Establishment of Positions
(Policy AD 9-02, Addendum A applies to administrative and professional staff only.)

2. General Policy Statement

The following policy outlines the levels of authority required for establishment of positions and sets out the applicable procedural requirements for all employment categories under the control of the Executive Director, Human Resources (see AD 9-1).

3. Definitions

Note: The definition of continuing position applies to the position and not to the terms of filling the position, i.e. a continuing position may be filled on a temporary basis.

3.01 University Support Staff - an individual with a bonafide employment relationship with the University, whose terms are detailed in an offer of employment governed by Personnel Employment Policies. This does not include individuals employed under academic employment policies or individuals who may work at or about Simon Fraser University but who are employed by other agencies such as, but not limited to, the following: The Simon Fraser Student Society, The Diamond University Club, various grant or contract holders (ref. GP 12 “grant employees”), independent contractors and other institutes operating independently of Simon Fraser University. University support staff may also be referred to as employees.

3.02 Continuing Position - a position approved by the appropriate University authority as part of a department's continuing personnel complement. Normally such positions are funded directly from the University's recurring operating budget. The definition of continuing position may also be extended to special cases such as internally generated revenue positions and special non-operating grants where the University has determined that the position should be considered part of the University complement. There may be different criteria established within specific collective agreements. In such cases, the respective agreement definitions will govern.

3.03 Temporary Position - a position approved by the appropriate University authority and is in addition to or a replacement for the established continuing personnel complement. Normally, such positions are funded by limited and dedicated budget sources (such as non-research grants and contracts) outside the University's general budget and/or where the University has established a temporary position within the general operating budget. Temporary positions are normally filled by temporary appointments.

3.04 Continuing Employee - an employee with an appointment with no end date.

3.05 Temporary Employee - an employee with an appointment with an end date except where she/he will be returning to an appointment without an end date following the termination of the temporary assignment.

4. Responsibility

A support staff position requires the approval of the departmental budget authority, Dean/Director, Vice-President/Executive Director and President to become part of a department's budgeted complement.
Personnel in consultation with the appropriate Vice-President and/or President will determine whether the position falls within existing policies or collective agreements or will be subject to a contract of employment (see Addendum A).

5. **Procedure**

A Department intending to create a new continuing position is required to:

5.01 Complete a Proposed New Position Staff Requisition (form FAD 9-2??) which must include:
   
   a. a proposed job description and salary classification as assigned by Personnel;
   
   b. a statement regarding employee group and benefit eligibility (i.e. covered by a collective agreement, Personnel Employment Policies or a contract of employment) as determined by Personnel;
   
   c. a departmental organizational chart;
   
   d. an explanation of what new systems, services, or requirements will generate, or have generated, the demand for the position;
   
   e. an outline of additional budget requests or an explanation of funding arrangements, or salary recovery arrangements (i.e. charges for service rendered) if such are contemplated;
   
   f. an explanation of the total budget implications (i.e. will assistants and other support staff be required either immediately or in the future?);
   
   g. an explanation of the implications of not establishing the position covering services which would be reduced or deleted, and the impact on the remaining positions including projected costs of any proposed reclassifications of other positions that might be made necessary.

5.02 Forward the staff requisition form with attachments through the line organization i.e. Dean/Director, Vice-President/Executive Director. At each level, written approval with specific salary and budgetary considerations must accompany the request as it is being forwarded. Requisitions proceeding from the Vice-President’s/Executive Director’s Office to the President must include a confirmation of the availability of funds to support the position.

5.03 If the proposal is approved by the President, the initiating department will consult with the Budget Accountant to complete funding arrangements and obtain a new position number for the staff requisition form.

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**Addendum A – Employment Contracts**
(Note: applies to administrative and professional staff only)

**General**

The University may authorize the appointment of administrative and professional staff whose general terms and conditions of employment may fall outside those set out in the Personnel Policies. These appointments will generally be for positions excluded from the Administrative and Professional Staff Association.

In such cases, the terms and conditions of employment will be governed solely by a contract of employment. In cases, (especially with temporary appointments) where there has been a stabilization in the funding of the program or where there has been a long term association with the University, such positions may be treated as, or converted to, continuing positions. However, as with temporary positions the various salary and benefit costs including separation pay will continue to remain the responsibility of the non-University budget source.

**Initial Employment and Renewals**

Subject to University policies governing the establishment and approval of appointments, a contract of employment will be drawn up to set out the specific terms and conditions of employment, generally covering the term of the appointment, the salary, and the performance or services required. It will provide for notice of renewal or non-renewal, resignation, separation pay and termination for cause. The offer of employment will also set out the various benefits and benefit programs to which the individual is eligible. In this regard, temporary employees would normally enjoy the benefits outlined for temporary employees in AD 9-7 Group Benefits and AD 9-8 Leave (With and Without Pay) Policy. The contract of employment shall govern exclusively and shall supersede all other claims or statements.
Continuing Employee Status

Upon the successful completion of at least four years of service governed by contracts of employment and upon the recommendation of the department, the Vice-President/Executive Director and with the approval of the President, the employment contract status may be converted to continuing employee status. In such cases the individual will be treated as a continuing employee and will be eligible for all the benefit plans extended to continuing employees under the AD 9 policies. In some special circumstances there may be limitations and the specific variances will be noted and confirmed in writing, e.g. salary policy and source of funding.

Although the individual may have gained continuing employee status and benefits the individual will still be governed by a written contract of employment which shall govern exclusively and shall supersede all other claims or statements.

Offer of Employment/Contract of Employment

The terms and conditions of all written offers of employment or contracts of employment must be approved by the Executive Director, Human Resources.

Interpretation and Application of Contracts of Employment

The decision of the President shall be final on questions of interpretation or application of this Policy or of any contract of employment.