

<b>POLICY :</b> <b>POLICY ON LOANS OF SERVICE</b>	<b>CODE: HR-1</b>
<b>Origin:</b> Human Resources Department <b>Authority:</b> Resolution no. 15-09-21-14 <b>Reference(s):</b> By-Law no. 2, article 17	

**RATIONALE**

The intent of this policy is to provide guidelines and procedures for requesting and granting loans of service with a government related organization (Provincial, Federal or International) servicing the education system.

**POLICY STATEMENT**

The English Montreal School Board, hereinafter referred to as the EMSB, grants loans of service to its eligible regular and permanent employees with a government related organization (Provincial, Federal or International) servicing the education system.

**FIELD OF APPLICATION**

All regular and permanent employees of the EMSB, amongst the categories listed below, are eligible for loans of services, in accordance with the applicable regulations, collective agreements and/or local agreements.

This policy applies to the following employee groups:

- Senior Executives (ADGESBQ)
- Administration (AEMBA, AMSA and AQCS: school, centre and board-level)
- Teaching personnel (MTA: youth and AEVS sectors)

- Professionals (SPPMEM)

In case of discrepancies between the present Policy and any applicable laws, collective agreements and/or local agreements, the latter shall prevail.

## **PRINCIPLES**

The fundamental principles of this policy are based on the following elements:

- Personal and professional growth of the employee requesting a loan of service
- Contribution of the employee on loan of service to the advancement of public education, whether it be at the provincial, federal or international level
- Benefits that the employee on loan of service will contribute, upon his/her return to the EMSB, in terms of institutional knowledge and expertise
- Balance between the employee's personal benefits of being on loan of service and the operational needs of the department or service.

## **DEFINITION**

Loan of Service: A partnership arrangement or agreement signed between a recognized organization (Provincial, Federal or International) servicing public education and the English Montreal School Board to retain the services of eligible employees of the Board to accomplish specific mandates which necessitates expertise linked to the field of education.

## **RULES OF APPLICATION**

For a request for loan of service to be considered, the following steps need to be undertaken and followed:

- A formal request can only be made by an eligible employee;
- The EMSB can only consider a request for a loan of service from a recognized organization (Provincial, Federal or International) servicing public education;
- The employee must submit a written request and supporting documentation to his/her immediate superior;
- The approved request must be forwarded to the Director of service/school/centre for approval;
- The approved request must be then submitted to the Director General for consideration and recommendation to the Executive Committee;
- The approved request must be approved by the Executive Committee
- The EMSB must sign an agreement or an entente with the recognized organization (Provincial, Federal or International) servicing public education;

- The employee, the recognized organization and the EMSB agree to respect the clauses of the signed agreement or entente.

### **FIELD OF APPLICATION**

This Policy applies to all eligible employees of the EMSB. In case of discrepancies between the present Policy and any applicable laws, collective agreements and/or local agreements, the latter shall prevail.

<b>PROCEDURE : POLICY ON LOANS OF SERVICE</b>	<b>CODE: HR-1.P</b>
<b>Origin:</b>	Human Resources
<b>Authority:</b>	Resolution no. 15-09-21-14
<b>Reference(s):</b>	By-Law no. 2, article 17

## **PURPOSE**

To provide procedures for approving requests made by eligible employees for loans of services to recognized organizations (Provincial, Federal or International) servicing public education.

## **PROCEDURES**

All regular and permanent employees of the EMSB, amongst the categories listed below, are eligible for loans of services, in accordance with the applicable regulations, collective agreements and/or local agreements.

This policy applies to the following employee groups:

- Senior Executives (ADGESBQ)
- Administration (AEMBA, AMSA and AQCS: school, centre and board-level)
- Teaching personnel (MTA: youth and AEVS sectors)
- Professionals (SPPMEM)

Categories of Employees	Regulations, Collective Agreements and/or Local Agreements
<b>Senior Executives</b>	Certain conditions of employment of senior executives of school boards and of the <i>Comité de gestion de la taxe scolaire de l'île de Montréal</i> (Consolidated document).
<b>Administration</b>	<p>“Certain conditions of Employment of Senior Staff of School Boards and of <i>the Comité de gestion de la taxe scolaire de Montréal</i>”</p> <p>Local management policies of: :</p> <ul style="list-style-type: none"> <li>- Association of English Montreal Board Administrators (AEMBA);</li> <li>- <i>Association québécoise des cadres scolaires</i> – English Montreal Section (ACSQ);</li> <li>- Association of Montreal School Administrators (AMSA).</li> </ul>
<b>Teaching Personnel in the Youth sector (MTA)</b>	Agreement between the English Montreal School Board and the Montreal Teachers Association (MTA).
<b>Teaching Personnel in the AEVS sector (MTA)</b>	Agreement between the English Montreal School Board and the Montreal Teachers Association (MTA).
<b>Professionals (SPPMEM)</b>	Provisions binding the CPNCA and the <i>Centrale de syndicats du Québec</i> (CSQ) on behalf of the unions of professionals, represented by its bargaining agent, the <i>Fédération des professionnelles et professionnels de l'éducation du Québec</i> (FPPE).

## **GUIDELINES FOR LOANS OF SERVICE:**

An employee interested in applying for a loan of service with a government related organization (Provincial, Federal or International) servicing the education system shall advise his/her immediate superior before submitting a request for a loan of service with a government related organization (Provincial, Federal or International) servicing the education system.

Following approval by the immediate superior, the employee must send a formal request for a loan of service to the attention of the Director, along with any supporting documentation from the government related organization (Provincial, Federal or International) servicing the education system;

Following assessment of the request, loans of service are to be approved by the Executive Committee, on a recommendation by the Director General;

While being on a loan of service, the employee shall receive remuneration according to the principles of the entente signed and approved by the EMSB and the external government related organization (Provincial, Federal or International) servicing the education system;

The employee being granted a loan of service shall be expected to reinvest, upon his/her return to the EMSB, the expertise gained from his/her experience while on loan with a government related organization (Provincial, Federal or International) servicing the education system.

## **REASONS FOR THE LOAN OF SERVICE:**

### **1. Reasons for granting a request for a loan of service:**

1. The employee requesting the loan of service is eligible as per the applicable articles of the regulations, collective agreements and/or local agreements;
2. Benefit to the EMSB in terms of experience, as determined by the school board;
3. Working opportunities with a government related organization (Provincial, Federal or International);

4. The possible reduction of the number of excess positions and impact on the surplus of personnel;
5. Any other reason specifically mentioned in the applicable regulations, collective agreements and/or local agreements;
6. Any other reason deemed valid by the EMSB.

**2. Reasons for refusing a request for a loan of service:**

1. The employee requesting the loan of service is not eligible as per the applicable articles of the regulations, collective agreements and/or local agreements;
2. The EMSB cannot find a suitable substitute to replace the employee that requested to be placed on loan of service;
3. The granting of the loan of service would mean that more than one employee at a time per office, department, school or centre is benefiting from a loan of service for the same period of time or a part of the same period of time; and, upon consultation with the Deputy Director General/Principal/Department Director, the above would negatively affect the operation of the unit;
4. The normal business operations of the office, department, school or centre would be jeopardized by the granting of the request of the loan of service;
5. The employee requests a renewal of an original loan of service granted in order to allow the employee to work for another employer;
6. Normally, loans of service to a private educational institution will not be granted;
7. Any other valid reason expressed in writing by the EMSB.

**BENEFITS RECEIVED DURING THE LOAN OF SERVICE**

The applicable regulations, collective agreements and/or local agreements shall apply with the modifications agreed to between the negotiating parties.

## **LENGTH OF THE LOAN OF SERVICE**

The loan of service can be granted for a period of one school year, spread over twelve (12) consecutive months, unless otherwise specified in the applicable regulations, collective agreements and/or local agreements.

## **RENEWAL OF THE LOAN OF SERVICE**

The loan of service may be renewed, at the discretion of the EMSB, for the same reasons specified in article 1;

In addition, the employee requesting a renewal of a loan of service must respect all the articles applicable in the regulations, collective agreements and/or local agreements;

The employee must abide by the procedures established in the regulations, collective agreements and/or local agreements. However, should an employee satisfactorily demonstrate that he/she was unable to follow these procedures, an exception may be granted;

An original loan of service granted in order to allow the employee to work for another employer cannot be renewed for an additional period of time, except under exceptional circumstances.

## **RETURN TO WORK**

Upon his/her return to work, the employee shall be reinstated in his/her former position, not always in the same location, in accordance with the clauses pertaining to staffing, movement of staff, etc. in the applicable regulations, collective agreements and/or local agreements.