

GENERAL ADMINISTRATION MANUAL

VOLUME 3: HUMAN RESOURCE POLICIES

TITLE: CASUAL PERSONNEL

EFFECTIVE: April 16, 2013

1.0 SCOPE

1.1 Authority

This policy was issued under authority of Cabinet Minute No. 98-33 (October 1, 1998), amended per Cabinet Minute No. 03-13 (April 3, 2003) and Deputy Ministers Review Committee Minute No. 13-05 (April 16, 2013).

1.2 Application

This policy applies to all casuals engaged pursuant to the *Public Service Act* (the Act) with the exception of casual personnel engaged in emergency fire-fighting services (see Policy 3.58).

1.3 Purpose

1.3.1 This policy establishes the terms and conditions of employment for persons engaged to perform work of a casual or temporary nature.

1.3.2 Persons engaged as casuals are not employees as defined in the Act.

1.3.3 Teachers and persons in indeterminate or term positions, including those on leave without pay, are not eligible for employment as casuals without the approval of the Public Service Commission.

1.4 Definitions

Casual: A person engaged on a casual or temporary basis whose employment:

- a) whether full or part-time, does not reoccur on a seasonal basis from year to year and is not intended to exceed six consecutive and continuous months; or
- b) may reoccur on a seasonal basis from year to year and, if full-time, is not intended to exceed three consecutive or continuous months or, if part-time, is not intended to exceed 500 hours in any 12 month period.

2.0 GENERAL CONDITIONS OF EMPLOYMENT

2.1 Probation

Casuals do not serve a probationary period nor shall casual service be considered as part of a probationary period in respect of an appointment to a permanent position in the public service.

2.2 Extension of Casual

In exceptional circumstances, and with a break in service of a minimum of three working days, a second casual assignment of up to six months may be authorized by the Public Service Commission.

2.3 Impact if Casual engaged longer than six months without a break in service

Where a casual has worked a period in excess of six consecutive and continuous months without a break in service, he/she shall receive three months of notice in writing of the effective date of his/her release or the equivalent salary and benefits in lieu thereof. Additional implications may include the mandatory deduction of pension contributions.

2.4 Hours of Work

2.4.1 Hours of work are established by the department, and the length of shifts will normally reflect those applicable to established positions.

2.4.2 Regularly scheduled hours of work may not exceed forty-two (42) hours per week. However, subject to operational requirements, regular hours may be averaged over a four week period provided the total hours worked in the four week period do not exceed an average of forty-two (42) hours per week.

2.4.3 The department may change the shift schedule of a casual without prior notification.

2.5 Release of Casual Personnel

2.5.1 A casual may be released at any time at the discretion of the department.

2.5.2 Where a casual has been released, the department shall notify the Public Service Commission, in writing, of the release and its effective date.

2.5.3 Casuals may not appeal their release.

2.6 Access to In-service Competitions

Casuals may apply on competitions which are restricted to Yukon government employees, provided they are on staff at the closing date for the competition.

2.7 Classification

Casual work is classified on the same evaluation system as that used for established positions.

3.0 PAY AND BENEFITS

3.1 Hiring Rate

Casuals are paid at the hourly rate or, if there is a salary range, at the minimum of the range for the job to which they are assigned. A casual may be hired above the range minimum with the approval of the deputy head of the hiring department, provided the deputy head has delegated authority.

3.2 Pay Adjustments

Casual rates of pay are set and periodically adjusted by Management Board on the recommendation of the Public Service Commission.

3.3 Pay Periods

Casuals are paid on a bi-weekly basis, two (2) weeks in arrears.

3.4 Acting Pay

Casuals in the management group:

3.4.1 are eligible for acting pay in accordance with the Employer's policy for the management group.

All other casuals:

3.4.2 are eligible for acting pay in the same manner as employees in the bargaining unit.

3.5 Premium Payments

Excluding casuals in the management group, all premium payments that apply to employees in the bargaining unit shall apply to casuals.

3.6 Overtime

Excluding casuals in the management group, casuals shall be compensated for authorized overtime worked in the same manner as employees in the bargaining unit.

3.7 Designated Paid Holidays

3.7.1 Designated paid holidays are those set out for the bargaining unit.

3.7.2 Where a designated paid holiday falls on a scheduled day of rest for a casual, the designated paid holiday shall be moved to the casual's first working day following his/her day of rest.

3.7.3 Section 3.7.2 does not apply to a casual who works in a continuous operation that does not shut down on holidays.

3.8 Designated Holidays Not Worked

3.8.1 Casuals will be compensated for a designated paid holiday not worked only if the casual worked the scheduled working day immediately preceding the designated paid holiday and the scheduled working day immediately following the designated paid holiday.

3.8.2 Subject to 3.8.1, a casual shall be reimbursed for a designated paid holiday not worked on the basis of the average number of regular hours worked per day over the two (2) week period immediately preceding the designated paid holiday.

3.9 Designated Holidays Worked

3.9.1 A casual who is required to work on a designated paid holiday shall be compensated:

3.9.1.1 on the basis of the average number of regular hours worked per day over the two (2) week period immediately preceding a designated paid holiday; and

3.9.1.2 for hours worked, at the rate of time and one-half (1½T) for the first four (4) hours and double time (2T) thereafter.

3.9.2 A casual who is required to work on a designated paid holiday following a day on which he/she worked and received overtime pay shall be compensated for the hours worked at the rate of double time (2T) for all time worked. This is in addition to the designated holiday pay provided in section 3.9.1.1.

3.10 Payment in Lieu of Vacation Leave

Upon termination, a casual shall receive eight (8) percent holiday pay in lieu of vacation leave. The eight (8) percent is calculated from base pay, excluding overtime and premium payments.

4.0 RELATED DOCUMENTS

- *Public Service Act* and regulations