

## Compensation Reporting — Compliance with Legislative Provisions

The *Public Sector Employers Act* contains provisions around reporting on compensation matters for executive and exempt employees. The Public Sector Employers Council (PSEC) has requested that we work with school districts in order to fulfill the intent of these legislative provisions.

### 1. Senior Employee Compensation Reporting

Under sections 14.6 and 14.7 of the *Public Sector Employers Act*, all public sector employers in British Columbia are required to provide reports specifying the terms and conditions of employment for their “senior employees,” along with copies of the senior employees’ employment contracts. By Order in Council 1030 dated November 28, 2002, “senior employee” is defined as any employee employed by a public sector employer who earns over \$125,000 in base salary. **PSEC has recently confirmed that this reporting requirement remains in force and effect,** notwithstanding the Public Sector Executive Disclosure Report which was introduced last May (see below). A copy of the Senior Employee Compensation Report Form is attached.

### 2. Exempt Employee Termination Reporting

There is an ongoing obligation to report terminations of exempt employees. Each time an exempt employee is terminated and provided notice and/or severance, the employer must complete and forward an Exempt Employment Termination Summary Report, with all pertinent documents, to BCPSEA. The Exempt Employment Termination Summary Report is **not** required for employees who voluntarily resign.

A copy of the Exempt Employment Termination Summary Report is attached. If you have terminated any exempt employees and not yet filed the report, please complete and submit, along with all the required documentation, to the attention of Deborah Stewart as soon as possible (contact information under Submissions and Questions below).

### 3. Public Sector Executive Compensation Reporting

Boards of Education are required to complete the Public Sector Executive Compensation Disclosure Report for fiscal 2008-2009 (year ending June 30, 2009). This executive compensation disclosure process was brought into effect in 2008 through the enactment of amendments to the *Public Sector Employers Act*; boards completed the first executive compensation reporting at the close of the fiscal year 2007-2008.

The enhanced disclosure requirements apply to chief executive officers and the next four highest paid executives, where these positions hold an annual base salary of \$125,000 or more. **It should be noted that where the Superintendent does not earn an annual salary of \$125,000 or more, there is still a requirement to file a disclosure report for that position.**

Boards will want to refer to their reports filed last year and ensure that the text portion of the report continues to match the approach to executive compensation and make any applicable amendments. For ease of reference, another copy of the Public Sector Executive Compensation Reporting Guidelines originally distributed in June 2008 is attached to this bulletin for ease of reference.

Completed disclosure forms must be delivered in electronic format to the attention of Deborah Stewart at the BC Public School Employers' Association no later than **Friday, September 4, 2009**.

BCPSEA will then deliver the disclosure forms for all districts to the Public Sector Employers' Council (PSEC). PSEC will post the disclosure forms for the public school sector on their website, consistent with the approach for executive disclosure for all other public sector organizations. School districts are also required to post the executive disclosure report on their websites.

### **For Action**

- The attached Senior Employee Compensation Report Form, summarizing the key components of your senior employees' terms and conditions of employment, must be completed by the employer and signed by both the employee AND a representative of the employer. Please also attach to the Report Form a copy of any written employment contract for each senior employee AND a copy of any decision that may have subsequently changed the contract. This report must be filed as soon as possible.
- If the employment of any **“senior employee” or any other exempt employee was terminated** during the 2008-2009 school year, you must complete the attached Exempt Employment Termination Summary Report Form and submit as soon as possible.
- The Executive Disclosure Compensation Report must be updated for 2008-2009 and submitted by Friday, September 4, 2009.

Your assistance in meeting these statutory reporting requirements is very much appreciated.

### **Submissions and Questions**

Please forward all submissions to the attention of Deborah Stewart, Senior Human Resources Consultant, at the BCPSEA office. If you require additional information, please contact Deborah at 604 730 4506 or [deborahs@bcpsea.bc.ca](mailto:deborahs@bcpsea.bc.ca).

#### Attachments:

Senior Employee Compensation Report Form  
Exempt Employment Termination Summary Report Form  
Public Sector Executive Compensation Report Guidelines