des collèges du Québec (ACCQ)

###### a) Association

*Association des cadres des collèges du Québec (ACCQ)*, a professional association recognized by the Government to promote and defend the socioeconomic interests of its members.

###### b) Delegate

The representative of the Association for the College.

###### c) Local Committee

For each of the locations, a committee made up of all members of the Association who are employed at that location.

**d) Committee of Local Representatives**

The assembly of local representatives that serves for the purpose of developing and applying this policy.

**2-3.02 Appeals Committee**

**a) College Appeals Committee**

The "Appeals Committee" is a committee of three (3) external members of the Board. This Committee is mandated, among other responsibilities, to decide on matters in the Management Personnel Policy not resolved to the satisfaction of the management member at the level of the Recourse Committee.

See **Article 3.24** of Bylaw 1.

**b) Provincial Appeals Committee**

The "Provincial Appeals Committee" is established by the Regulation to decide on matters covered by the Regulation and not resolved to the satisfaction of the management member at the level of the Recourse Committee and College Appeals Committee.

See **Articles 226 to 260** of the Regulation for the procedures involved in the Provincial Appeals Committee.

**2-3.03 Appointment**

An individual named to a management position is, at the time of naming, already in the employ of the College.

**2-3.04 Campus Director for College Administration**

The Director General assigns the responsibilities of Campus Director for College Administration.

**2-3.05 College**

Champlain Regional College of General and Vocational Education.

**2-3.06 Engagement (Hiring)**

An individual named to a management position and who is not currently employed by the College.

**2-3.07 Location**

A Campus of the College, as defined in Article 1.02 of Bylaw 1, or College Administration.

**2-3.08 Management personnel - Management personnel Member - Management Member**

Employee of the College covered by the Regulation defined in Article 2-1.08.

See **Article 1** of the Regulation for the definition of those employees covered by the Regulation and thus by this Policy.

**2-3.09 Recourse Committee**

The "Recourse Committee" is a committee created to resolve complaints, at a given location, relative to the interpretation and implementation of the Management Policy and the Regulation.

**2-3.10 Regulation**

The *Regulation respecting certain conditions of employment of senior staff of general and vocational colleges* that is currently in effect and incorporating all subsequent amendments.

**2-3.11 Zone**

The "Zone" to which the location belongs as determined in the Collective Agreement of collegial non-teaching

professional personnel.

### SECTION 3 ASSOCIATION

#### 3-01.00 Recognition

**3-01.01** The College recognizes the ACCQ Local Committee as the sole collective representative of managers for the purpose of the negotiation and application of this Policy.

**3-01.02** The College acknowledges that it must treat managers in an equitable manner with respect to other employee groups.

#### 3-02.00 Association Membership

It is the management member's responsibility to inform the College of membership in the *Association des cadres des collèges du Québec*. Deductions for membership dues will be made accordingly. The College agrees to indicate on the income tax slips the total dues paid by a management member during a calendar year.

#### 3-03.00 Professional Dues

- a) The College sends to the ACCQ Headquarters (hereafter referred to as, "The Association"), prior to September 15 of each year, a list of its management personnel which indicates:
- position
  - classification
  - annual salary
  - place of work
- b) The College will deduct from the salary of every manager that is employed, the amount corresponding to the dues determined by The Association, unless the manager informs the College, in writing, of its refusal within thirty (30) days of his or her engagement or within thirty (30) days following the annual renewal of the protocol between the Ministry and the *Fédération des cégeps* with respect to professional dues.
- c) The Association informs the College of the premium rates to be deducted and of any modification to the decree (1193-84).
- d) Unless faced with a major impediment and outside the summer period, the College shall proceed to the change in premiums within thirty (30) days following reception of the notice of modification.
- e) The College shall proceed with the deduction throughout every pay period of the academic year.
- f) The Association can agree with the College on different terms with respect to deductions.
- g) The College will transfer dues collected to The Association on a monthly basis including a list of the amounts withheld on each manager's pay.
- h) The sole responsibility of the College, in this regard, is to act as a fund collector.

#### 3-04.00 Information

**3-04.01** The College shall provide to Local ACCQ Delegate as well as to staff members who are not members of the Association, with a copy of all directives and documents of general order or documents of interest to the management personnel.

**3-04.02** The local committee(s) shall provide the College with a list of the members of its executive council or the equivalent.

**3-04.03** The College shall provide the Local ACCQ Delegate as well as staff members who are not members of the Association, with a copy of notices of meetings, draft agendas and minutes of meetings of the Board of Governors, the Executive Committee and the Commission of Studies.

**3-04.04** The College shall provide the Local ACCQ Delegate a signed copy of the employment contract and appendices to the contract for each manager affiliated to the ACCQ, within five (5) working days following the signing of the contract.

### SECTION 4 PARTICIPATION AND CONSULTATION

**4-1.01** The College shall maintain mechanisms and structures that:

- a) promote the input and active involvement of management personnel from all locations in the development of the College Strategic Action Plan (CSAP) and Annual Operational Plan (AOP); and
- b) promote ongoing harmonious relations between the College and its management personnel.

**4-1.02** Annually, the Director General shall meet with the management personnel to review the College's record in achieving objectives set in the previous year's AOP. At the same time it will identify, if necessary, measures to be taken to realize the expectations set by the Board of Governors.

**4-1.03** The College shall, through the existing management structures including the Association as appropriate, consult its management personnel in the development of College policies and in the updating of the College's mission statement.

### SECTION 5 STAFFING

**5-1.01** The College determines the number of management personnel positions it requires.

**5-1.02** When the College decides to fill a vacant or newly created management position it follows the procedures outlined in Article 5 of Bylaw 4. The College may assign the duties to another member of management personnel or may proceed to assign temporarily an employee of the College to the position.

**5-1.03** The College selects its management personnel, including temporary management personnel, in conformity with the admissibility and eligibility criteria determined by the College after consultation of the Local Delegate(s). The Director General or Campus Directors at their respective location may choose to consult the staff members who are not members of the Association.

A management representative designated by the local committee(s) is a member of the Selection Committee, if invited by the Director General or the Campus directors at their respective location.

#### 5-2.00 Job Description

See the *Plan de classification des emplois types et Guide de classement des postes de cadre pour le personnel d'encadrement des collèges d'enseignement général et professionnel* for further information on standard job descriptions and classification of positions.

The College shall give to each manager a copy of his or her job description.

Managers' job description are drawn up by the College in line with the descriptions of duties appearing in the ministerial document entitled, *Plan de classification des emplois types et Guide de classement des postes de*

*cadre pour le personnel d'encadrement des collèges d'enseignement général et professionnel.*

### 5-3.00 Job Classification

**5-3.01** It is the responsibility of the College to classify its management positions. Based on descriptions of management positions contained in *Plan de classification des emplois types et Guide de classement des postes de cadres*, the College prepares a job description for each management position and determines the appropriate classification.

The job description of a management member is an integral part of the contract. Any substantial modification which causes a change in the classification of the manager is amended after consultation of the concerned manager.

**5-3.02** The College may assign to its management members responsibilities and tasks ascribed to more than one management position in the classification plan. In such cases, the management member's position is classified at the level of the position to which he or she devotes a majority of time.

See **Article 10** of the Regulation.

**5-3.03** The following constitute the minimum requirements for each of the management positions listed:

**Campus Director (Class 9 & 10):** Graduate degree or equivalent years of schooling in an appropriate specialization and eight (8) years relevant experience including at least three (3) years senior management experience.

**Academic Dean (Class 6, 7 & 8):** Graduate degree or equivalent years of schooling in an appropriate specialization and eight (8) years relevant experience including at least three (3) years post-secondary teaching experience.

**Director of Human Resources/Secretary General (Class 10), Director of Financial Services, Director of Material Services (Class 9):** Undergraduate degree or equivalent years of schooling in an appropriate specialization and eight (8) years relevant experience.

**Coordinator of Data Processing Services (Class 7), Assistant Campus Director (other than Academic Dean) (Class 7 & 8), Coordinator (other than Data Processing) (Class 6):** Undergraduate degree or equivalent years of schooling in an appropriate specialization and five (5) years relevant experience.

**All Manager Positions (Class 2, 3, 4 and 5):** DEC or equivalent years of schooling in an appropriate specialization and six (6) years relevant experience or a Secondary V or equivalent years of schooling in an appropriate specialization and ten (10) years relevant experience.

See **Articles 10, 11, 12 and Appendix 1** of the Regulation for further information on classification and descriptions of positions.

**5-3.04** When the College is unable to classify a management position because the responsibilities and tasks do not correspond to one of the position descriptions set out in the *Plan de classification des emplois types et Guide de classement des postes de cadre*, the College will submit the case to the Minister. Documentation forwarded must include:

- 1) the job analysis questionnaire retained by the Ministry for evaluation in accordance with the Hay Method;
- 2) the position's location within the College's organizational structure; and,



3) the minimum requirements for the position.

If the Minister deems that the principal responsibilities and tasks do not correspond to one of the position descriptions set out in the *Plan de classification des emplois types et guide de classement des postes de cadre* of the Regulation, the Minister will determine the classification of the management member in conformity with the Hay Method.

See **Articles 12, 13 and 14** of the Regulation.

### **5-4.00 Change in Classification**

**5-4.01** A management member who disagrees with the classification of his or her position or who maintains that the responsibilities of his or her present position were changed to an extent which would justify a change in classification, must submit a written request to his or her immediate supervisor. Within twenty (20) working days of receiving this request, the immediate superior must provide a written explanation of the classification.

**5-4.02** A management member who is not satisfied with the written explanation and continues to believe a change in classification is justified may lodge a complaint with the College, in accordance with the procedures set out in Section 17 of this Policy as well as Chapter XV of the Regulation.

**5-4.03** Within ten (10) working days of a management member's complaint being found to be justified, the College must either modify the responsibilities and tasks of the management member to comply with the classification or change the classification.

### **5-5.00 Composition of Management Selection Committee**

**5-5.01** The Director General in consultation with the Director of Human Resources and Campus Director, or through delegation to the Campus Director, shall determine the composition of each management selection committee.

**5-5.02** The Selection Committee shall be comprised of members of the management or senior management of the College. However, for campus based positions the Director General will ensure that one representative of the personnel group that will be working most closely with the manager is included as a member of the selection committee as follows:

- A member of the faculty for the position of Dean or equivalent (class 7 or above) with responsibilities related to the academic mission of the College;
- A professional for the position of Dean or equivalent (class 7 or above) with primarily responsibilities related to Student Services;
- A member of the support personnel for the position of Dean or equivalent (class 7 or above) with primarily responsibilities related to administrative services; and
- A member of the faculty for the position of Campus Director.

**5-5.04** The particular personnel group identified will be asked to name the individual to the Selection Committee.

**5-5.05** The Director of Human Resources or his or her delegate shall act a resource person with voting privileges as designated by the Director General.

**5-5.06** While ensuring the above conditions are respected, the Director General can exercise further discretion in the composition of any Selection Committee which may include an outside consultant.

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### **5-6.00 Selection Process**

**5-6.01** The College appoints or hires its management personnel in accordance with the eligibility requirements set forth in this Policy and in conformity with Bylaw4.

**5-6.02** When the College wishes to fill a regular management position, it must notify the *Bureau de placement du secteur collégial* and must specify the eligibility requirements for the position.

### **5-6.03**

- a) The College appoints or hires the most competent candidate, who has successfully completed the selection process for an available management position.
- b) If the College cannot find a qualified candidate for a given position, it may appoint or hire a candidate who does not possess the educational background required for the position but who has relevant experience over and above the minimum criteria.
- c) Similarly, the College may appoint or hire, to a given position, a candidate whose educational background meets the specified qualifications and whose superior characteristics compensate for a lack of experience normally expected for the position.

**5-6.04** All management members with five years' service with the College who apply for a vacant management position must be given the opportunity to be interviewed for that position.

**5-6.05** Within the spirit of College Bylaw 4, the Director General will ensure that the mandate of selection committees for management positions includes consideration of any management personnel under Article 5-3.04.

### **5-7.00 Appointment and Engagement**

**5-7.01** When a management member is engaged or appointed, the College will prepare and forward a written employment agreement entitled Employment Contract as well as a copy of the Management Personnel Policy of Champlain Regional College, the Evaluation Policy for Management Personnel and the Regulation. The College gives each management member a copy of the job description and specific responsibilities.

**5-7.02** Subsequently, after consultation with the individual, the College will forward a written confirmation of any permanent change made to the position and responsibilities as described in the job description.

**5-7.03** In accordance with Article 19 of the Regulation, a newly appointed or promoted manager receives a salary increase of between 10% and 15% of the maximum of the new salary scale.

However, the new salary must respect the provisions of Article 19 of the Regulation.

**5-7.04** Should the current salary of a management member be maintained because it exceeds the new salary scale, the provisions of Article 28 of the Regulation apply. The same provisions apply for the cases described in the second sentence of Article 29 of the Regulation.

**5-7.05** The salary of the member of management personnel who was not previously employed by a college or school commission is determined by the College, by taking into account years of schooling and experience as well as the salaries of other management members in the College in similar positions.

**5-7.06** Within ten (10) days of filling a management position, the College forwards a copy of the nomination to the Association. The Association will provide a newly appointed management personnel member with membership information.

### **5-8.00 Work Schedule**

The working hours per week of the College's management personnel correspond normally to those of the College's non-teaching professional personnel.

### **5-9.00 Probation Period**

**5-9.01** A manager not covered by the mechanisms of job security as per the Regulation, shall undergo three (3) evaluations during his or her probation period, one (1) of which is compulsory at the end of the first six (6) months of employment.

Annual evaluations must be conducted in conformity with the Performance Assessment Policy for Management Personnel.

**5-9.02** The duration of the probation period is of twenty-four (24) continuous months.

- a) At the end of his or her probation period the manager who is hired for an undefined period acquires permanent status. However, the mechanisms by which he or she acquires stability of employment are those stated in the Regulation.
- b) When the College decides not to pursue the employment of a non-permanent manager and end their contract prior to the end of the probation period, he or she shall receive a thirty (30) days written notification
- c) When the College hires a manager who benefits from stability of employment in his or her college of origin, he or she is not governed by subsection 5-4.08 d) but by Articles 39 and 40 of the Regulation.

### **5-10.00 Administrative Reorganization**

**5-10.01** Before implementing an administrative reorganization, at any of its locations, which could result in the creation of surplus management personnel, the College will consult the local committee(s) at the location(s) involved as well as the management personnel at the location(s) affected.

Consequently and at least thirty (30) days prior to its implementation, the College shall consult the local committee(s) and members who are not members of the Association of the location concerned, with all modifications proposed to the administrative structures, number of management personnel and administrative responsibilities assigned to managers incumbent of different management positions.

**5-10.02** In accordance with Article 199 of the Regulation, the College must either:

- a) invoke sub-sections 1 or 2 of Article 199 of the Regulation and declare the management personnel member as supernumerary; or
- b) enter into an agreement with the management personnel member involved as stipulated in sub section 3 of Article 199 of the Regulation.

**5-10.03** A supernumerary management personnel member is required to accept any available position which is compatible with his or her professional training and which is in his or her College location or in a college in his or her zone. Refusal to accept such a position is equivalent to resignation. It is understood that both Lennoxville and the College Administrative Offices for the purpose of this clause are considered to be in the same zone. No management personnel member will be required to change his or her language of work as a result of the application of this Article. The salary of a management personnel member who is designated as supernumerary is maintained for the period he or she is so designated. Supernumeraries may have recourse to the applicable termination of employment options set out in Section III of Chapter XIV of the Regulation.

### **5-11.00 Temporary Assignment**

**5-11.01** The College may, when a situation calls for it, proceed with the temporary assignment of a manager.

**5-11.02** Unless faced with a particular situation, the duration of the temporary assignment should not exceed six (6) months. However, the local ACCQ committee and the College can agree on extending the temporary assignment for an additional period of no longer than six (6) months.

### **5-11.03 Temporary assignment to two (2) or more concurrent positions**

In cases where a management member is asked to temporarily assume the duties of more than one position for a period of at least two months, the College shall grant the management member, at the time when the manager assumes the duties of the second management position, a 10% premium, as a lump sum payment as per Article 36 of the Regulation. In cases where duties of one position are temporarily distributed to more than one management member for at least two months, the sum of the percentages granted under this Article may not exceed 10%.

## **SECTION 6 PERFORMANCE ASSESSMENT**

**6-1.01** The evaluation of managers is conducted according to the *Performance Assessment Policy for Management Personnel*.

**6-1-.02** When a person is first hired as a member of management personnel, the new employee benefits from guidance and supervision on the part of the immediate superior. The management member will be evaluated at the end of a six-month period and again on the first anniversary of hiring.

## **SECTION 7 PERSONNEL FILE**

**7-1.01** The College opens a personnel file for each management member. This file includes:

- a) a job description;
- b) any document showing the management member's experience and educational background;
- c) the employment contract;
- d) any correspondence regarding the management member's classification, assignments and responsibilities;
- e) any performance appraisal document and any subsequent document pertinent to the appraisal;
- f) any notice of disciplinary measures;
- g) any other documentation deemed pertinent by the employee or by the College;
- h) documents pertaining to insurance, social benefits and pension plans; and
- i) medical dossier.

**7-1.02** The personnel file of each management member is confidential and is maintained in accordance with Bylaw 4.

A management member may consult the file at any time during office hours and/or may provide authorization, in writing, to the College for a third party to consult the file.

### **SECTION 8 DISCIPLINARY MEASURES**

#### **8-1.00 Disciplinary Measures**

**8-1.01** The College may, subject to the recourse rights provided for in the Regulation and in this Management Policy, initiate the process which follows for a cause it deems valid. This process may or may not result in the imposition of a disciplinary measure which is hereby defined as either a suspension without pay or dismissal.

**8-1.02** A manager may be accompanied by a Local Committee representative at any meeting with the College concerning disciplinary measure.

#### **8-2.00 Warning and reprimand**

**8-2.01** Warning(s) and reprimand(s) must be transmitted in writing to the manager. A warning or reprimand does not in and of itself constitute a disciplinary measure.

**8-2.02** The nature of the fault and the remedy expected by the College must be included in the written warning or reprimand as well as a time frame for the expected improvement required of the manager.

#### **8-3.00 Suspension without pay or dismissal**

**8-3.01** The College may suspend a manager for just and sufficient cause. Other than in the case of serious prejudice, the College may only proceed with such disciplinary measure when it has previously provided the manager with a written warning or reprimand on the same subject.

**8-3.02** The decision to suspend the manager must be provided in writing by the College.

#### **8-4.00 Serious prejudice**

**8-4.01** The Director General may suspend a manager from his or her duties when immediate action is required, owing to serious prejudice caused by the manager to the College, its staff or students. This suspension may be for up to ten (10) working days with pay in order to give the College time to evaluate the situation further. In exceptional circumstances this period may be extended by up to twenty (20) working days.

**8-4.02** After examining the situation giving rise to the suspension with pay in 8-4.01, the Director General must:

- reinstate the manager without prejudice; or,
- give the manager a written warning or reprimand; or
- advise the manager that the imposition of a disciplinary measure, i.e., suspension without pay and/or dismissal, will be recommended to the Board.

**8-4.03** The decision rendered in 8-4.02 must be provided in writing to the manager no later than the end of the temporary suspension period provided for in 8-4.01. In the case where the Director General advises the manager that a recommendation to impose a disciplinary measure will be presented to the Board, the manager shall remain on suspension with pay until such time as the Board has made its final decision.

### **8-5.00 Dismissal**

#### **8-5.01**

- a) In the absence of severe prejudice such as fraud, theft or physical violence, the College must, prior to dismissing a manager, have shared in writing any unfavorable remarks on a given situation on at least two (2) occasions within a one (1) year period. However, the time between the two (2) notifications must be sufficient to allow the manager to amend his or her behaviour.
- b) When the College dismisses a management member, it must provide the management member with a written justification as to the nature and the seriousness of the fault.

**8-5.02** The management member who is dismissed or whose employment is terminated by the College has a right to the recourse and appeals procedures contained in Section 17 of this Policy as well as those outlined in Chapter XV of the Regulation.

## **SECTION 9 END OF EMPLOYMENT**

### **9-1.00 Non-renewal or Cancellation of Appointment**

See **Chapter XIV (Articles 118 to 142, 198 to 222)** of the Regulation for the Job Security Provisions.

**9-1.01** If, as the result of a reduction in the College's clientele, the College decides not to renew or decides to cancel the appointment of a management member with two (2) years continuous service in a regular management position with the College, the College may:

- a) assign the management member to another management personnel position;
- b) assign the management member to a position in another category of personnel;
- c) designate the management member as supernumerary personnel.

**9-1.02** A management member whose position is abolished benefits from the provisions of the Regulation concerning stability of employment. This situation is treated in the manner described in the "mutual agreement" provided for in Article 199 of the Regulation.

**9-1.03** For the purpose of an administrative reorganization, during the first year following the reorganization, the College will not transfer a management personnel member from one zone to another without consent.

### **9-2.00 Resignation**

**9-2.01** In the absence of an agreement with the College to the contrary, a management personnel member who intends to resign must give the College written notification, thirty (30) working days before the intended departure. However, this condition can be waived by the College.

## **SECTION 10 FRINGE BENEFITS**

### **10-1.00 Group Insurance**

**10-1.01** Subject to eligibility requirements and in accordance with Chapter VII of the Regulation, management personnel recovered by group insurance plans that are offered through the Government. In addition, the College offers a complementary group plan that is paid exclusively by management personnel.

### 10-1.02 Option I

- a) Plans paid by the Quebec Government
  - standard life insurance plan;
  - survivor pension.
  - basic short term income replacement insurance plan.
  
- b) Mandatory plans paid by management personnel members:
  - basic accident and health insurance plan;
  - basic life insurance plan;
  - long-term income replacement insurance plan.
  
- c) Optional plans paid by management personnel member:
  - extended accident and health insurance plan
  - additional life insurance plan.

### 10-1.03 Option II

Complementary group plans provided by the College on an optional basis and at the expense of the management personnel member:

- life and accident insurance plan;
- dental care plan.

See **Articles 46 to 96** of the Regulation for information on insurances, including disability payments.

## 10.2.00 Parental Rights

Parental Rights are covered by articles 97 to 146 of the Regulation.

## 10-3.00 Retirement

**10-3.01** Management personnel participate in either the *Régime de retraite des enseignants* (RRE), the *Régime de retraite de certains enseignants* (RRCE) or the *Régime de retraite du personnel d'encadrement* (RRPE).

See **Chapters XI and XII (Articles 178 to 196)** for details on the Progressive and Gradual Retirement Plans.

## 10-4.00 Annual Vacation

**10-4.01** The College establishes a vacation policy for its management.

**10-4.02** Annual vacation consists of twenty-five (25) working days for management personnel with less than five (5) years of service and thirty (30) working days for management personnel with at least five (5) years of service in an educational institution. Those management members who do not meet the criteria for thirty (30) working days will have their vacation entitlement determined by the Director General at the time of hiring.

**10-4.03** The acquisition period for the purposes of annual vacation shall begin on June 1st of the current year and end on May 31st of the following year. The number of days credited is reduced on a pro-rata basis

by periods of disability or unpaid leave when these periods total more than one hundred and twenty (120) working days in the acquisition period.

**10-4.04** Upon prior agreement with the College, a management member, who has five (5) or fewer days of accumulated vacation from previous years' entitlements, may increase vacation time in the following year by a maximum of ten (10) working days. The additional days of vacation are obtained by reducing a management member's basic salary by 0.4% for each additional day, in excess of the allotted vacation, as per the preceding paragraph. These additional days must be taken in the year following their acquisition.

**10-4.05** Management personnel must present their immediate superior with a vacation plan prior to May 1<sup>st</sup> for the upcoming academic year. Once approved the vacation plan must be sent to the Human Resources Service at College Administration for final approval by the Director General.

Changes to the vacation plan or vacation days which had not been identified in the vacation plan must be submitted in writing. Any modification to the vacation plan including the identification of unscheduled vacation days must be submitted in writing and receive the prior approval of the manager's immediate superior before they can be taken.

All vacation days should usually be taken during the same school year. In exceptional cases, the College may ask a management member to postpone until the following year any vacation which exceeds two weeks or another mutually agreed arrangement.

**10-4.06** In the spirit of promoting healthy lifestyles, the College encourages the management personnel to take advantage of all their vacation days.

However, except for exceptional circumstances that must be acknowledged by the Director General, vacation days can be accumulated at a rate of no more than 5 days per year of service in a management position. This can only be done with the prior consent of the Campus Director and the Director General.

On June 1, accumulated vacation, including the current year's entitlement, shall not exceed sixty (60) working days, except for extenuating circumstances and must be agreed upon prior with the Director General. However, managers who total more than twenty (20) years of service in the Cegep network may accumulate an additional five (5) days per year of service for a maximum of eighty (80) days.

**10-4.07** Vacation days have no monetary value. However, when a management member leaves the employ of the College, the College shall pay the days of vacation accumulated and not taken by the date of departure, up to a maximum of eighty (80) days, and this at the employee's present rate of salary. In the event of the employee's death, this amount shall be paid to the employee's estate.

### **10-5.00**      **Statutory Holidays**

**10-5.01** Management members are entitled to the same statutory holidays as the other personnel of the College. When a statutory holiday falls within the vacation of a management member, he or she is entitled to another day of vacation to be taken at a date agreed to by the immediate superior.

### **10-6.00**      **Personal Leaves**

**10-6.01** Management personnel are entitled to the same personal leaves as those granted to other employees of the College. Upon making a request to the College, a management member is entitled to take a leave of absence with pay for:

a) his marriage: five (5) consecutive working days, including the wedding day;



- b) the marriage of his father, mother, son, daughter, brother, sister, half-brother, half-sister, son or daughter of his spouse: the wedding day;
- c) the death of his spouse, child or spouse's child: five (5) working days; the leave can be non-consecutive and must be taken within the period of day of death and end on the 10<sup>th</sup> day following the funeral. In the event the internment occurs at a later date in the year, one of the days can be taken at that time;
- d) the death of his father, mother, mother- or father-in-law, brother or sister: three (3) working days; the leave can be non-consecutive and must be taken within the period of day of death and end on the 10<sup>th</sup> day following the funeral;
- e) the death of his brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents or grandchildren: one (1) working day if the deceased did not reside with the management member and three (3) working days if the deceased resided with the management member; the leave can be non-consecutive and must be taken within the period of day of death and end on the 10<sup>th</sup> day following the funeral;
- f) his moving day (one per year);
- g) when required to be absent from work as a result of an act of God (disaster, fire, burglary, flood, etc.), a management member will be entitled to take the number of days determined by the College upon reaching an agreement;
- h) a quarantine period of whatever length decreed by a competent medical authority.

**10-6.02** The management member shall be entitled to one (1) additional working day if the event described in the above paragraphs b), d) and e) takes place more than 240 kilometres from his residence, and to two (2) additional working days if the described event takes place more than 480 kilometres away.

**10-6.03** Upon notifying the College, the management member is entitled to take a maximum of two (2) working days per year, non-cumulative, for personal reasons not specified in this subsection.

**10-6.04** A management member who is called for jury duty or to testify as a witness in a trial in which the management member is not a party, will be granted a leave without loss of pay. A management member who acts as an expert witness must remit to the College any compensation received for this service up to the amount received from the College during the period in question.

See **Articles 136, 137 and 138** of the Regulation for the rules concerning these types of leaves.

### **10-7.00 Leave for Family Reasons**

A manager may take leave from work up to ten (10) days per year to fulfill obligations relating to the care, health or education of the employee's child or the child of the employee's spouse, or because of the state of health of the employee's spouse, father, mother, brother, sister or one of the employee's grandparents<sup>1</sup>.

The manager must advise the College as soon as possible.

A maximum number of six (6) days are with pay, and the remaining days are without pay. These days may be divided into half-days.

<sup>1</sup> Reference: Article 79.7 of the Act Respecting Labour Standards

### **10-8.00 Leaves of Absence for Public Office**

**10-8.01** Subject to reasonable advance notice, a management member who is a regular full-time employee and who wishes to run for public office may take a leave. However, this condition can be waived by the College. The College shall grant a leave of absence without pay for the duration of the campaign period, for the elected mandate and, upon re-election for a second term, the management member is considered to have

resigned.

**10-8-02** Under provisions set out in Chapter XIV of the Regulation on stability of employment, the management member who completes his or her mandate is reinstated in the position he or she had before leaving. However, the management member must give the College thirty (30) calendar days' notice of the intention to return to work.

### **10-9.00 Leaves of Absence for Professional Reasons**

**10-9.01** The College may authorize management members to take a leave of absence with or without pay for the following reasons:

- a) to give presentations or courses in their fields of activity or expertise;
- b) to be members of committees or task forces related to their assignments; or
- c) to participate in seminars, conferences and symposiums.

### **10-10.00 Leave of Absence Without Pay**

**10-10.01** The College may grant to a management member with a regular, full-time position a leave of absence without pay for a period not exceeding twelve (12) consecutive months. The leave may be extended a maximum of twelve (12) additional months.

**10-10.02** Such a leave is subject to the written consent of the College. The Director General, in conjunction with the Campus Director, and the management member concerned, must agree in advance to all the terms of the leave.

### **10-11.00 Deferred or Anticipated Salary Leave Plan**

**10-11.01** The deferred or anticipated salary leave plan, as set forth in the Regulation is intended to enable a management member who is not on disability leave, not on a leave of absence without pay, or not designated as a supernumerary, to defer part of his or her salary so as to benefit from compensation during a period of leave. The plan comprises a period of work and a period of leave. The eligibility requirements, the salary during the leave and the duration of the plan are defined in Chapter X of the Regulation.

**See Chapter X (Articles 157 to 177)** of the Regulation for all the details concerning this type of plan.

### **10-12.00 Leaves for Association Activities**

**10-12.01** The College frees management personnel, without loss of salary, to participate in formal activities of the Association and the Local Committee provided the College is given adequate notice and its operations are not unduly disrupted.

**See Article 197** of the Regulation.

**10-12.02** The College will organize its meetings of all management personnel in such a way as to provide a two-hour time slot for the Association to hold a meeting of all of its members.

### **10-13.00 Compensatory Days**

**10-13.01** To account for frequent call to duty outside of regular business hours, upon the recommendation of the Campus Director and the approval of the Director General, the College may grant managers up to a maximum of five (5) compensatory days per academic year. The number of days a manager may be entitled

to is based on the assessment of his or her contributions during the previous academic year and will be prorated based on the number of months of employment in the previous academic year.

**10-13.02** If the duties of a manager should become excessively heavy at a given time, the College may provide compensation by authorizing additional paid vacation days. The manager and his or her immediate superior shall arrange the details of the leave in advance. All such leaves shall be subject to the approval of the Director General.

**10-13.03** Compensatory days cannot be used during the period encompassed between July 1 and Labour Day weekend. However, they must be used prior to June 30 after being agreed upon with his or her immediate superior. These days cannot be carried over and are non-cashable.

### **10-14.00 Employee Assistance Program**

**10-14.01** The College provides access to an Employee Assistance Program, for assistance with professional, personal or family issues.

## **SECTION 11 REMUNERATION**

Managers are remunerated according to the schedule provided in the Regulation.

### **11-1.00 Terms of Payment**

**11-1.01** Every two (2) weeks, the College shall deposit the pay of the management member representing 1/26th of the annual salary, adjusted to take into account any lump sum payments, premiums or other compensation in the bank account which he or she provides the College with.

**11-1.02** When the normal payment date of the salary falls on a statutory holiday, the College shall make the payment on the preceding work day.

**11-1.03** The College will deposit the regular biweekly pay cheque directly into the management member's bank account.

### **11-2.00 Statement of Earnings and Deductions**

**11-2.01** The Statement of Earnings and Deductions, is provided in an electronic format and must provide at least the following information:

- the employee's surname and given name;
- the employee's social insurance number;
- the gross salary;
- the net salary;
- the period covered by the cheque;
- the deductions provided for in the Regulation or by law;
- the optional fringe benefit plan deductions chosen by the employee; and
- the accumulated amounts.

### **11-3.00 Departure**

**11-3.01** When the management member leaves the employ of the College, the latter shall pay any amount owing to the management member at the time of departure. If this is impossible, the College must do so during the pay period following the member's departure.

**SECTION 12 MISCELLANEOUS PAYMENTS AND BUSINESS EXPENSES**

**12-1.01** Miscellaneous payments and authorized expenses, including travel expenses incurred by management personnel while carrying out their responsibilities, shall be reimbursed by the College according to Policy for Travel Representation Expenses of the College.

**SECTION 13 PUBLIC LIABILITY**

**13-1.01** If in carrying out duties, a member of management personnel becomes publicly liable, the College will defend him or her. A management member cannot be held liable for the acts, actions, negligence of another administrator, officer, or employee of the College. Should a management member be found guilty of a criminal action or gross negligence following a final judgment rendered by a civil court, the College reserves the right to make a claim against said member.

**SECTION 14 ENCOURAGEMENT OF PERFORMANCE**

**14-1.01** To encourage performance, the College dispenses a sum of money, when authorized by the Government, equal to a certain percentage of the aggregate of the salaries of all management personnel.

**14-1.02** The Director General shall, at his discretion, distribute amongst managers the sums allocated to the College for the purpose of bonuses. The total amount paid in lieu of bonuses cannot exceed the amount authorized by the Government.

**14-1.03** The sum not used to pay bonuses shall be treated as described in the Regulation or Order-in-Council.

**14-1.04** Such bonus payments, when authorized, will be made not later than November 30th of each year.

**SECTION 15 PROFESSIONAL DEVELOPMENT**

**15-1.00 Professional Development**

**15-1.01** Both the College and the Association recognize the need to provide professional development opportunities for management personnel.

**15-1.02** Each location in the College is responsible to identify the needs and priorities of its management personnel with regard to their professional development. A management personnel member may submit a proposal for an annual plan for professional development to the senior officer at the location.

**15-1.03** Continuing Education courses offered by the College are available, free of charge, to the management member and his or her immediate family. Such benefit in no way obliges the College to organize courses or to hire additional teaching personnel.

**15-1.04** The College will make available \$12 200 as of 2007-2008 for group professional development each fiscal year. A committee of four management members plus the Director General or the Director of Studies will determine the group activity or activities to be held each year.

**15-1.05** The College shall ensure that all new management members are provided with appropriate orientation and integration.

**15-2.00 Unpaid Leave for Professional Development Purpose**

**15-2.01** The College may grant a regular management member a leave without pay. This leave may be

full-time or part-time. The normal maximum period of professional development leave is one (1) year. Such a leave may be renewed by the College only for one (1) additional year. Any request for a professional development leave must normally be submitted to the College at least four (4) months prior to the date the leave is expected to begin. While on leave, the individual will continue to accumulate seniority.

**15-2.02** A professional development leave is subject to the written consent and approval of the Director General upon receipt of a recommendation from the Campus Director or the Director of Financial Services. Such a leave will not be granted to allow the management member to leave a position temporarily in order to accept a position elsewhere.

**15-2.03** The College makes necessary adjustments to the working schedule of its management personnel who follow staff development and retraining programs.

**15-2.04** The management member benefiting from an unpaid leave of absence may continue to benefit from group insurance and pension plan, provided the management member pays the College and employee portion of the premiums for such plans.

See **Article 53** of the Regulation.

### SECTION 16 EQUAL OPPORTUNITY PROGRAM

**16-1.01** The College wishes to ensure that it provides equal opportunity for all its management personnel. Its human resource management practices are based solely on the qualifications and skills required for a position.

**16-1.02** The College will not directly or indirectly threaten, coerce, harass, discriminate against or make unfair distinctions against a management member on the grounds of race, ethnic or social origin, nationality, religious beliefs, sex, sexual orientation, state of pregnancy, parental situation, family ties, opinions, political or union convictions, social condition, language, civil status, age or physical disability.

### SECTION 17 RECOURSE/APPEALS PROCEDURES: MANAGEMENT PERSONNEL POLICY

#### 17-1.00 Application

**17-1.01** This present section shall only apply to complaints covered under Article 225 of the Regulation as it relates to the implementation and interpretation of the subjects covered by this Policy. All other complaints and issues are covered by Chapter XV of the Regulation.

See **Articles 223 to 260** of the Regulation.

#### 17-2.00 Recourse Committee

**17-2.01** When a management member is not satisfied with the decision made by the College, he or she may request, within a delay of sixty (60) calendar days of the occurrence of the situation which gave rise to such a complaint or the employee's knowledge thereof, that the complaint be referred to the Recourse Committee.

**17-2.02** The Recourse Committee consists of a representative designated by the management member and a representative designated by the College. The Recourse Committee may make representations to the College in view of achieving a resolution of the problem. If an agreement cannot be reached by the Recourse Committee, within fifteen (15) working days of receipt of the complaint, it will ask the College to institute an Appeals Committee as provided for in section 14-3.00. Upon agreement of both representatives on the Recourse Committee, the College may extend this deadline by an additional fifteen (15) working days.

### 17-3.00 Appeals Committee

**17-3.01** If a management member remains unsatisfied with a decision of the College, if the Recourse Committee has not resolved the problem, or if the College has not made known its final decision in the time allotted, a complainant may request to have the complaint forwarded to the College's Appeals Committee as established by Resolution of the Board of Governors.

**17-3.02** The request must be addressed to the Director General stating the name of the member concerned, the reasons for which the complaint was made, and the corrective measure or measures sought.

**17-3.03** Within seven (7) working days of receiving such a notice, the Director General must request a meeting of the Appeals Committee.

**17-3.04** The Appeals Committee decides whether the interpretation or implementation made by the College conforms to this policy's terms, and makes its decision known to the Director General within seven (7) working days of the meeting of the Appeals Committee.

**17-3.05** Within ten (10) working days of receiving the Appeals Committee's decision, the Director General will provide a written statement of the College's final decision to the complainant.

### 17-4.00 Provincial Appeals Committee

**17-4.01** When a management member has exhausted all steps of the Recourse and Appeals Committee and is still not satisfied with the decision, he/she may refer to the Provincial Appeals Committee as prescribed in the Regulation.

**17-4.02** The Appeals Committee decision is final and binding on all parties.

**See Articles 226 to 260** of the Regulation for the procedures involved in the Provincial Appeals Committee.

## SECTION 18 REVISION OF POLICY

This policy must be revised no later than 5 years upon its last revision.