

Work Force Adjustment

What You Need to Know



The union for financial professionals.
Le syndicat des professionnels de la finance.

What is Work Force Adjustment?

- **Work force adjustment** occurs when it's decided that the services of one or more indeterminate employees will no longer be required beyond a specified date.
- Usually occurs for one of 4 reasons:
 - a lack of work;
 - the discontinuance of a function;
 - a relocation in which the employee does not wish to relocate;
 - an alternative delivery initiative.
- Work force adjustment decisions are based on an employee's substantive position.
- It is not a way to push out specific employees.

What does being an affected employee mean?

It means your department is considering changes and your position may be impacted by those changes.

It is not a notice that you have been terminated.

Many affected employees will eventually be declared unaffected and continue their public service careers.

Affected employees will receive a letter notifying them of their affected status.

Affected employees continue to work in their current position.

Affected employees may be asked to participate in a Selection of Employees for Retention or Lay-Off (SERLO) Process.

How will it be determined which positions are affected?

The deputy head will determine which positions are deemed affected based on which roles may be impacted by the organizational changes.

Usually, similar positions will be deemed affected together.

I'm an affected employee. What next?

You may be asked to participate in a Selection of Employees for Retention or Lay-Off (SERLO) process.

You may be declared surplus.

You may be declared unaffected.



Selection for Retention or Lay-Off (SERLO)

Occurs when some but not all employees in a part of the organization are to be laid off.

All employees already meet merit.

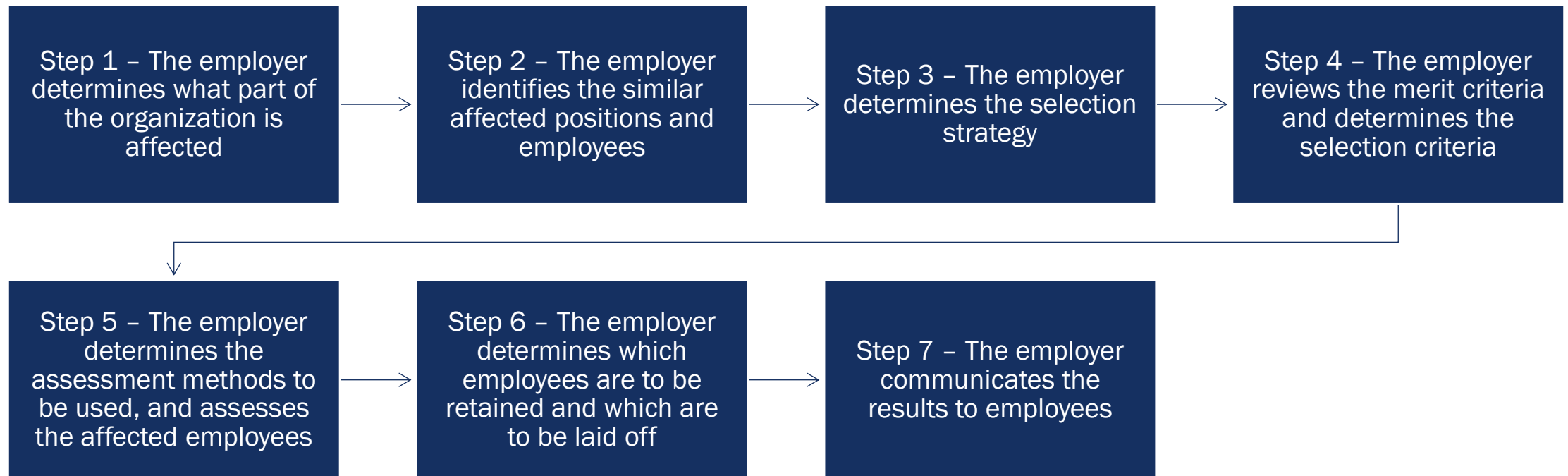
Deputy heads have considerable discretion regarding the choice of merit criteria, the selection criteria and the means of assessment.

Essential qualifications should be based on current needs, while asset qualifications may be based on future needs.

Employees are retained based on the current and future needs of the organization.

This should not be an exercise to resolved performance issues or disciplinary problems.

SERLO Process Steps



Surplus employee

- Employee's position is eliminated.
- Employee receives notice in writing.
- Employee receives a guarantee of a reasonable job (GRJO) or is declared an opting employee.

Guarantee of a Reasonable Job Offer (GRJO)

Employer must consider this avenue first.

Employee's position is eliminated.

Employee is guaranteed an opportunity for a new position.

Employee continues to work and be compensated.

Employee can be laid-off if they decline a reasonable offer.

Employee is not eligible for a package, nor for an alternation.

Opting Employees

Employee's services are no longer required.

Employee is not guaranteed a position or continued employment.

Employee has 120 days to pick one of three options:

- Option A: 12-month surplus priority
- Option B: Resignation with a Transitional Support Measure (TSM)
- Option C: Resignation with a TSM and an Education Allowance


No choice made: option A.

Option A: Surplus Priority


Employee is a priority for 12 months.



Employee continues to work and be paid during priority period.



No position at the end of 12 months, employee is laid-off.



12 months can be extended by any remaining opting period.

What does it mean to have priority status?

Priority status is special consideration for appointments in public service.

Two types of priority entitlements for surplus employees:

Employees are lay-off priorities for one year after lay-off.

Employee is a statutory priority in their own department

Employee is a regulatory priority in other organizations

Retraining – Surplus Employees

Surplus employees can be retrained for specific or anticipated vacancies, if there are no other qualified priorities.

Home department is responsible for implementing a retraining plan.

During retraining, employee continues to be employed by home department, unless hiring department is prepared to make a conditional offer.

Lay-off date is extended until the end of retraining.

If employee fails retraining, they can be laid off at the end of surplus period.

If employer denies retraining request, employee is entitled to a meeting and an explanation.

Your responsibilities

Employees with a GRJO or having selected option A are responsible for:

- actively seeking alternative employment
- seeking information about their entitlements and obligations
- providing timely information to assist them in their appointment activities
- ensuring that they can be easily contacted by the PSC and appointing departments or organizations
- attending appointments made for referrals
- seriously considering job opportunities presented to them, including retraining and relocation possibilities, specified-period appointments and lower-level appointments

Option B: Transition Support Measure

The TSM is a cash payment based on years of service.

The entitlement:

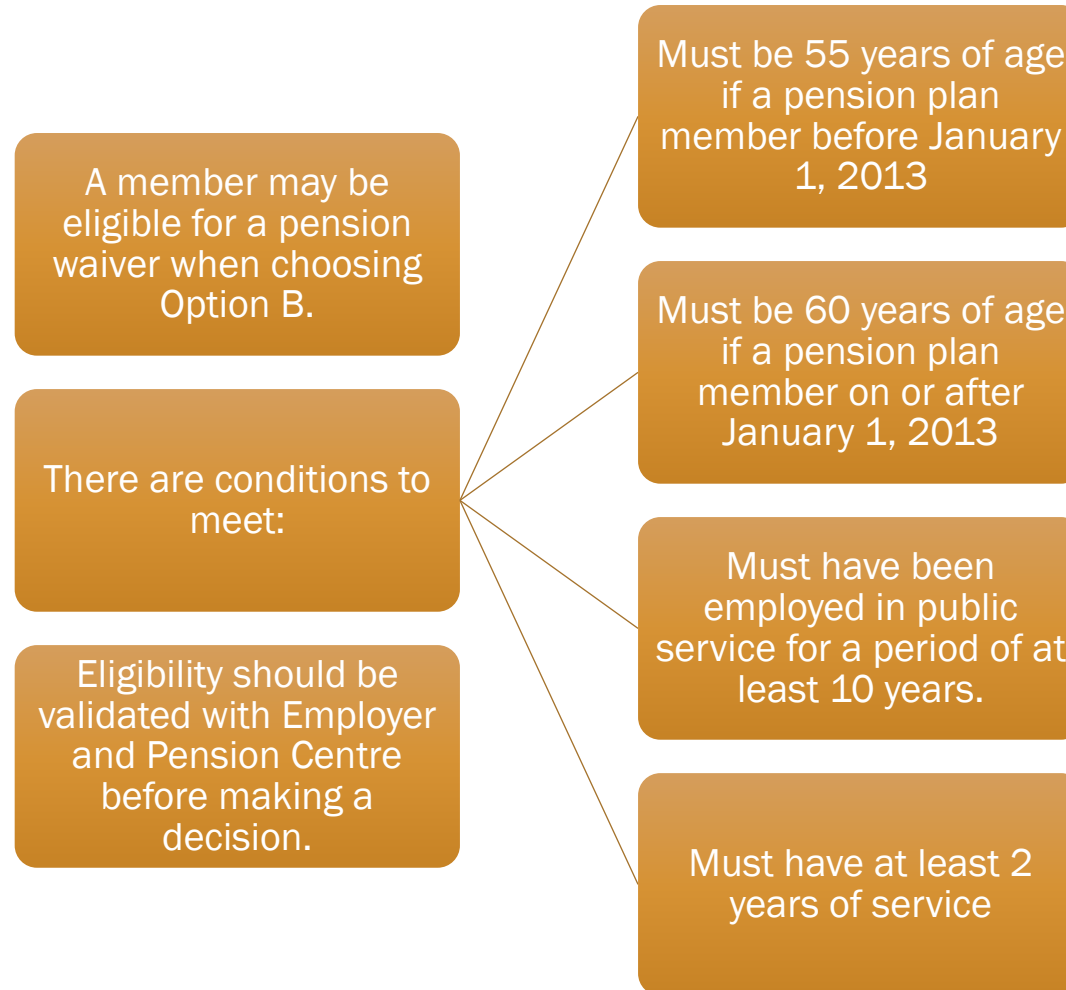
- increases between years 0 and 16 of service;
- maxes out between years 16 and 29 of service;
- gradually decreases between years 30 and 45 of service.

Maximum entitlement is 52 weeks.

Employee must resign but will be considered laid off for purposes of severance.

TSM can be paid in 1 or 2 payments over a maximum period of 2 years.

Pension Waivers



Option C: TSM with Education Allowance

Employee receives TSM amount provided for in option B plus an education allowance of no more than \$17,000.

Employee must provide receipts of expenses.

Expenses can include tuition, cost of books and other relevant equipment.

Can resign and receive severance or delay departure and go on leave without pay for a maximum of 2 years.

If departure is delayed, employee can continue to contribute to benefits plan and pension (employer and employee contribution).

Counselling Affected and Surplus Employees

Employer will assign a counselor to assist with / explain:

- the Work Force Adjustment Directive
- the PSC's Priority Information Management System and how it works from the employee's perspective
- preparation of curriculum vitae or résumé
- the employee's right and obligations
- the employee's current situation [pay, benefits (severance pay, superannuation) classification, language rights, years of service]
- alternatives that might be available to the employee
- the likelihood that the employee will be successfully appointed
- the meaning of WFA terminology
- the alternation process
- the Human Resources Centres and their services
- the preparation for interviews with prospective employers
- Impacts of refusing a reasonable job offer
- the employee assistance program

Voluntary Departure Program

If more than 5 employees working at the same group and level in the same work unit are affected and GRJOs cannot be offered, departments will establish a voluntary departure program.

If less than 5 employees, the department may establish a voluntary departure program.

Program must be established after affected letters have been delivered but before SERLO process.

Volunteers cannot select option A.

Alternation

Occurs when an opting employee exchanges positions with a non-affected employee.

Only available to opting employees and employees having chosen option A.

Not automatic: alternation must ensure retention of required skills to meet ongoing needs of the public service.

Alternate must meet the requirement of the opting position, unless departure will be completed within 5 days.

Alternation should be same group/level or equivalent positions.

Alternation can occur between employees of different departments.

If denied, employee can request meeting to be provided an explanation.

ACFO Alternation Network

- The ACFO Alternation Network is a tool to connect members interested in alternating with one another.
- While ACFO publishes an alternation candidate list, members interested in seeking an alternation with one another are responsible for contacting each other directly and working with their respective management.
- Participation in ACFO's Alternation Network is voluntary.
- Members who participate should be aware that their alternation information will be accessible on the my.ACFO-ACAF member portal.
- To participate in our Alternation Network, you can contact Ben at bstreach@acfo-acaf.com.



Salary Protection

If appointed to a lower-level position, member will be entitled to salary protection.

Protection shall remain until employee is appointed or deployed to a position with an equal or higher salary.

Severance



The Directive does not prevent severance pay under collective agreement.



Resignation under the Directive will be considered involuntary lay-off for the purposes of severance.

Need help / have more questions?

Don't hesitate to contact our labour relations team at 613-728-0695 or labourrelations@acfo-acaf.com.