



ASD-W

Anglophone School District West

1135 Prospect Street | Fredericton, New Brunswick E3B 3B9 | www.asdw.nbed.nb.ca

District Education Council – Superintendent Monitoring Report

Policy Name and Number: ASD-W-EL2 – Staff Treatment

Reports Per Year: One

Date of Report: March 27, 2024

Previous Report This Year: N/A

Future Report This Year: N/A

Policy Statement: Dealings with staff and volunteers shall not be unfair nor undignified.

The Superintendent shall not fail to inform the District Education Council of recommendations or findings of unfair or undignified dealings with staff or volunteers by internal review, or external review by arms-length organizations such as court, Human Rights Tribunal, Grievance process, Ombudsman, or other administrative review process.

1. Operate with personnel procedures which:
 - Clarify personnel rules for staff;
 - Provide for effective handling of grievances;
 - Protect against wrongful conditions; and
 - Follow collective agreement(s)
2. Acquaint staff with their rights under this policy.

Report Filed By: David McTimoney, Superintendent

Report Supported By: Karen Morton, Director of Human Resources

Superintendent Interpretation:

- The policy calls for the Superintendent to ensure that dealings by the Employer with staff and volunteers are fair, dignified, and respectful.
- The Superintendent, upon request and in confidence, will share with the Council any recommendations or findings of significant incidents of unfair or undignified employer dealings with staff or volunteers as found through internal or external reviews.
- Procedures are in place to monitor and respond in a timely manner.

- The Superintendent will ensure that personnel rules are clarified and communicated with staff so that they understand their rights.
- The Superintendent and designates will follow negotiated collective agreements in good faith and work towards finding resolution informally or formally through a grievance process.

Justification:

- Compliance with the [New Brunswick Education Act](#):
 - Duties of Superintendents - Section 48(1), Section 48(2) - specifically (b) coordinating and administering the educational programs and educational services prescribed by the Minister, (b.2) ensuring that school district and provincial policies are followed by school personnel and (f) ensuring the allocation, management and development of all human resources in the school district.
 - District staffing – Section 47.1(1) indicates the superintendent of the school district, subject to subsection (2) and on behalf of and subject to any policies or directives of the District Education Council, shall select, appoint and direct, and may suspend, dismiss or otherwise discipline, such school personnel as are required to operate the schools and the school district office in the school district for which the District Education Council is established.
 - Compliance with provincially negotiated collective agreements in Part II of the Government of New Brunswick, School Districts:
 - Canadian Union of Public Employees - CUPE 1253
 - Canadian Union of Public Employees - CUPE 2745
 - New Brunswick Teachers’ Federation – NBTF
 - New Brunswick Union of Professional Public Employees, Professional Support Group – NBUPPE
 - School Business Officials, Public Service Alliance of Canada – PSAC
- Compliance with Provincial Administration Manual Policies:
 - The Administrative Directives (i.e. policies and procedures) contained in the Administration Manuals apply to all departments and agencies listed in Part I of the First Schedule of the *Public Service Labour Relations Act*. Certain policies and procedures may also apply to other portions of the public service listed in the First Schedule of the *Public Service Labour Relations Act* (i.e. Parts II, III and IV). As applicability may vary from area to area, each directive will indicate the departments, agencies or other public sector organizations which are affected by its contents (AD-1100-Introduction to the Administration Manuals).
- Compliance with [Provincial Department of Education and Early Childhood Education Policies](#) **and** [ASD-W Policies](#).

Compliance:

- Expectations are established and communicated through [ASD-W Policies](#) and [ASD-W Vision Mission and Core Values](#).
- In addition to the [GNB Public Service Values and Conduct Guide](#), ASD-W has a district operational policy [ASD-W-250-16 Professional Conduct](#) that is posted to the district website. This policy guides any employee with the standards of professional behavior and sign-off acknowledging review of this policy is required during the application process for casual employees or upon hire for employees coming into the district from other jurisdictions.
- ASD-W has a district operational policy [ASD-W-250-13 Employee Concerns](#), that is posted to the district website. This policy guides any employee with the channels to address concerns and references staff to DEC Policy [ASD-W-EL-2 Staff Treatment](#).
- To further acquaint staff with their rights under DEC Policy ASD-W-EL2, the Director of Human Resources has provided a reminder to all staff within the district (Appendix A – ASD-W Memo – Reminder Staff Treatment).
- In addition, this DEC policy and corresponding Superintendent reports are accessible on the ASD-W website. [ASD-W-EL2 Staff Treatment 2022- 2023](#).
- In the event the union feels the collective agreement has not been followed, a formal process for grievance handling is established in each of five (5) Collective Agreements. Attempts are often made to resolve issues prior to following the formal grievance process through informal discussion, but, if a grievance is launched, it is handled with respect and professionally.

Evidence of Compliance:

- Provincial adjudication activity for 2022-2023 for Part I: GNB Departments (Civil Service), II: School Districts and III: Health Authorities provides the following comparison as outlined in the [Finance and Treasury Board Annual Report 2022-2023, Page 19](#)

	Part 1	Part 2	Part 3	Total
Referrals to adjudication carried from previous years	233	360	298	891
New referrals to adjudication	109	108	114	331
Grievances withdrawn or settled	61	34	136	231
Adjudication decisions rendered	5	3	5	13

- ASD-W adjudication activity for 2022-2023 provides the following comparison:

	CUPE 1253	CUPE 2745	NBTF	NBUPPE	PSAC	Total
ASD-W New referrals to adjudication	6	0	8	0	0	14
ASD-W Grievances withdrawn or settled	24	13	5	0	1	43
ASD-W Previous/remaining referrals to adjudication	2	1	24	0	0	27

- ASD-W adjudication activity for 2021-2022 provides the following comparison:

	CUPE 1253	CUPE 2745	NBTF	NBUPPE	PSAC	Total
ASD-W New referrals to adjudication	13	16	23	0	0	52
ASD-W Grievances withdrawn or settled	4	2	4	0	0	10
ASD-W Previous/remaining referrals to adjudication	0	1	2	0	0	3

- **GNB Workforce Profile 2022:**

DEC 31, 2018 - DEC 31, 2022						
EMPLOYMENT TYPE		2018	2019	2020	2021	2022
PERMANENT	PART 1	8,419	8,339	8,343	8,269	8,670
	PART 2	14,288	14,445	14,794	*13,608	*13,951
	PART 3	15,901	16,071	16,009	15,743	16,135
	TOTAL PERMANENT	38,608	38,855	39,146	37,620	38,756
TEMPORARY	PART 1	2,124	1,953	1,974	1,886	1,237
	PART 2	3,517	3,749	3,710	*4,688	*5,347
	PART 3	2,353	2,302	2,480	2,972	3,222
	TOTAL TEMPORARY	7,994	8,004	8,163	9,546	9,806
	TOTAL	46,602	46,859	47,309	47,166	48,562

*In 2021 reporting, the number of "Contract D" teachers (long-term supply) were moved from the permanent to temporary category to better reflect the employment status of those workers

- **Links:**

[ASD-W Vision Mission and Core Values](#)

[GNB Public Service Values and Conduct Guide](#)

[ASD-W-250-16 Professional Conduct](#)

[ASD-W-250-13 Employee Concerns](#)

[ASD-W-EL-2 Staff Treatment](#)

[Finance and Treasury Board Annual Report 2022-2023, Page 19](#)

[New Brunswick Education Act](#)

[Provincial Department of Education and Early Childhood Education Policies](#)

[ASD-W Policies](#)

- **Appendix A - ASD-W Memo – Reminder Staff Treatment – February 2024.**

I report compliance with DEC Policy ASD-W-EL2 Staff Treatment.

APPENDIX A



ASD-W

Anglophone School District West

1135 Prospect Street | Fredericton, New Brunswick E3B 3B9 | www.asdw.nbed.nb.ca

To:	All Employees
From:	Karen Morton, Director of Human Resources
Date:	February 6, 2024
Re:	Staff Treatment

In the organizational structure of a school district, a Superintendent reports to a District Education Council (DEC). The DEC is an elected body that follows a “policy governance” model of leadership for the school district. As their only employee, the Superintendent is accountable to the DEC and reports monthly following an annual planning cycle. ASD-W Superintendent reports are posted regularly on our district website.

Superintendents Reports: (select meetings, agenda, minutes)

<https://asdw.nbed.ca/about-asd-w/leadership-governance/district-education-council/#meetings-agendas-and-minutes>

The DEC is not responsible for the day-to-day operations. The Council relies on the Superintendent to move the district forward as the Chief Executive Officer and link to the district’s achievement and conduct. DEC policies, which differ from operational policies, are also posted on our website.

ASD-W DEC Governance Policies:

<https://asdw.nbed.ca/about-asd-w/leadership-governance/district-education-council/governance-policies/>One DEC policy specific to staff is found in the “Executive Limitations” section - *ASD-W-EL2: Staff Treatment*, which speaks to procedures that clarify personnel rules for staff and provide for effective handling of concerns.

ASD-W Human Resources Policies:

<https://asdw.nbed.ca/categories/human-resources/>