



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's 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
- Candidate's current salary – what are they are 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?
- 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).

The IPC will provide supplements if it has been established that the IPC position is equivalent to those identified by the Saskatchewan Public Service as entitled to such a supplement subject to the following requirements:

- The Director of Operations will determine through consultation with the Saskatchewan Public Service Commission, whether the supplements being provided reflect current market considerations within executive government and when they will next be subject for review.
- For the purposes of alignment, to be eligible for a supplement, the IPC position(s) must be deemed equivalent to out-of-scope positions that have been approved for supplement;
- To enable consideration of equivalency and eligibility for supplement, the Supervisor must provide enough information to enable the comparison of the IPC position to the positions receiving a salary supplement within the public service. The position information will be reviewed and classified by an external consultant, who will determine if the IPC position is equivalent to public service positions identified as eligible for a supplement.

The IPC may also provide supplements to provide fair and equitable salary treatment based on individual facts or circumstances.

The Commissioner retains final authority for the approval of salary supplements.

3. In-range Progression

An in-range salary progression 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 and are in effect July 1 of each year. 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 progression these increases are to be applied in the following order:

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

4. Economic Adjustments

The IPC will implement the same economic adjustments to pay ranges as are implemented for out-of-scope employees within the Saskatchewan Public Service Commission on April 1.

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. To determine if a change of employment constitutes a promotion, please see section 10. 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; or
- An employee was hired as an "underfill" to allow him or her to acquire some experience needed to fully qualify for the assignment (see IPC Policy #1.09 Underfill Appointments); or
- An employee 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.

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" is a positive move, in that it assists the employee to move forward and 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 they are 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 (up to 8%), subject to the maximum of the new range, should be applied.

Option B

If an employee is not at the maximum of their 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 they are 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, they retain the salary range in effect prior to the downward reclassification. The employee progresses through that range until they reach 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:

- While 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

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 away from work (using SDO, vacation or sick leave entitlements) 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 required. . This will ensure the employee is compensated at the higher rate of pay when using SDO, vacation or sick leave entitlements. Further, when temporarily reclassified, the increased salary is considered base pay for all benefit plans (including pension).

An employee while receiving temporary substitution pay, shall be eligible to receive in-range progressions and economic adjustments in their home classification and the payment for the temporary substitution shall be recalculated on the revised salary.

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 (including pension) and applies automatically to all leave entitlements used (SDO, vacation or sick leave).

A temporary reclassification is required where an assignment is expected to be three months or longer.

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 progression and who is subsequently promoted, is entitled to use the salary achieved through temporary reclassification plus the in-range progression as their base salary for purposes of calculating the promotion formula.

Employees are eligible for in-range progression while temporarily reclassified. In-range progression on temporary assignment will only be provided only where an employee has performed those duties for a significant period of time. See "In-range progression" for further details.

On reversion to their home classification, the employee's salary will be calculated on the basis of the in-range progression they would have earned in their home classification during the period of the temporary reclassification

10. Salary on promotion/Transfer between Compensation Plan

When an employee moves to a position in another compensation plan (e.g. In-scope to out-of-scope or out-of-scope to in-scope) the promotion provisions of the receiving plan govern (except that, where there is a promotion from a bargaining unit to out-of-scope, the promotion formula of 8% always applies, subject to range minimum and maximum).

11. Calculating IPC Hourly and Monthly Salary Rates

When an employee moves into a position with a higher hourly range maximum, the promotional provisions apply. To determine whether the move constitutes a promotion, the hourly salary rates must be considered.

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.

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

12. Payment of Employees

All employees must submit a time card.

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 or scheduled days off) 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.

13. Designated Holidays

See IPC Policy 3.02

14. 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.

15. 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