

MODEL SENIORITY LANGUAGE

1. Definition

Seniority of all employees shall be established from the date of hire with the Employer.

2. Seniority shall be maintained and accrue during:

- a) Scheduled School Breaks
- b) All periods of paid leave
- c) Leave of absence without pay for periods of up to 30 calendar days
- d) Maternity Leave
- e) Adoption Leave
- f) Paternity Leave
- g) Union Leave

3. Seniority shall be maintained, but shall not accrue during:

- a) Period of unpaid leaves of absence over 30 calendar days
- b) Layoff up to 24 months
- c) Appointments to an out-of-scope position over one year.

For periods where seniority does not accrue the seniority date of the employee will be adjusted accordingly.

4. Loss of Seniority

- a) An employee shall lose their seniority and be deemed to have terminated their employment under the following conditions:

- i) Dismissal for just cause unless reinstated
- ii) Resignation or retirement in writing
- iii) Continuous layoff due to lack of work for a period exceeding twenty-four (24) months
- iv) Failure to report for work within fifteen (15) days after being notified to report following a layoff, unless the employee can give a reason satisfactory to the Employer of such failure to report within the time prescribed.

5. Seniority List

The Employer shall also provide along with the seniority list the address, phone number, classification and location of employment of all employees.

The Board agrees to prepare and distribute in the month of September of each year, or at such other time as may be mutually agreed upon, a list of the names of all employees, including those on an approved leave of absence, indicating their respective positions and seniority standing as of July 1 of that year. Employees shall have thirty (30) calendar days from date of receipt of the list to indicate errors. Once the thirty (30) calendar day deadline has passed the seniority list will be considered finalized.

Upon the establishment of errors, corrections shall immediately be made, and the Board will, by December, supply the Union with a copy of the corrected seniority list.

BEST EXISTING SENIORITY LANGUAGE **L4802 – SUNWEST SCHOOL DIVISION**

ARTICLE 13 – SENIORITY

13.01 Definition

- a) Seniority is defined as the length of continuous service, including service as a temporary employee, in the bargaining unit by permanent employees and shall include service with the Board and legacy school divisions of Sun West School Division. Seniority shall operate on a bargaining unit wide basis.
- b) Effective the date of signing, a common seniority list shall be created on the basis of each employee's date of hire and shall be distributed by the Board to each employee as soon as possible.
- c) When two (2) or more employees share the same starting date of employment, they shall be ranked on the seniority list alphabetically by last name. Should employees have the same last name, they shall be ranked on the seniority list alphabetically by first name.

13.02 Seniority List

The Board shall provide a copy to the Union of the seniority list with an effective date of December 31 on or before February 28 of each year. Upon proof of error, the Board will immediately revise the seniority list and forward a copy to the Union.

13.03 Loss of Seniority

An employee shall not lose seniority rights if absent from work because of sickness, accident, lay off or leave of absence approved by the Board. An employee shall only lose seniority in the event the employee:

- a) is discharged for just cause and is not reinstated;
- b) submits a resignation in writing;
- c) retires;
- d) fails to return to work within seven (7) calendar days following a lay off and after being notified by registered mail to do so, unless through sickness or other just cause, or unless employees who work on the basis of the academic year refuse short term employment during school vacation periods. It shall be the responsibility of the employee to provide a current address to the Human Resources Supervisor or designate; or
- e) is laid off for a period longer than twenty-seven (27) months.

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