



HUMAN RESOURCE POLICY

4.0 PAY POLICIES

4.03 EMPLOYEE COMPENSATION

Purpose

To establish guidelines which ensure the employees of the office of the Information and Privacy Commissioner (IPC) are provided fair and equitable salary treatment, and which supports the recruitment and retention of a talented, innovative and committed workforce.

Application

This policy applies to all employees of the IPC.

Policy

The IPC, to the extent applicable, will follow the same guidelines and principles as the Saskatchewan Public Service Commission in relation to compensation policy and practice.

1. *Salary on Initial Appointment*

There is some flexibility in determining the salary on initial appointment to a permanent position in the IPC, as long as the salary rate is within the salary range established for the position.

In considering an up in-range appointment, the Commissioner will balance fiscal prudence with the ability to attract high quality candidates, thereby enhancing IPC ability to serve the public as well as public bodies, local authorities and health trustees. Salary ranges, for fully experienced persons, are considered competitive relative to the market. Therefore, normal practice is to offer a salary at, or near, the minimum of the range to allow for recognition of increased competencies. Where a rate above minimum is required to attract a candidate, the Commissioner will be guided by the following considerations:

- Quality of the field of candidates in the competition.
- Competencies of the candidate - special or unique competencies the candidate brings to the job.
- Internal equity (salary rates of employees with comparable competencies in the immediate work area)
- Candidate's current salary – what he/she is willing to accept.
- External market – does the candidate possess credentials and/or competencies which are in demand by other employers and are therefore difficult to recruit?
- Will there be room to progress within the pay range?
- Desirability of the work and/or location.
- Has the position been previously advertised with no success?

The Director of Operations shall be consulted on all contemplated up in range appointments. The Commissioner retains final authority for the approval of up in range appointments.

2. Temporary Salary Supplements

Temporary salary supplements allow the IPC to attract and retain qualified employees where the salaries required to attract candidates from a specific profession are higher than those which the classification and compensation systems provide (market consideration), or to provide fair and equitable salary treatment based on individual facts or circumstances.

The IPC will provide supplements to those employees whose positions have been identified by the Saskatchewan Public Service Commission as entitled to such a supplement.

3. In-range Progression or Increment

An in-range salary adjustment or increment is a permanent adjustment to an employee's regular salary within the regular salary range.

In-range progression is based on performance, as assessed using the PSC corporate performance management system (Planning for Success), during the preceding fiscal year.

Performance ratings and the percentage of salary adjustments are determined by the IPC. Administrative Guidelines with respect to performance ratings provided by PSC will be taken into consideration when providing any in-range progression.

The IPC may withhold an in-range progression or increment for performance reasons and shall notify the employee in writing of the decision to withhold in-range progression or the increment prior to the increment date.

Where an employee is promoted, demoted, reclassified or transferred on the same date as an in-range adjustment or increment, these increases are to be applied in the following order:

- A. In-range adjustment/increment
- B. Promotion/demotion/transfer/reclassification

C. Economic adjustment

Term employees – change of increment date

A new increment date will be established for a term employee if:

- The employee accepts a consecutive term appointment at a salary rate greater than ten percent above what he/she was earning in his/her original term position; or
- The employee was at the maximum of his/her range in the original term position.

When a term employee moves from one classification level to another in a subsequent term appointment, and his/her salary is not increased by more than ten percent, the increment date shall not be changed.

4. Economic Adjustments

The IPC will implement the same economic adjustments to pay ranges as are implemented with the Saskatchewan Public Service Commission.

Where an economic adjustment is authorized on the same date as other transactions (e.g. in-range progression, promotion formula), the economic adjustment is always applied last.

5. Salary on Promotion

Promotion is defined as a change of employment from one position to another position that has a higher maximum hourly salary. For purposes of the application of this policy, a position means a set of duties and responsibilities.

Where an employee is promoted, demoted, reclassified or transferred on the same date as an in-range adjustment or increment, these increases are to be applied in the following order:

- A. In-range adjustment/increment.
- B. Promotion/demotion/transfer/reclassification.
- C. Economic adjustment.

The promotion formula for IPC employees will normally be eight percent, but may be any amount up to 8%. The Commissioner may authorize an increase lower than 8% in circumstances such as:

- An employee has received the promotion formula for a very similar assignment on a temporary basis and is being appointed to permanent status.
- An employee was hired as an "underfill" to allow him or her to acquire some experience needed to fully qualify for the assignment and, through reclassification, is promoted one or more levels, in a relatively short period of time (i.e. prior to having served the equivalent of a probationary period).
- An employee has been on a temporary reclassification for a relatively short period of time, and has received an in-range adjustment. On promotion, the temporary reclassification rate plus the in-range adjustment is used as the base salary for the

purposes of applying the promotion formula. If these transactions result in a series of promotions in a short time period, a lesser rate for the second promotion might be more appropriate.

- Where a series of promotions in a short time frame would result in internal inequities, a lesser rate on the later promotions might be deemed appropriate.

Newly hired employees promoting may receive up to 8% increase, subject to the minimum and maximum of the range.

Promotion of an Employee with a Red-Circled Salary

Red-circling occurs when an employee retains a salary range in effect prior to a downward reclassification. The employee remains in this range until the new, lower range, catches up to the frozen or red-circled range, through the application of economic adjustments.

A promotion from a position in which an individual's salary has been "red-circled" reduces or eliminates the amount of "overpayment" the employee is receiving. In these instances, the promotion is determined by comparing the classification of the employee's home position and the classification of the position he or she is moving to.

Where an employee's salary has been red-circled and that employee is being promoted, the salary that is applied will depend on the amount of increase available. Salary treatment can be determined on a case-by-case basis, as evidenced by the following examples:

Option A

Where the maximum of the salary range the employee is being promoted into is higher than the maximum of the employee's red-circled salary range, the normal promotion formula, subject to the maximum of the new range, should be applied.

Option B

If an employee is not at the maximum of his/her red-circled salary range, and where the maximum of the employee's red-circled salary range is above the maximum of the salary range for the position he/she is promoting into, the manager may provide an increase within the employee's red-circled salary range.

6. Salary on Demotion

Demotion is defined as a change of employment from one position to another position that has a lower maximum hourly salary. The Commissioner, in consultation with the Director of Operations and following executive government practice, determines the new regular salary.

Typically the employee will retain his or her current rate, if the rate falls within the range of the lower classification. Where the employee's current rate is above the maximum of the lower range, the appointment is typically to the maximum of the lower salary range to minimize salary loss.

7. Salary on Reclassification

When a position is reclassified and the reclassification is a promotion (i.e. to a position having a higher maximum salary), the promotion formula applies (see section 5 above).

When a position is reclassified and the reclassification is a demotion (i.e. to a level having a lower salary range), salary treatment depends on the employee's current rate of pay:

- a. Where the employee's salary immediately before the date of reclassification is above the range maximum of the new range, the employee is red-circled*. That is, he or she retains the salary range in effect prior to the downward reclassification. The employee progresses through that range until he or she reaches the maximum of the range, however, the range itself is "frozen". The employee remains in this range until the new, lower range catches up to the frozen or red-circled range, through the application of economic adjustments.

(The purpose of red-circling is to balance the short term fairness for the individual with longer term fairness and equity for all employees.)

- b. Where the employee's salary immediately before the date of reclassification is at or below the maximum of the new range, the employee's rate of pay is unchanged, and the employee is eligible for in-range progression/or increments to the maximum of the new range.

Where an employee receives an in-range adjustment/increment or an economic adjustment on the same day as a reclassification, these increases are to be applied in the following order:

- In-range adjustment/increment
- Promotion/demotion/transfer/reclassification
- Economic adjustment

8. Salary on Temporary Substitution

Temporary substitution is the term used to describe the assignment of higher level duties on a short-term basis to an out of scope aligned staff.

Examples of reasons for temporary substitution are:

- Staffing a vacancy;
- Replacing during an illness;
- Replacing on an extended vacation;
- A temporary assignment of a project which warrants a classification above the employee's normal level

Out of scope aligned

The normal promotional formula will be applied where:

- An assignment is made for a period greater than 15 days but less than two years; and
- The assignment, if made on a permanent basis, would warrant an upward reclassification (the employee must be handling a substantial portion of the higher level duties in order to qualify).

In order to be eligible for the higher rate, the employee must be performing the higher level duties. Therefore, time spent on vacation leave is typically not eligible for the higher rate of pay. (Incidental days during a period of long assignment may be paid at the higher rate.)

Additional salary on temporary substitution is a supplementary earning and is not considered base pay for the purposes of any benefit plans (including pension). Further, it is not considered base pay for the purposes of promotion from the position.

When it is known in advance that the period of substitution is for an extended period of time (i.e. over three months), a temporary reclassification is recommended.

9. Salary on Temporary Reclassification

A position can be reclassified on a temporary basis, where the duties and responsibilities of the position have changed on a non-permanent basis. Temporary reclassification differs from temporary substitution (see section 8) in that the increased salary is considered base pay for all benefit plans and applies automatically to all vacation and sick leave used.

A temporary reclassification is recommended where an assignment is expected to last for an extended period of time (i.e. at least three months).

Where an employee's position is reclassified upward on a temporary basis, the employee is eligible for the applicable promotion formula (see section 5 above).

Although an employee may, from time to time, be assigned duties which would normally be remunerated at a lower rate of pay, there is no provision for a temporary downward reclassification. These situations are normally considered work assignments and there is no change to salary. It is important to note that the employee retains his or her right to the home assignment.

An employee on a temporary reclassification who has received an in-range adjustment/increment and who is subsequently promoted, is entitled to use the salary achieved through temporary reclassification plus the in-range adjustment/increment as their base salary for purposes of calculating the promotion formula.

Out of scope aligned employees:

Employees are eligible for in-range progression while temporarily reclassified. In-range progression on temporary assignment would typically be provided only where an employee has performed those duties for a significant period of time (i.e. 9 to 12 months).

On reversion to his/her home classification, the employee's salary will be calculated on the basis of the increments he/she would have earned in his or her home classification during the period of the temporary reclassification

On movement from an in scope aligned position to an out of scope aligned position (or from an out of scope aligned position to an in scope aligned position), the first step is to determine whether the move constitutes a promotion. To make this determination, salaries must be converted to an hourly rate.

Hours of Work Conversion Formulas:

Salaries for out of scope employees are stated as a monthly or annual amount and all employees work undefined hours. The following formula is used to derive an hourly rate:

Monthly salary divided by 165.333

Or

Annual Salary divided by 1984

The move is a promotion if the hourly range maximum of the new position exceeds the hourly range maximum of the "home" position. In all cases, the promotion formula is subject to the range maximum.

10. Payment of Employees

All employees must submit a time sheet.

Permanent full-time employees, and those term employees who work full-time hours (100%), are paid through the "exception reporting payroll system". The employee reports any time taken off from work through use of entitlements (i.e. sick leave, vacation leave, scheduled days off, time in lieu) or leave without pay on their time sheet. These employees are paid monthly and eligible for SDOs as applicable.

Employees who work less than full-time hours on an on-going basis (i.e. part-time basis) are paid through the "positive reporting payroll system". The employee reports all time worked and any time taken off from work through the use of entitlements (i.e. sick leave, vacation leave) on their time sheet. These employees are paid bi-weekly and not eligible for SDOs.

11. Designated Holidays

See IPC Policy 3.02

12. Additional Pay for Extended Hours

Out-of-scope employees, work undefined hours as necessary to accomplish the job assignment. On occasion, work demands necessitate extra hours, and there is a corresponding understanding that these employees may, from time to time balance personal needs when work pressures are less demanding.

The Commissioner may authorize leave with pay, where excessive hours have been worked.

Additional compensation for exceptional hours is not provided to out-of-scope employees in other than the most exceptional circumstances and must be authorized by the Commissioner.

13. Severance

See IPC Policy 12.03

Authority

The Freedom of Information and Protection of Privacy Act, section 43.1

Influencing Sources

Legislative Assembly Service Human Resource Policy 4.2.A

Saskatchewan Public Service Human Resource Manual Section 1201