



Lester B. Pearson  
School Board

Commission scolaire  
Lester-B.-Pearson

## REGISTER OF POLICIES, PROCEDURES AND BY-LAWS

# POLICY ON EMPLOYMENT AND ASSIGNMENT OF RELATIVES

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## POLICY ON EMPLOYMENT AND ASSIGNMENT OF RELATIVES

### INTRODUCTION

The Lester B. Pearson School Board is committed to employment, placement and advancement based on qualifications and merit and to hiring the best qualified candidates for all positions within the Board.

The Lester B. Pearson School Board is equally committed to fostering a workplace atmosphere that is both professional and collegial for all staff.

*Close personal relationships*<sup>1</sup> exist and others may develop in the workplace. It is in the best interest of *relatives*<sup>2</sup> and of their colleagues to maintain a separation between professional and private life. At the same time, it is paramount that all *employees*<sup>3</sup> have equal opportunity for advancement within the Lester B. Pearson School Board. It is also fundamental that relatives of employees be neither disadvantaged nor provided with a preference in employment within the LBPSB. The terms close personal relationships and relatives are used interchangeably and are defined in Addendum A.

This policy maximizes the fair treatment of all employees and prospective employees. It is drawn up in accordance with the **Quebec Charter of Human Rights and Freedoms**, **An Act Respecting Labour Standards**, and all other applicable employment legislation.

## POLICY

### 1. Hiring

- 1.1 For all posted positions, every new applicant must submit his/her application to the Human Resources individual designated as responsible for the relevant union group or association. All non-posted positions must be processed through the Human Resources individual responsible for the designated union group or association.
- 1.2 In schools and centres, an individual in a close personal relationship with another employee can be hired to work in any school/centre except where the relative is in a *direct supervisory position*<sup>4</sup> or is an administrator in that school/centre.
- 1.3 At the administrative centre, an individual in a close personal relationship with another employee can be hired to work in any department except where the relative is in a direct supervisory position or is an administrator in that department.

### 2. Transfer

- 2.1 An employee in a close personal relationship with another employee can be transferred to any school/centre except where one or the other would be in a direct supervisory position or is an administrator of the school/centre.
- 2.2 At the administrative centre an individual in a close personal relationship can be transferred to work in any department except where a relative is in a direct supervisory position or is an administrator of that department.
- 2.3 Any existing situation that involves two employees who have a close personal relationship, at the time of the implementation of this policy, where one employee is the direct supervisor of the other employee, is exempt from this policy. This exemption is only for the period of time that the two employees remain in the exact same positions they are occupying when this policy goes into effect.

### 3. Promotion

- 3.1 An employee in a close personal relationship with another employee can be promoted to a position in any school/centre except where one of the two would be placed in a direct supervisory position to the other or is an administrator of that school/centre.
- 3.2 An employee in a close personal relationship with another employee at the administrative centre can be promoted to any position except where one of the two would be placed in a direct supervisory position to the other or is an administrator of that department

### 4. Participation in Board Decisions

- 4.1 Employees are not to initiate nor participate in Board decisions involving a relative that includes, but are not limited to, initial appointments, reappointments, promotions, work assignments, etc.

## APPLICATION OF THE POLICY

1. Employees must disclose close personal relationships, as defined by this policy, to their manager/supervisor or to the Human Resources manager responsible for that employee group or to the Director of Human Resources when the close personal relationship results or would result in one of the employees reporting directly to the other employee.
2. If individuals in a close personal relationship find themselves in breach of this policy, the Director of Human Resources or his/her delegate will attempt to identify potential vacancies for both of the individuals involved. Whenever possible, the preferences of both of the employees will be considered; however, the overriding consideration shall be the Board's operational requirements including position availability, the collective agreements, and the skills and abilities of the individuals involved.
3. A meeting will be convened with the employee, his/her union/association representative, unless declined, the supervisor, and the director of Human Resources or his/her delegate to communicate the results of the search and to discuss future action.
4. Decisions will be communicated to the employees in writing and the respective unions and/or associations will receive a copy.
5. Transfers, if appropriate in the circumstances, will take place as soon as possible following the decision to transfer.

## ADDENDUM A

### DEFINITIONS:

- 1.-2. **Close personal relationship or relative:** refers to any one of the following: spouse<sup>5</sup>; parent or child; grandparent or grandchild; brother or sister; uncle or aunt; nephew or niece; spouse of any of the aforementioned.
3. **Employee:** refers to all persons who are currently employed with the Board regardless of employment status. Any individual employed by the Board and who is a member of a union or association is considered an employee. Individuals employed on service contracts are considered employees for the purposes of this policy.
4. **Direct supervisory position:** refers to an employee who is in charge of a group of employees and is the immediate supervisor of the group.
5. **Spouse: refers to one of a pair of persons who:**
  - a) are married or joined in civil union and cohabiting;
  - b) are of the opposite sex or the same sex and have been living together in a conjugal relationship for one year or more.