

January 17, 2006

NSUPE Local 13 E-Bulletin - 18-Month Temporary Positions

Article 1.01 of the collective agreement defines a "Temporary Position" as "a position which has an end date no longer than eighteen (18) months from the start date and which is not to be renewed for a subsequent term."

Sometimes HRM will request NSUPE Local 13's agreement to extend temporary positions for terms longer than they were initially posted. The Local 13 Executive looks at each request on a case by case basis. Because of the definition of "temporary position", the Executive is much more likely to agree to an extension for a term that will end less than 18 months after it started than for one that HRM wants to last longer than 18 months.

The Executive may agree to extend a temporary position longer than 18 months if, for example, it is convinced that only another month or two is needed to finish a project. The question asked in each case is, "is this really a temporary position or, if it's going to continue, should it now be a permanent position?" Rarely will HRM's budgetary process be considered valid grounds for extending an 18 month temporary period -- that is, if the only reason HRM is asking for an extension is that it hasn't yet been able to obtain permanent funding for a position, then that will not likely be enough to convince the current Executive to agree to an extension beyond 18 months.

If you're in a temporary position that's coming up to the 18-month mark, you need to start considering your options for when the temporary position ends. If you have questions about this, please contact a union representative.

It should be noted that not all term positions are temporary positions. Where a permanent employee is absent from her/his permanent position (ie. on LTD, temporarily in a non-union position, on maternity or parental leave), then a term position will last as long as the permanent employee is absent, which in some cases (especially in the case of temporary non-union positions) will be considerably longer than 18 months.

NSUPE Local 13 E-Bulletins contain information regarding the Union's interpretation of Local 13's collective agreement provisions. In some cases, HRM may have a different interpretation. Comments and questions are welcome at nsupe@ns.sympatico.ca.