

Pension Membership Policy: Part-time, Temporary and Fixed Term Contract Employees

1. INTRODUCTION AND PURPOSE

This Policy constitutes the following:

- (a) a policy of the Crown in right of the Province of Alberta in its capacity as a participating employer of the Public Service Pension Plan (PSPP) and an employer under the *Management Employees Pension Plan* (AR 367/93) regulation (MEPP Regulation); and
- (b) in respect of the Management Employees Pension Plan (MEPP) only, a direction by the Minister responsible for the *Public Sector Pension Plans Act*, made in the capacity of the Minister as administrator of MEPP.

The purpose of this Policy is to provide the basis for certain employees of the Crown that are eligible to participate in PSPP and MEPP, as required by the plan text (as that phrase is defined in Schedule 2 to the *Joint Governance of Public Sector Pension Plans Act*) of PSPP (PSPP Plan Text) and sections 3(6) and (8) of the MEPP Regulation, respectively.

2. SCOPE

This Policy applies only to those employees of the Crown whose participation in PSPP or MEPP is, per the PSPP Plan Text or the MEPP Regulation, as the case may be, *conditional* on a policy of the Crown either requiring or permitting those employees to participate in PSPP or MEPP.

Specifically, this Policy applies only to the following:

- (a) employees of the Crown who are employed on an indefinite and continuous basis where their regularly scheduled hours of work are less than 30 hours per week;
- (b) employees of the Crown who are employed on a basis where their regularly scheduled hours of work are 30 hours per week or more and where there is a fixed date or event established for the termination of their employment; and
- (c) for purposes of MEPP only, employees of the Crown who are employed in a position that is neither included in a unit for purposes of collective bargaining nor classified or designated as a management position (whether or not the employee is employed on an indefinite and continuous basis or there is a fixed date or event established for the termination of their employment), except for any employees whose MEPP pension participation is grandfathered pursuant to s. 10(1)(o) of the MEPP Regulation.

Notwithstanding anything in this section, this Policy does not apply to “wage employees” as that phrase is used in the *Public Service Employment Regulation*.

3. DEFINITIONS

In this Policy:

- “**APS**” means Alberta Pensions Services Corporation;
- “**Contract Employee**” means: (i) an Employee who is employed under a written contract of employment pursuant to section 28 of the *Public Service Act*, or (ii) an Employee who is not part of a department as defined in the *Public Service Act* and who is employed under a written contract of employment for a fixed term of not more than 6 years;
- “**Employee**” means an employee of the Crown;
- “**Full-time Basis**” means employment where the regularly scheduled hours of work in the employment are not fewer than 30 hours per week;
- “**JG Act**” means the *Joint Governance of Public Sector Pension Plans Act*;
- “**MEPP**” means the Management Employees Pension Plan continued under Schedule 5 of the PSPPA;
- “**MEPP Regulation**” means the *Management Employees Pension Plan (AR 367/93)* regulation, being the plan rules pertaining to MEPP;
- “**Minister**” means the President of Treasury Board and Minister of Finance, or such other Minister of the Crown who has been designated as having responsibility for the PSPPA;
- “**Part-time Basis**” means employment where the regularly scheduled hours of work are less than full time but not fewer than 14 hours per week or 728 hours per year;
- “**Permanent Employee**” means an Employee who is employed on a basis where no fixed date or event has been established for the termination of their employment;
- “**PSPP**” means the Public Service Pension Plan continued under Schedule 2 to the JG Act;
- “**PSPP Plan Text**” means the plan text (as that phrase is defined in Schedule 2 to the JG Act) of PSPP;
- “**PSPPA**” means the *Public Sector Pension Plans Act*;
- “**Registration Portal**” means, for the purpose of section 6 of this Policy, the online registration portal established by APS for use by employers participating in MEPP;
- “**Term Employee**” means an Employee who is employed on a basis where a fixed date or event has been established for the termination of their employment, such that they are not a Permanent Employee, and includes a Contract Employee.

4. PUBLIC SERVICE PENSION PLAN

Subject to other eligibility requirements, including without limitation that the Employees are not persons to whom MEPP applies, the following policy is established to set out the basis, for the purposes of the PSPP Plan Text, on which certain Employees are eligible to participate in PSPP:

- (a) Subject to paragraph (b) below, Term Employees employed on a Full-time Basis are eligible to participate in PSPP;¹
- (b) a Contract Employee is not eligible to participate in PSPP if their employment contract expressly excludes them from participation in PSPP;
- (c) Term Employees employed on a Part-time Basis are not eligible to participate in PSPP; and
- (d) Permanent Employees who are employed on a Part-time Basis are eligible to participate in PSPP.

5. MANAGEMENT EMPLOYEES PENSION PLAN

Subject to other eligibility requirements, the following policies are established pursuant to sections 3(6) and (8) of the MEPP Regulation:

- (a) For the purpose of section 3(6) of the MEPP Regulation:
 - (i) Subject to subparagraph (ii) below, Term Employees employed on a Full-time Basis are eligible to participate in MEPP;
 - (ii) a Contract Employee is eligible to participate in MEPP if and only if their employment contract expressly provides that they are to participate in MEPP;
 - (iii) Term Employees employed on a Part-time Basis are not eligible to participate in MEPP; and
 - (iv) Permanent Employees who are employed on a Part-time Basis are eligible to participate in MEPP; and
- (b) For the purpose of section 3(8) of the MEPP Regulation, in addition to positions that are classified or designated as management positions, as set out in section 2(1)(p) of the MEPP Regulation, as well as persons whose participation is grandfathered pursuant to section 10(1)(o) of the MEPP Regulation, Employees employed in positions that are classified or designated by the Public Service Commissioner in writing from time to time to be eligible to participate in MEPP are so eligible.

6. MEPP – APPLICATION TO APS FOR PENSION PARTICIPATION

With respect to the Crown in its capacity as an employer in MEPP, the use by the Crown of the Registration Portal for new employees that are within the scope of this Policy insofar as it pertains to MEPP shall be considered to be an application to the Minister under section 2(1)(p) of the MEPP Regulation. Crown personnel authorized to utilize the Registration Portal on behalf of the Crown as an employer in MEPP *must* use the Registration Portal strictly in compliance with section 5 of this Policy.

7. MEPP – Acceptance of Application

Subject to any specific direction to the contrary made by or on behalf of the Minister, the Minister hereby directs that an application made to APS as contemplated by section 6 of this Policy is accepted when the employee to whom the application relates is enrolled in MEPP.

¹ Under the PSPP Plan Text, pension participation in PSPP is automatic for (otherwise eligible) Term Employees employed on a Full-Time Basis for a *term of more than one year*. Eligibility of Term Employees employed on a Full-Time Basis for a *term of one year or less* is established by this policy.

ORIGINAL SIGNED BY

Date: September 16, 2020

Public Service Commissioner

PRESIDENT OF TREASURY BOARD AND
MINISTER OF FINANCE

Date: September 16, 2020

Per: Deputy Minister, Treasury Board and