

Reminder: Reporting Requirements — Compliance with Legislative Provisions

The *Public Sector Employers Act* requires ongoing 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.

Please note that where a Board of Education has recently approved an increase to compensation for the position of Superintendent of Schools, that information must be updated within 15 days in the PSEC Senior Employee Compensation database (see below).

Senior Employee Compensation Reporting — PSEC Database

Under sections 14.6 and 14.7 of the [Public Sector Employers Act](#), all public sector employers in British Columbia are required to report the terms and conditions of employment for their "senior employees," and provide 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 \$125,000 or more in base salary.

It is important to note that s. 14.7(4) of the Act provides that, "If a public sector employer fails to comply with subsection (1), (2) or (3), the minister may declare all or part of the contract of employment to be void and on that declaration the contract of employment or part of it, as the case may be, is deemed to be void."

This reporting, including copies of employment contracts and any other relevant supporting documentation (policies, contract amendments, severance letters, settlement agreements, etc.) must be provided to the PSEC Secretariat in the following instances:

- **New Hire** — Within 15 days after a new contract of employment is entered into with a new senior employee.
- **Changes to Terms and Conditions of Employment** — Within 15 days of a change to any term or condition of a senior employee's employment (including where an employee becomes a "senior employee" by virtue of a salary increase, etc.).
- **Termination of Employment** — Within 15 days of the termination of a senior employee's employment.

This reporting requirement remains in force and effect via the [PSEC Senior Employee Compensation \(SEC\) Database](#). Districts should proceed to update information in the database on an ongoing basis as necessary, in accordance with the criteria as outlined above.

All districts should by now have created an account and uploaded the required information.

There will be one account set-up per employer but the PSEC Secretariat can accommodate more account requests for larger employers. Your account information will be sent via e-mail provided in the user information form that you submit. After the account is set up, employers can add a new employee or update the existing employee information (please note that employers need to enter all “senior employees” for the first time in the database).

Once an electronic form is submitted from an employer to the PSEC Secretariat via the SEC database, the district will receive acknowledgement of receipt of the form. After reviewing the form, the PSEC Secretariat will either accept the submission or return the form to the employer for further information/clarification. Once accepted, the record becomes the active record — all previous information is historical and archived for the senior employee. Please note that PSEC relies on the employer for the accuracy of the information contained in the report.

Employers will be able to use the SEC database to view their historical and active records. If you have any database-related questions, please contact Pratibha Bhatnagar at the PSEC Secretariat at 250 356 0156 or email pratibha.bhatnagar@gov.bc.ca.

Exempt Staff Compensation Working Group

The BCPSEA Exempt Staff Compensation Working Group (ESCWG)¹ met with representatives of the Public Sector Employers’ Council (PSEC) Secretariat on November 18 to receive an update on:

- the government’s management compensation freeze, and
- the consultation process with respect to implementation of the Ernst & Young report on the [BC Public Sector Compensation Review](#), and how the Report of the BCPSEA ESCWG (“Realities, Risks, and Rewards: Taking a Systems Approach to Executive and Exempt Staff Compensation in the K-12 Public Education Sector” as presented at the BCPSEA Symposium) integrates with that process.

Consistent with the information provided at the Symposium, PSEC Secretariat staff reiterated that government has indicated the management compensation freeze will remain in place until at least the end of this fiscal year (March 31, 2015).

BCPSEA is re-convening the ESCWG early in the new year to continue analysis and discussion of issues related to exempt staff compensation in the K-12 sector, including recruitment/retention issues.

Questions

Please direct any questions to:

Deborah Stewart, Senior Human Resources Consultant, 604 730 4506, deborahs@bcpsea.bc.ca.

¹ The BCPSEA ESCWG is comprised of representatives from the BC School Superintendents’ Association, the BC Association of School Business Officials, the BC Principals’ and Vice Principals’ Association, two senior school district human resource practitioners, Public Sector Employers’ Council Secretariat staff, external compensation consultants, and BCPSEA staff.