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1. PURPOSE

1.1 This Policy establishes the policy of the Capilano University Board with respect to conditions of employment of Administrators of the University, except those Administrators where an individual contract of employment is entered into between the University and the Administrator. The terms, as they may be amended from time to time, constitute part of the contractual agreement between the Board and the Administrators who are covered by the Policy. This Policy renders null and void any previous memorandum of understanding. This Policy takes effect on the date of its adoption by the Board.

2. SCOPE

2.1 This Policy shall be applicable to administrative positions which are appointed by the President according to Policy B.501. The current list of such positions and their classification will be maintained by the Human Resources Department of the University and made available on request.

2.2 The Board may determine that this Policy applies to positions in addition to those set forth in clause 2.1 and may create new positions and determine that this Policy applies to such new positions.


3. APPOINTMENT AND EVALUATION

3.1 An Administrator shall be hired for either a specific term or for a non-specified term.

3.2 Upon the employment of an Administrator by the University, the Administrator shall complete a probationary period during which the Administrator shall be considered by the University for a regular appointment.

3.3 The probationary period shall be that period agreed to by the University and the Administrator at the time of employment, but shall usually be for 12 months.

3.4 During the probationary period, the performance of each Administrator shall


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be evaluated in writing by his/her Supervisor on at least two occasions, the first not later than six months from commencement and the second not later than 12 months from commencement.

- 3.5 The evaluations described in 3.4 shall relate to the responsibilities assigned to the Administrator and more generally to the Administrator's managerial performance. The evaluation shall, among other things, identify strengths and areas where improvement is needed.
- 3.6 During the probationary period an Administrator may be terminated on 90 days' notice at any time by the University, irrespective of the timing or content of the evaluations, if any.
- 3.7 An extension to the probationary period may be offered to an Administrator if the University judges that additional time is required to evaluate the performance of the Administrator.
- 3.8 If an Administrator is not to be offered employment as a regular Administrator, notice thereof shall be given to such Administrator not less than three months prior to the completion of the probationary period.
- 3.9 Each Administrator shall receive from his/her Supervisor, at least annually, one written evaluation of performance, which evaluation shall be comparable to the evaluations described in 3.5 above.
- 3.10 Although appointments will normally be made from the names submitted by a Search Committee, the University may appoint any applicant whose name has been placed before the Search Committee. In such regard, all qualified Administrator applicants shall be short listed so long as such is consistent with Article 11.2 of the Faculty Agreement.

4. TERMINATION OF ADMINISTRATOR

- 4.1 The President may terminate the appointment of an Administrator without cause upon two months' notice for each complete year of service, calculated

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from the commencement of the probationary period, up to a maximum notice period of 18 months and subject to a minimum of three months.

- 4.2 The University may elect to pay severance pay to an Administrator in lieu of notice, in which case the amount payable shall be calculated by multiplying the number of months' notice to which the Administrator is entitled under 4.1 above by the Administrator's monthly salary at the date of payment less statutory deductions.
- 4.3 Notwithstanding 4.2 above, the University may elect to provide an Administrator with a combination of notice and severance pay, or it may offer the Administrator the same election, the maximum entitlement being based on the provision of 4.1 above and the severance pay portion being calculated by the formula in 4.2 above.
- 4.4 If the University terminates the employment of an Administrator without cause it will provide outplacement counselling to the Administrator. Such counselling will be at no cost to the Administrator.
- 4.5 An Administrator may resign at any time on giving the University three months' notice. Notice of less than three months may be agreed to by the University.
- 4.6 The President may terminate the appointment of an Administrator for cause without notice at any time.

5. SALARIES, MODIFICATION AND TERMINATION OF POSITION

- 5.1 The Board shall establish an Administrator's Salary Scale based on benchmarked data which includes provisions for an adequate range and spread of salary rates to reflect, until June 30, 2017, five steps and thereafter base, control and above standard rates. Changes, if any, to this Salary Scale shall be subject to consideration by the Board of regular reviews undertaken by the Post-Secondary Employers' Association (PSEA) or by such other review processes as the Board deems appropriate.

Administrative positions will be evaluated and placed on the Administrative

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Salary Scale in conformity with Board Policy B.509.


If any governmental law or regulation in force at any time prohibits the payment of any amount that would otherwise be payable pursuant to the Salary Scale or pursuant to any other provision of this Policy, the University shall pay only the amount legally permitted and on the termination of the governmental prohibition, the University shall not be obliged to pay to any Administrator or any other person any of the money which it would have paid but for the prohibition.

- 5.2 On probationary appointment, each Administrator shall be placed within the salary range of the position concerned, as determined by the University.
- 5.3 Effective July 1, 2017, progression from the range base to the established control rate will be based on job proficiency and performance. The established control rate is the rate paid for standard performance. Administrators shall progress along the salary range based upon an annual performance evaluation, subject to budget plans and availability, until the control rate for the position has been reached.

Progression beyond the established control rate is reserved for above standard performance and is considered performance based compensation and shall be limited for the few who truly exceed measurable performance standards. The maximum amount possible above standard will vary between 105% and 115% of the job rate depending on the nature of the role.


At its discretion, the University may pay a premium differential of up to 15% of bargaining unit top of scale to address compression issues between an Administrator and her/his directly supervised bargaining unit members.

- 5.4 The University reserves the right to reclassify the existing positions, to phase out a position or to modify a position by changing the class specifications, including assignment of new and different duties, and deletion of old duties.

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Requests for reclassification may originate with the University, the Administrator, or the supervisor of the Administrator.

- 5.5 If a position is reclassified under Article 5.4, a salary scale for the reclassified position shall be determined by the University.
- 5.6 If a position is reclassified to a higher salary scale, the incumbent shall be placed on that scale such that there is no loss of annual earnings, or such that there is an increase as deemed appropriate.
- 5.7 If a position is to be phased out or there is a material change of duties or responsibilities, or if the position is reclassified at a lower salary range, the following provisions will apply:
- (a) the University will give to the Administrator as much notice as possible of such phasing out or modification of position and, in any event, at least as much notice as is provided in 4.1 above;
 - (b) if the result of the phasing out or modification is that the Administrator is placed in a lower salary scale, the salary and benefits applying at the time notice was provided shall be maintained until the salary and benefits for the new position move up to the levels of the position held at the time of the notice;
 - (c) the University will make every effort to relocate and, if necessary, retrain an adversely affected Administrator within the University.
- 5.8 If the Administrator does not wish to remain an employee of the University in accordance with the above provisions, the Administrator may resign from the University under Article 4.5 and serve out the required notice period at his/her existing salary and benefit level, including any increase in salary or benefits which may occur during the notice period.
If the University wishes to reduce or eliminate such period of service, it may elect to provide the Administrator with:

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- (a) severance pay in lieu of notice, calculated in accordance with 4.2 above,
or
- (b) a combination of notice and severance pay as described in 4.3 above.

5.9 **Acting Administrative Positions**


When an Administrator serves in an acting position as well as retaining his/her regular position for a period in excess of six weeks, such Administrator shall be remunerated at the greater of the base of the range of the acting position or 110% of their current rate, for the duration of the acting period; when an Administrator serves in an acting position for less than six weeks, there shall be no such remuneration.

5.10 **Administrators/Substitution**

When an Administrator is appointed to substitute for a position that is compensated at a higher pay band in the Administrator salary structure, he/she shall be placed at the greater of the base of the range of the new position or 110% of their current rate, for the duration of the substitution period.

6. **VACATION**

- 6.1 The basic annual vacation entitlement for each Administrator is five weeks.
- 6.2 Administrators who have held administrative positions at the University for three years or more (inclusive of probationary period) are entitled to one additional week of annual vacation.
- 6.3 It is expected that vacation entitlement will be used in the year in which it is earned. Where this is not possible the following will be allowed:
 - Up to 10 vacation days may be carried forward for use in the immediately following employment year. Any additional days carried forward must have the express approval of the President.
 - Upon approval of the President, any vacation days which are not used during

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the immediately following employment year for which the unused vacation is attributable, may be paid out. (For example, vacation earned in 2004 that was not used in 2004/2005, could be paid out in 2006)

- The above does not apply to an employee's vacation bank accumulated before December 31, 2002.
- In addition to the current year's vacation entitlement, an employee may draw down 15 extra days of banked vacation time in any year. With the prior approval of the President, additional days may be drawn down.

6.4 The vacation year shall commence on January 1 of each calendar year.

7. LEAVE

- 7.1 Leaves of absence with pay for periods of two weeks to five months may be granted by the President for professional development where, in the opinion of the President, it is of benefit to the University.
- 7.2 For leaves of absence with pay for periods longer than five months, the relative provisions of the prevailing Faculty Association Agreement shall apply.
- 7.3 Leaves of absence without pay may be granted at the discretion of the President. During a leave of absence without pay for a period longer than four weeks, the Administrator shall be responsible for paying the full cost of all benefits, notwithstanding the provisions for payment by the University set out in section 9.
- 7.4 At its option, the University from time to time may recognize exceptional service by granting the Administrator paid leave or additional paid vacation time.
- 7.5 The University will make an annual commitment of eighteen thousand dollars (\$18,000.00) to fund Administrator professional development. This professional development fund will be administered by the President, including when, and how, it should be expended.

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7.6 An Administrative Leave Committee will be formed to develop procedures to enable Administrators to access leaves. The Committee will consist of two Administrators and up to two members designated by the President.

7.7 For Leaves of Absence for Bereavement and Critical Care Leave and Family Responsibility Leave the local Faculty Agreement will apply at Articles 10.5.2 and 10.5.3.

Parental Leave

7.8 A pregnant employee shall be entitled to Parental Leave without pay commencing 11 weeks before the expected date of confinement.


7.9 An employee shall be entitled to Parental Leave without pay for a period of up to two years following the date of birth or adoption of his/her child.

7.10 The University will continue to pay benefit premiums for an employee during his/her first year of parental leave. Employees on a parental leave in excess of the first year must pay benefit premiums for any period in excess of the first year.

7.11 The University shall be notified of the duration of the parental leave, as follows:

With respect to the first year of the leave:

- in a maternity situation, not later than 18 weeks after the commencement of the leave;
- in a non-maternity situation, not later than prior to the commencement of the leave.


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With respect to the second year of the leave:

- not later than 18 weeks prior to the expiry of the first year of the leave.

7.12 When on maternity or parental leave, an employee will receive a supplemental payment added to Employment Insurance benefits as follows:

- For the first two (2) weeks of maternity leave an employee shall receive one hundred percent (100%) of her salary calculated on her average base salary.
- For a maximum of fifteen (15) additional weeks of maternity leave the employee shall receive an amount equal to the difference between the Employment Insurance benefits and ninety-five percent (95%) of her salary calculated on her average base salary.
- For up to a maximum of thirty-five (35) weeks of parental leave, the biological mother shall receive an amount equal to the difference between the Employment Insurance benefits and eighty-five percent (85%) of the employee's salary calculated on her average base salary.
- For up to a maximum of thirty-seven (37) weeks of parental leave, the spouse, biological father or the common-law partner or adoptive parent who is caring for the child shall receive an amount equal to the difference between the Employment Insurance benefits and eighty-five percent (85%) of the employee's salary calculated on his/her average base salary.
- The average base salary for the purpose of Article 7.12(a) through (d) is the employee's average base salary for the twenty-six (26) weeks preceding the maternity or parental leave. If the employee has been on unpaid leave for part of the preceding twenty-six (26) weeks, then up to four (4) weeks of that unpaid leave will be subtracted from the twenty-six (26) weeks for the purpose of calculating the average base salary.

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- (f) An employee is not entitled to receive Supplemental Employment Benefits and disability benefits concurrently. To receive Supplemental Employment Benefits the employee shall provide the employer with proof of application for and receipt of Employment Insurance benefits.
- (g) If an employee is disentitled or disqualified from Employment Insurance maternity or parental benefits, the employee shall receive the supplemental payment to the appropriate percentage less the amount of Employment Insurance benefits the employee would have received if qualified for Employment Insurance benefits.

8. EARLY RETIREMENT PLAN


The normal age of retirement is 65 years, or the age set out in the Canada Pension Plan. Upon mutual agreement between the University and the employee, an employee may continue to hold their position after the age of 65, subject to annual review.

8.1 Eligibility

The University shall offer to any employee who requests early retirement the choice of one of the early retirement incentive alternatives described herein, provided the employee meets the following qualifications:

- is age 55 or over;
- has a minimum of ten (10) years of pensionable service;
- is a full-time employee at the time of early retirement;
- is on the maximum step of the salary scale; and
- elects to cease employment with the University for the purposes of retirement.

The University is not required to offer early retirement to an employee under this provision where the costs of such early retirement are not available through the Early Retirement Fund established for these employees.

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8.2 Early Retirement Fund

The University shall maintain an early retirement fund to fund early retirements under Article 8. The University shall add to this fund the following:

- Interest on the monies held in Administrator vacation banks;
- Monies saved by delays in replacing Administrators when a vacancy occurs, so long as the delay was generated by the inability to find a suitable candidate and not generated for the purpose of saving moneys;
- Proportionate amount of any moneys received by the University to provide early retirement incentives to employees; and
- Recovery of costs through the lower costs of a replacement hire in the two years following the effective date of retirement.


8.3 Agreement

An employee has the right to accept or decline an early retirement incentive offer made by the University within thirty (30) days of the offer being proposed. In the event of acceptance of an offer of early retirement, the employee's date of retirement or commencement date of leave under Option "B" hereof shall be effective on a date mutually agreed upon between the employee and the University.

- (a) Agreement shall be in writing and shall specify the early retirement date with the incentive option agreed upon.
- (b) Acceptance must take place before the termination date of this Agreement. Retirement or commencement of leave under Option "B" hereof may take place after the termination date of this Agreement.

8.4 Benefit Options

- (a) The retirement benefit will be paid in one sum on the date of retirement or on an agreed-upon date or in predetermined instalments acceptable to the employee, and will be based on scale salary without allowances in the following amounts:

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Full Years to Age 65	Payout
1	Up to 20% of annual salary
2	Up to 40% of annual salary
3	Up to 60% of annual salary
4	Up to 80% of annual salary
5 or more	Up to 100% of annual salary

- (b) The University will purchase, on behalf of the employee, past service contributions to the University Pension Plan equivalent to the value of the lump sum payment to provide for immediate early retirement benefits.

8.5 Financial Counselling


Each employee who accepts one of the foregoing incentives is entitled to attend a Financial Planning Workshop and to receive three (3) subsequent personal financial consultations conducted by a firm of qualified financial consultants selected by the University. Fees for consultative sessions to a maximum of \$400 per session will be borne by the University.

9. APPOINTMENT TO AN INSTRUCTIONAL POSITION

- 9.1 If an Administrator is appointed to a faculty position at the University, and if the Administrator has served five uninterrupted years full time at the University as an Administrator, then clause 9.2 shall apply.
- 9.2 The Administrator shall be entitled to a leave of absence with pay in order to retrain for faculty duties. Such leave shall not exceed one year.

10. HEALTH RELATED BENEFITS

- 10.1 Administrators are covered by a “core plus options” benefits plan which includes Basic Medical, Extended Health, Group Life Insurance, and Accidental Death and Disablement. The University shall pay all premiums for this coverage.

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10.2 Administrators are covered by a Long Term Disability Plan. Administrators shall pay all premiums for the Long Term Disability Plan until April 1, 2002 at which time premiums shall be paid by the University.

10.3 As a minimum, coverage under the “core plus options” benefits plan shall be at the level established for faculty. Changes which increase the total cost of the provision of this benefit to Administrators shall only occur with the consent of the Board.

NOTE: A statement of health related benefit coverage shall be issued to each Administrator at each anniversary of this Policy.

10.4 College Pension Plan

The University offers subscription to the College Pension Plan as per the prevailing regulations of the College (Pension) Act.

11. SICK LEAVE

11.1 Entitlement to sick leave with pay shall commence with employment and shall be 30 days per illness.


11.2 After 30 days of continuous illness, as applicable, application shall be made for Long Term Disability benefits.

11.3 In circumstances where an employee does not qualify for Long Term Disability, continued sick leave coverage shall be at the discretion of the President.

12. REFERENCE TO THE BOARD

12.1 Before the University takes any final action in respect of:

- (a) the suspension of an Administrator,
- (b) the termination of the services of an Administrator,

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- (c) any material change of the duties and/or responsibilities of an administrative position, or
- (d) the appointment of an Administrator to a faculty position at the University,

it shall, before taking such final action, provide the Administrator with an opportunity to appear before the Board in accordance with the following options:


- (i) the President shall, in writing, inform the Administrator of his/her recommendation and of the Administrator's right to appear before the Board within 14 days;
- (ii) the President's notice under (1) above shall specify the time, date and place of the hearing before the Board;
- (iii) the Board shall hear and receive relevant evidence and submissions from the President, the Administrator and other material witnesses as may be necessary;
- (iv) the Board will review the evidence and submissions and make its decision as soon as possible.

12.2 If the Administrator does not attend the meeting of the Board, then the University may take final action in the absence of the Administrator without giving the Administrator any further opportunity to attend before the Board or to be heard. The Board shall establish such procedures as are necessary for the application of 12.1 and its decision in each case shall be final.

12.3 The Board will inform the Administrator of its decision forthwith.

12.4 There is no appeal within the University of a decision by the Board.

12.5 The notice of periods described in 4.1 above commence on the date of the Board decision.

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13. CAPILANO UNIVERSITY COURSES

13.1 Credit Courses

Any employee with an employment status of twenty (20) or more hours per week may register for unlimited Capilano University credit courses without payment of tuition fees and registration fees.

13.2 Continuing Education Courses


Any employee and his/her current spouse and children may register for a total of three (3) Capilano University continuing education courses (credit free) in any calendar year without payment of tuition fees. In the case of continuing education courses (credit free) the employee shall be entitled to the waiver only after the minimum enrolment has been met by fee payers. There shall be no waiver for non-tuition costs such as travel costs for field trips, excursions, and tours.

13.3 Cost Recoverable/Non-base Funded Courses

In the case of credit courses that are offered on a cost recoverable basis (i.e. non-base funded courses), only the amount of tuition equivalent to the fees for a regular base funded credit course shall be waived; any additional tuition costs must be paid by the employee.

13.4 Time of Course

Such courses shall be taken outside the employee's normal working hours. If such courses are only offered during regular working hours, permission shall be obtained from the Administrative Head responsible to enable course attendance provided that arrangements satisfy the making up of time absent at no cost to the University.

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13.5 Commencement and Completion

All courses taken must commence and end within the duration of an employee’s employment status. If an employee ceases to be employed by the University before completion of a course, s/he may be required to pay the tuition fees for the course.

14. LEGAL INDEMNIFICATION

The University shall:

- 14.1 exempt and save harmless each employee (or the estate of the employee) from any liability action arising from the proper performance of his/her duties for the University, and
- 14.2 exempt and save harmless each retired employee (or the estate of the retired employee) from any liability action arising from the proper performance of his/her duties for the University prior to his/her retirement, and
- 14.3 assume all costs, legal fees and other expenses arising from any such action, and
- 14.4 consult with the employee concerning the selection of legal counsel.

15. AMENDMENT

- 15.1 This Policy may be amended from time to time by the Board in its discretion, but such amendments will not be made capriciously and will be made only after consultation with the Administrators.