

ACFO-ACAF Guide to Workforce Adjustment



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Introduction and Important Terms

A Workforce Adjustment (WFA) is a situation that occurs when a deputy head deems that the services of one or more indeterminate employees will no longer be required beyond a specified date because of:

- · A lack of work:
- The discontinuance of a function;
- · A relocation in which the employee does not wish to relocate; or
- · An alternative delivery initiative.

Discussions related to WFA often involve complex terminology and uncommon acronyms, so here are some of the most common WFA terms and their definitions.

If you run into a term or acronym that is unfamiliar to you, please refer to <u>our full Workforce Adjustment Glossary</u> for clarification.

Affected employee: An indeterminate employee who has been informed in writing that their services may no longer be required because of a workforce adjustment situation.

Alternation: Occurs when an opting employee or a surplus employee who is surplus as a result of having chosen Option 6.4.1(a) wishes to remain in the core public administration and exchanges positions with a non-affected employee (the alternate) willing to leave the core public administration with a Transition Support Measure or with an Education Allowance.

Guarantee of a reasonable job offer (GRJO): An offer of indeterminate employment within the core public administration provided by the deputy head to an indeterminate employee who is affected by workforce adjustment. Deputy heads will be expected to provide a GRJO to those affected employees for whom they know or can predict employment availability in the core public administration. Surplus employees in receipt of this guarantee will not have access to the options available in Part VI of the NJC Directive.

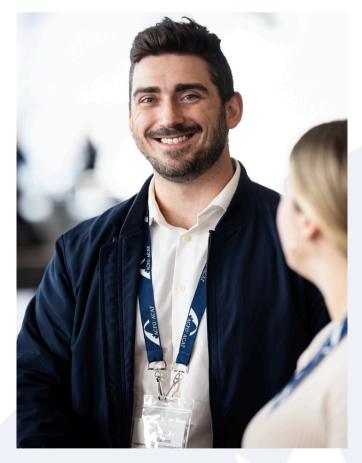


Opting employee: An indeterminate employee whose services will no longer be required because of a workforce adjustment situation, who has not received a guarantee of a reasonable job offer from the deputy head, and who has 120 days to consider the options of <u>Section 6.4 of the NJC Directive</u>.

Pension waiver: Allows employees who select Option B to receive an unreduced pension provided they are at least 55 years old and have at least 10 years of service. Typically, taking your pension before your pension eligibility age (taking your pension at 55 when your pension eligibility age is 60, for example) results in a permanently reduced pension. If you began contributing to the pension plan on or after January 1, 2013, you must be at least 60 years of age to be eligible for pension waiver. Additional details can be found on Treasury Board's Public service pension options page.

Selection of Employees for Retention and Lay-off (SERLO):

The Public Service Employment Act gives the Public Service Commission the authority to create regulations that determine the process for laying people off. SERLO is the process the Employer has used for deciding which employees will be retained and which employees will be made opting. The process is outlined in the Public Service Commission's <u>Guide on the Selection of Employees for Retention and Lay-off.</u>



Surplus status: An indeterminate employee is in surplus status from the date they are declared surplus until the occurrence of one of the following: the date of lay-off, the date they are indeterminately appointed or deployed to another indeterminate position, until their surplus status is rescinded, or until the person resigns.

Workforce Adjustment Steps

The workforce adjustment (WFA) process can be broken down into five key steps. While the timelines for the initiation and completion of each step will vary by department based on factors such as number of cuts, the process itself will remain consistent throughout the public service. The five steps are outlined below:

1. Notification to bargaining agents

When a department determines that WFA must occur, the WFA directive states that departments are required to consult with bargaining agents "as completely as possible" about their specific WFA situation. This includes establishing a joint committee with union representatives to share information and consider all options to minimize the impact on employees. The department is required to notify the bargaining agent no less than two days before they notify affected employees.

2. Notification to affected employee(s)

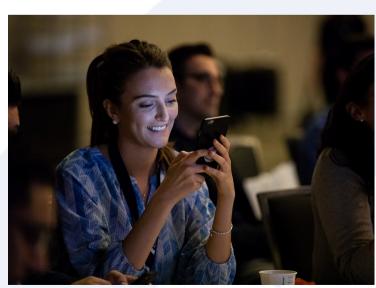
When an indeterminate employee is notified that they have been put on affected status, it means that their position may be impacted by the department's WFA assessment. It's important to note that receiving an affected notice does not immediately mean that you have already been or will be laid off. ACFO-ACAF members who receive an affected notice and have questions are encouraged to reach out to ACFO's labour relations team at labourrelations@acfo-acaf.com.

3. Voluntary departure program

The department is required to establish a voluntary departure program whenever there are five or more employees working at the same group and level in the same work unit, all of whom are affected. This program gives employees who were not affected the opportunity to voluntarily leave the public service and choose one of the options (B or C) previously offered to the affected employee.

4. Selection of employees for retention or layoff

The selection of employees for retention or layoff (SERLO) process occurs when the number of volunteers during the voluntary departure stage is less than the required number of positions to be eliminated or where a voluntary departure program is not established. SERLO is a process the employer uses for deciding which employees will be retained and which will be selected for lay-off. Some factors that a department may consider when selecting employees for retention include qualifications such as language proficiency or holding a specific designation.



5. Official Notification of WFA status

Work Force Adjustment Process

Notification of Work Force Adjustment Written Notification that an employee will no longer be required beyond a specified date GRJO - Surplus with guarantee of reasonable job offer On paid surplus status until employee receives and accepts a reasonable job offer, is laid off or resigns No GRJO - Opting Employee Employees are given a 120-day opting period to choose from three options if no reasonable job offer can be guaranteed.

Employee accepts reasonable job offer or finds a position

Employee refuses reasonable job offer:

Laid-off, but no sooner than one month from refusal. they will not have access to lump sum options or the waiver of pension penalties.

Option A (default): 12month surplus with priority status

Employees are laid off if no reasonable job offer is secured by the end of the surplus period or if they refuse a reasonable job offer.

They can also participate in alternation during this period.

Option B: Transition Support Measure (TSM)

Employees receive a lump sum payment based on years of service in exchange for resignation, considered a "layoff" for severance pay purposes.

Option C: Education Allowance

Employees receive up to \$17,000 for tuition, books, and equipment in addition to the TSM.

Upon completing the voluntary departure program and SERLO process, employees who are working in positions that have been designated opting or surplus will receive a written notification of their status. The notice will include a copy of all applicable WFA provisions and an explanation of why they have been designated opting or surplus. The two main types of WFA status are:

- i. Surplus with guarantee of reasonable job offer: Employees receive a written guarantee of a reasonable job offer (GRJO) when employment availability is known or predicted. Receiving a GRJO guarantees that you will be offered indeterminate employment elsewhere within the core public service. You are then placed on "paid surplus status," which will last until you receive and accept a reasonable job offer, resign, or refuse a reasonable job offer (RJO). An employee who refuses a RJO can be laid off within a month, and they will not have access to lump sum options or the waiver of pension penalties.
- **ii. Opting employee (no guarantee of a reasonable job offer):** Employees are given a 120-day opting period to choose from three transition support options if no reasonable job offer can be guaranteed.

1. Option A (default): 12-month surplus with priority status

a. Employees are laid off if no reasonable job offer is secured by the end of the surplus period or if they refuse a reasonable job offer. They can also participate in alternation during this period.

2. Option B: Layoff with transition support measures (TSM)

a. Employees receive a lump sum payment based on years of service in exchange for resignation, considered a "layoff" for severance pay purposes.

3. Option C: Layoff with education allowance and transition support

a. Employees receive up to \$17,000 for tuition, books, and equipment in addition to the TSM. They also have the option to take leave and defer their layoff. They may be required to provide receipts for their claimed expenses.

ACFO-ACAF Alternation Network Process



If you are an opting/surplus employees having chosen Option 6.4.1(a) or a non-affected employee, you may participate in the ACFO-ACAF Alternation Network by:

1. Submitting your contact information to the ACFO-ACAF Alternation Network

While non-affected or opting employees interested in alternating may find their own match, you may contact Ben Streatch at bstreatch@acfo-acaf.com with the following information:

- 1. Full Name
- 2. Work Email Address
- 3. Department
- 4. CT Level and Classification
- 5. Language Profile
- 6. Security Clearance
- 7. Work Location
- 8. Date Available to Alternate

2. Finding an alternation match

ACFO-ACAF does not facilitate contact between non-affected employees and opting/surplus employees, but our list on the-my.ACFO-ACAF portal homepage is updated daily. ACFO-ACAF members interested in alternating are responsible for finding their own alternation matches.

3. Approval

Alternations are not guaranteed and subject to management approval. If both parties find a suitable match and meet the position requirements, they may then contact their respective managers for approval to alternate, which is required under the alternation program. The receiving manager will need to evaluate the qualifications of the opting employee looking to alternate before approving the change. You are entitled to a meeting to discuss the rational if an alternation request is denied.

Questions about topics related to alternation?

For any questions about the alternation process, ACFO-ACAF members are asked to contact Ben Streatch at bstreatch@acfo-acaf.com.

Additional Resources

Accessing this document virtually? Click on the title of each resource under the Resource column to access the link.

Resource	Details
ACFO-ACAF workforce adjustment hub	Discover all our available WFA resources available to ACFO-ACAF members.
Workforce adjustment glossary	A comprehensive list of key WFA terms to know.
Workforce adjustment FAQ	Answers to our most frequently asked questions about WFA from ACFO-ACAF members.
ACFO-ACAF Alternation Network	Details about ACFO-ACAF's alternation network.
<u>Latest WFA news</u>	A collection of all our WFA updates we've shared with members.
Who to contact for assistance	A guide on who to contact for WFA assistance and when to reach out.
WFA town hall - Recording	Recording of the ACFO-ACAF virtual WFA town hall held on February 6, 2025.
WFA town hall - Slides	Slides used during the ACFO-ACAF virtual WFA town hall held on February 6, 2025.
Work Force Adjustment Directive	A directive hosted by the NJC, co-developed by participating bargaining agents and public service employers.

Accessing a physical copy of this document?

Scan the QR code here to access our LinkTree with the documents shared above.

