
Designation of Staff as Academic Under Post-Secondary Learning Act

Policy Sponsor:	Vice President, Finance and Administration
Policy Contact:	Director, Human Resources
Policy Number:	015 001
Effective Date:	December 10, 2003
Approval Group:	Athabasca University Governing Council
Approval Date:	February 28, 1983, Motion # 45-15
Review Date:	Annually

Purpose

To establish the parameters under which the university will designate, except from designation, or change the designation of individual employees or categories of employees as academic staff members at Athabasca University.

Definitions

Policy Statements

Section 60(2) of the Post-Secondary Learning Act empowers Athabasca University Governing Council (the "Council") to do one or more of the following:

- a) designate categories of employees as academic staff members at the university;
- b) designate individual employees as academic staff members at the university;
- c) change designations made under sub clause (a or (b) or under Section 5(2) or 42(2).

By these Sections of the Act, the university is authorized both to designate and to change the designation of individual employees and categories of employees.

While the use of the word "academic" might be interpreted to include only professional staff directly involved in the teaching and research activities of universities, it can be and is extended, by the



application of the legislation at this and other Alberta universities, to professional staff whose functions are only indirectly supportive of academic functions. Staff so designated are thereby automatically members of the Athabasca University Faculty Association (the "Association") and subject to the Professional Terms and Conditions Agreement ("the Agreement").

Except as categorized or specified below, all full or part-time, probationary, continuing, term, or contingent salaried employees of the university holding professional rank will be designated "academic" under the Post-Secondary Learning Act. In accordance with its hiring policies, the Council determines the status of its salaried staff positions as being either professional or support at the time of budgetary establishment of those positions.

1. Exceptions

1.1 Executive and Management Staff

- a) The Council excepts from designation as "academic" under the Post-Secondary Learning Act, the following categories of staff:
- b) All executive officers of the Council, specifically the president, vice-presidents, associate vice-presidents, and executive directors.
- c) All managers of major service departments who hold the title of director or the equivalent (including the University Librarian and the Registrar but excluding the deans and the directors of academic Centre's), who report directly to an executive officer and who are employed at the maximum salary range.
- d) Staff participating in the development of or having regular access to information supporting the university management in its negotiation of collective agreements with the Association and in the application and administration of the Agreement, specified as follows:
 - Executive Assistants to the President and Vice Presidents
 - Secretary to Governing Council
 - Financial Managers (Budget, Planning, Reporting, Investments, Bank Signing Authorities, Fundraising)
 - Human Resource Officers (Compensation, Employment, OH&S, Labour Relations, Employee and Organizational Development).

2. Rationale

2.1 While respecting as far as possible the wishes of the Association that all professional staff remain within the Association, it is the intent of this policy to exclude from designation as "academic" and therefore from membership in the Association those staff whose major functions include representing the interests of the university in its capacity as an employer both in collective bargaining and in the administration of the resulting Agreement. It is the position of the Council that there is an inherent conflict



of interest between the exercise of those functions and membership in the Association.

2.2 In accordance with the 1983 representations of the Faculty Association, these categories of exception do not include deans of faculties nor, by extension, do they include directors of academic centres. While performing management functions management staff in this category are recognized by the Council as having a unique collegial role, and as having management appointments for a term only, with the expectation that they will normally return to the ranks of staff exercising direct academic functions (such as the determination of academic instructional content and the performance of disciplinary research).

2.3 Furthermore, in response to the position of the Association, the Council has, by this policy, only excepted from designation the most senior of its management staff together with those staff who provide confidential support to their functions in the staff relation's area.

3. Powers under the Post-Secondary Learning Act

3.2 Within the powers granted under the Post-Secondary Learning Act and in accordance with the intent of this policy, the Council reserves the right to modify this list as the university's organization evolves.

Procedure

Recruitment procedures require that AUFA be notified prior to recruitment to any new excluded position under this policy.

Applicable Legislation and Regulations

[*Post-Secondary Learning Act*](#)

[AUFA/The Governors of Athabasca University \(the Board\) Terms and Conditions Agreement](#)

Related References, Policies, Procedures and Forms

History

Reformatted July 2006

Athabasca University Governing Council, December 10, 2003, Motion # 144-7

Athabasca University Governing Council, February 28, 1983, Motion # 45.15