



Province of Alberta

REFORM OF AGENCIES, BOARDS AND  
COMMISSIONS COMPENSATION ACT

**REFORM OF AGENCIES, BOARDS AND  
COMMISSIONS (POST-SECONDARY  
INSTITUTIONS) COMPENSATION  
REGULATION**

**Alberta Regulation 47/2018**

With amendments up to and including Alberta Regulation 249/2021

Current as of December 8, 2021

Office Consolidation

© Published by Alberta King's Printer

Alberta King's Printer  
Suite 700, Park Plaza  
10611 - 98 Avenue  
Edmonton, AB T5K 2P7  
Phone: 780-427-4952

E-mail: [kings-printer@gov.ab.ca](mailto:kings-printer@gov.ab.ca)  
Shop on-line at [kings-printer.alberta.ca](http://kings-printer.alberta.ca)

### **Copyright and Permission Statement**

The Government of Alberta, through the Alberta King's Printer, holds copyright for all Alberta legislation. Alberta King's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and copyright is acknowledged in the following format:

© Alberta King's Printer, 20\_\_.\*

\*The year of first publication of the legal materials is to be completed.

### **Note**

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 249/2021)

**ALBERTA REGULATION 47/2018**

**Reform of Agencies, Boards and  
Commissions Compensation Act**

**REFORM OF AGENCIES, BOARDS AND COMMISSIONS  
(POST-SECONDARY INSTITUTIONS)  
COMPENSATION REGULATION**

*Table of Contents*

1	Definitions
2	Application
3	Designation of executive positions
3.1	Deans
4	Establishment and terms of compensation framework
5	Base salary
5.1	Total remuneration
6	Variable pay
6.1	Administrative leave
7	Severance and termination
8	Benefits
8.1	Excluded benefits
9	Fixed term contracts and appointments
10	No additional compensation
11	Exemption or modification
12	Sharing of information
13, 14	Consequential amendments
15	Coming into force

Schedules

**Definitions**

**1** In this Regulation,

- (a) “Act” means the *Reform of Agencies, Boards and Commissions Compensation Act*;
- (b) “administrative leave” means an entitlement to a period of temporary paid leave from a job assignment with pay and benefits intact, that accrue to a designated executive,

subject to section 6.1, in accordance with the terms of employment or appointment of the designated executive;

- (c) “CEO” means Chief Executive Officer;
- (c.1) “dean” means a dean within the meaning of section 21 of the *Post-secondary Learning Act*;
- (d) “designated executive” means a person whose position is designated as an executive position under section 3;
- (e) “position level” means
  - (i) in respect of a designated executive whose position is referred to in section 3(1), the level of the designated executive’s position listed in Schedule 2, and
  - (ii) in respect of a designated executive whose position is referred to in section 3(2), a level equivalent to the position level under subclause (i) with respect to the public agency of which the designated executive is an officer or employee;
- (f) “public agency” means a public agency listed in Column 2 of Schedule 1;
- (g) “tier A position” means a position that
  - (i) exercises managerial functions,
  - (ii) reports directly to a designated executive listed in Column 1 of Schedule 1, and
  - (iii) is not filled by a person referred to in section 1(2) of the Act;
- (h) “tier B position” means a position that
  - (i) exercises managerial functions,
  - (ii) reports directly to a tier A position, and
  - (iii) is not filled by a person referred to in section 1(2) of the Act;
- (i) “total remuneration” means the total amount of base salary and benefits, excluding the benefits referred to in section 8.1(2), paid, payable or provided annually to an employee by a public agency.

AR 47/2018 s1;67/2021

### **Application**

#### **2** This Regulation applies

- (a) to those persons who are designated executives when this Regulation comes into force, and
- (b) to any person who, after this Regulation comes into force,
  - (i) becomes a designated executive,
  - (ii) is reappointed as a designated executive, or
  - (iii) enters into a renewal of their employment contract as a designated executive.

### **Designation of executive positions**

**3(1)** Each position listed in Column 1 of Schedule 1 in respect of a public agency is designated as an executive position.

**(2)** Each tier A position and tier B position of a public agency is designated as an executive position.

**(3)** The position of each employee of a public agency, other than those positions referred to in subsections (1) and (2) and the positions of all employees referred to in section 1(2) of the Act, is designated as an executive position.

AR 47/2018 s3;67/2021

### **Deans**

**3.1(1)** A board of governors of a public agency may authorize the public agency to provide total remuneration to a dean whose position is classified as a tier B position as if the dean's position were classified as a tier A position.

**(2)** In authorizing a public agency to provide total remuneration under subsection (1), the board of governors of that public agency shall consider any guiding principles established by the Minister.

**(3)** The Minister shall publish the guiding principles referred to in subsection (2) on the website of the Minister's department.

**(4)** For greater certainty,

- (a) the position of a dean referred to in subsection (1) is not reclassified as a tier A position, and
- (b) any positions that report directly to a dean referred to in subsection (1) are not reclassified as tier B positions.

AR 67/2021 s3

**Establishment and terms of compensation framework**

**4(1)** A compensation framework is established by this Regulation.

**(2)** The effective date of the compensation framework is April 1, 2021.

**(3)** Subject to section 7 of the Act, the terms of the compensation framework

- (a) for a designated executive whose position is referred to in section 3(1) are set out in sections 5, 5.1(1), 6, 6.1, 7, 8, 8.1, 9 and 10,
- (b) for a designated executive whose position is referred to in section 3(2) are set out in sections 5.1(2), 6, 6.1, 7, 8, 8.1 and 10, and
- (c) for a designated executive whose position is referred to in section 3(3) are set out in section 6.

AR 47/2018 s4;67/2021

**Base salary**

**5(1)** A public agency may pay to a designated executive whose position is referred to in section 3(1) an annual base salary that does not exceed the maximum salary for that position as set out in Schedule 2.

**(2)** A public agency shall not provide any type of market modifier in respect of the base salary of a designated executive whose position is referred to in section 3(1).

AR 47/2018 s5;67/2021

**Total remuneration**

**5.1(1)** A public agency may pay or provide to a designated executive whose position is referred to in section 3(1) total remuneration that does not exceed the maximum total remuneration set out in Schedule 2 in respect of the designated executive's position level.

**(2)** A public agency may pay or provide to a designated executive whose position is referred to in section 3(2) total remuneration that does not exceed the maximum total remuneration set out in Schedule 3 in respect of the designated executive's position level and tier.

AR 67/2021 s5

**Variable pay**

- 6(1)** In this section, “variable pay” means a bonus or other incentive pay provided in addition to base salary.
- (2)** A public agency shall not provide variable pay to a designated executive.

**Administrative leave**

- 6.1(1)** A public agency may provide administrative leave to a designated executive whose position is referred to in section 3(1) or (2) only if
- (a) the position level of the designated executive is level 3, 4 or 5, or
  - (b) the position level of the designated executive is level 1 or 2 and the public agency offers administrative leave to any non-bargaining unit employee of the public agency on the effective date of the compensation framework established by this Regulation.
- (2)** A public agency that provides administrative leave must provide it in a manner consistent with any guidelines established by the Minister under section 8(2)(a).
- (3)** A public agency shall not
- (a) provide administrative leave at an accrual rate of more than 10.4 weeks per complete year of service, to a maximum of 52 weeks accrued administrative leave, or
  - (b) provide payment in lieu of the administrative leave that has accrued to a designated executive other than that authorized under section 7(2)(d).

AR 67/2021s 6

**Severance and termination**

- 7(1)** In this section,
- (a) “continuous service” means employment without any interruption in service caused by a termination of that employment;
  - (b) “employer” means the public agency that is providing severance pay to a designated executive under subsection (2);

- (c) “previous employment” means a designated executive’s continuous service with a public agency or the Crown prior to his or her employment with the employer;
- (d) “severance period” means the period starting the day after termination and ending after the number of weeks determined under subsection (2)(a) or (b), as applicable, in respect of which severance is payable.

**(2)** Subject to subsection (4), an employer may provide severance pay to a designated executive whose position is referred to in section 3(1) or (2) who is terminated without cause in an amount not greater than the sum of

- (a) with respect to a designated executive whose position is referred to in section 3(1), the greater of
  - (i) a maximum of 26 weeks of the designated executive’s base salary, or
  - (ii) 4 weeks of the designated executive’s base salary for each completed year of continuous service with the employer, to a maximum of 52 weeks of the designated executive’s base salary,
- (b) with respect to a designated executive whose position is referred to in section 3(2), 4 weeks of the designated executive’s base salary for each completed year of continuous service with the employer, to a maximum of 52 weeks of the designated executive’s base salary,
- (c) an amount that is equal to the cost to the employer for 4 weeks of the benefits the designated executive was receiving before termination, excluding the benefits referred to in section 8.1(2), for each completed year of continuous service with the employer, to a maximum of an amount equal to 16% of the amount referred to in clause (a) or (b), as applicable, and
- (d) payment in lieu of the administrative leave that has accrued to the designated executive on the date of termination, to a maximum of 52 weeks accrued administrative leave.

**(3)** For the purposes of calculating years of continuous service with the employer under subsection (2)(a) or (b), as applicable, or (c), the duration of the designated executive’s previous employment, if any, is deemed to form part of the designated executive’s years of continuous service with the employer if

- (a) there was no break in service greater than 30 days



- (i) between periods of previous employment, and
- (ii) between previous employment and employment with the employer,

and

- (b) the designated executive was not provided with any severance, termination or separation pay within the meaning of subsection (2)(a) or (b), as applicable, or (c) in respect of that previous employment.

**(4)** An employer shall not provide severance pay under subsection (2)(a) or (c) to a designated executive whose position is referred to in section 3(1) or under subsection (2)(b) or (c) to a designated executive whose position is referred to in section 3(2) unless the designated executive agrees in writing that if the designated executive becomes employed with either the Crown or a public agency during the severance period, the designated executive will repay the employer a portion of that severance pay equal to the amount of salary, before mandatory statutory deductions and benefits, earned in respect of the person's new employment during the severance period, to a maximum of the severance pay, before mandatory statutory deductions, paid in respect of the portion of the severance period for which the person is employed.

**(5)** A public agency shall not provide payment in lieu of administrative leave, severance pay, termination pay or separation pay to a designated executive

- (a) in the event of termination for cause,
- (b) in the event of the non-renewal of a contract of employment or term of appointment,
- (c) on resignation or retirement, or
- (d) as a direct or indirect result of the establishment of the compensation framework or an amendment to the compensation framework.

AR 47/2018 s7;67/2021

#### **Benefits**

**8(1)** Repealed AR 67/2021 s8.

**(2)** Subject to section 8.1, a public agency may provide benefits to a designated executive or payments in lieu of benefits if those benefits and payments are consistent with

- (a) any guidelines established by the Minister as amended or replaced from time to time, or
  - (b) a policy of the public agency, if the policy has been approved by the Minister responsible for the public agency.
- (3) Any guidelines established by the Minister under subsection (2)(a) form part of the compensation framework.
- (4) Despite subsection (2), no guideline established by the Minister under subsection (2)(a) and no policy approved by the Minister responsible for the public agency under (2)(b) may authorize a payment in lieu of administrative leave to a designated executive.
- (5) Where the Minister establishes guidelines, the Minister must publish the guidelines on the website of the Minister's department.
- (6) A policy referred to in subsection (2)(b) must provide the same benefits to the designated executive as are provided to all other employees of the public agency who
- (a) exercise managerial functions, and
  - (b) report directly to one or more designated executives of that public agency.
- (7) An approval under subsection (2)(b) may be for any period specified by the Minister responsible for the public agency to a maximum of 5 years.

AR 47/2018 s8:67/2021

#### **Excluded benefits**

- 8.1(1)** If a public agency provides benefits to a designated executive whose position is referred to in section 3(1) or (2), the cost to the public agency of those benefits, excluding the benefits set out in subsection (2), must not exceed 35% of the designated executive's total remuneration.
- (2) The following benefits, or payments in lieu of the following benefits, where authorized, are excluded from the calculation of the cost to the public agency under subsection (1):
- (a) administrative leave;
  - (b) reimbursement of expenses;
  - (c) leave days;
  - (d) relocation expenses;

- (e) severance pay;
- (f) northern allowance.

AR 67/2021 s9

#### **Fixed term contracts and appointments**

**9(1)** The employment contract or term of appointment for every designated executive whose position is referred to in section 3(1) shall be for a fixed term of not more than 5 years.

**(2)** The employment contract or term of appointment of a person who is a designated executive whose position is referred to in section 3(1) on the effective date of the compensation framework whose employment contract or term of appointment provides for an indefinite term of employment or appointment expires 2 years after the effective date of the compensation framework.

AR 47/2018 s9;67/2021

#### **No additional compensation**

**10(1)** A public agency shall not provide to a designated executive any form of compensation that is not expressly authorized by the compensation framework.

**(2)** Subsection (1) does not apply in respect of statutory benefits, including statutory holidays and employer contributions in respect of the Canada Pension Plan and Employment Insurance premiums.

#### **Exemption or modification**

**11(1)** The Minister may by order

- (a) exempt a designated executive or a class of designated executives from the application of one or more provisions of the compensation framework, or
- (b) modify one or more provisions of the compensation framework in respect of a designated executive or a class of designated executives.

**(2)** An exemption or modification under subsection (1) may be for any period specified by the Minister.

**(3)** Where the Minister makes an order under subsection (1), the Minister must make the order public in any manner the Minister considers appropriate.

**Sharing of information**

**12(1)** For the purpose of requesting approval of a policy under section 8, the head of a public agency may disclose to the Minister responsible for the public agency personal information as the Minister responsible for the public agency considers necessary to consider the request.

**(2)** For the purpose of considering a request for approval of a policy under section 8, the Minister responsible for a public agency may

- (a) collect and use personal information as the Minister responsible for the public agency considers necessary,
- (b) collect information referred to in clause (a) indirectly, without the consent of the designated executive to which the information relates, and
- (c) disclose personal information as the Minister responsible for the public agency considers necessary to the Minister, the Treasury Board or the Executive Council, and the Minister, the Treasury Board and the Executive Council may collect that personal information from the Minister responsible for the public agency.

**(3)** The head of a public agency may disclose to the Minister personal information as the Minister considers necessary to consider an exemption or modification under section 11.

**(4)** For the purpose of considering an exemption or modification under section 11, the Minister may

- (a) collect and use personal information as the Minister considers necessary,
- (b) collect information referred to in clause (a) indirectly, without the consent of the designated executive to which the information relates, and
- (c) disclose personal information as the Minister considers necessary to the Treasury Board or the Executive Council, and the Treasury Board and the Executive Council may collect that personal information from the Minister.

**Consequential amendment**

**13(1)** The *Public Sector Compensation Transparency General Regulation* (AR 52/2016) is amended by this Regulation.

**(2)** The following is added after section 2.1:

**Disclosure by post-secondary institutions**

**2.2(1)** For greater certainty, the boards of governors of the post-secondary institutions listed in Column 2 of Schedule 1 of the *Reform of Agencies, Boards and Commissions (Post-secondary Institutions) Regulation* are public agencies for the purposes of section 1(1) of the Act.

(2) For the purposes of section 3(2)(e)(ii) of the Act, the statement of remuneration shall disclose, with respect to each employee or member whose position is listed in Column 1 of Schedule 1 of the *Reform of Agencies, Boards and Commissions (Post-secondary Institutions) Compensation Regulation*, on or before June 30, 2019 and on or before June 30 of every subsequent year, any contract with the board of governors of the post secondary institution or the Government of Alberta respecting

- (a) the appointment or employment of the employee or member, that was in effect at any time during the prior calendar year, and
- (b) the severance or other terms and conditions for the termination of the appointment or employment of the employee or member, made during the prior calendar year.

(3) Subsection (2) does not apply

- (a) to an employee whose total compensation and severance during the previous calendar year is less than or equal to the threshold referred to in section 1(o)(ii) of the Act;
- (b) to a member who does not receive a salary and instead is remunerated on the basis of a daily or hourly rate or on a similar basis;
- (c) to a contract that has already been disclosed under the Act or regulations, and which remains public.

(4) In addition to the disclosure referred to in section 3(1) of the Act, the board of governors of a post-secondary institution must disclose the following on or before December 31 of each calendar year:

- (a) any contract referred to in subsection (2)(b) that was made during the 6 month period ending on June 30 of that year, in respect of an employee or member referred to in subsection (2), other than
  - (i) an employee whose severance paid or payable during that period is less than or equal to the threshold

referred to in section 1(o)(ii)(A) and (B) of the Act,  
and

- (ii) an employee or member referred to in subsection (3)(b) or (c);
- (b) the amount of severance, if any, paid or payable during the 6 month period ending on June 30 of that year,
  - (i) to an employee, if the amount of severance is greater than the threshold referred to in section 1(o)(ii)(A) and (B) of the Act, and
  - (ii) to each member;
- (c) in respect of an employee or member to which clause (a) or (b) applies,
  - (i) the employee or member's name, and
  - (ii) the position or appointment last held by the employee or member, during the 6 month period ending on June 30.

(5) Despite section 3, a disclosure under subsection (4) must remain public until the next statement of remuneration disclosed under section 3(1) of the Act is published.

(6) A contract referred to in this section must be disclosed in a partial or redacted format as necessary to ensure that the following are not disclosed:

- (a) the home address of the employee or member;
- (b) any person's signature;
- (c) any other personal information that, in the opinion of the Minister, constitutes an unreasonable invasion of the personal privacy of the employee or member.

#### **Consequential amendment**

**14(1) The *Reform of Agencies, Boards and Commissions Compensation Regulation* (AR 31/2017) is amended by this section.**

**(2) Section 8(1) is amended by striking out "non-cash".**

#### **Coming into force**

**15** This Regulation comes into force on April 15, 2018.

**Schedule 1**  
**Designated Executives**

<b>Column 1 Position</b>	<b>Column 2 Public Agency</b>
President and CEO	Board of Governors of the Northern Alberta Institute of Technology
President and CEO	Board of Governors of the Southern Alberta Institute of Technology
President	The Board of Governors of Alberta University of the Arts
President and CEO	The Board of Governors of Bow Valley College
President	The Board of Governors of Northwestern Polytechnic
President	The Board of Governors of Grant MacEwan University
President and CEO	The Board of Governors of Keyano College
President and CEO	The Board of Governors of Lakeland College
President and CEO	The Board of Governors of Lethbridge College
President and CEO	The Board of Governors of Medicine Hat College
President	The Board of Governors of Mount Royal University
President and CEO	The Board of Governors of NorQuest College
President and CEO	The Board of Governors of Northern Lakes College
President	The Board of Governors of Olds College
President (CEO)	The Board of Governors of Portage College
President	The Board of Governors of Red Deer Polytechnic
President	The Governors of Athabasca University
President and Vice-Chancellor	The Governors of The University of Alberta
President	The Governors of The University of Calgary
President and Vice-Chancellor	The Governors of the University of Lethbridge

NOTE: The title of a position listed in Column 1 includes any other title or name that is or may be used for that position.

AR 47/2018 Sched 1;10/2019;249/2021

**Schedule 2**  
**Base Salary and Total Remuneration**

Public Agency	Position	Position Level	Base Salary			Total Remuneration		
			Minimum Salary (\$)	Mid-range Salary (\$)	Maximum Salary (\$)	Minimum Total Remuneration (\$)	Mid-range Total Remuneration (\$)	Maximum Total Remuneration (\$)
The Governors of The University of Alberta	President and Vice-Chancellor	5	349 800	388 700	447 000	437 250	485 875	558 750
The Governors of The University of Calgary	President	5	349 800	388 700	447 000	437 250	485 875	558 750
The Governors of the University of Lethbridge	President and Vice-Chancellor	4	279 300	310 300	356 800	349 125	387 875	446 000
Board of Governors of the Northern Alberta Institute of Technology	President and CEO	4	279 300	310 300	356 800	349 125	387 875	446 000
Board of Governors of the Southern Alberta Institute of Technology	President and CEO	4	279 300	310 300	356 800	349 125	387 875	446 000
The Governors of Athabasca University	President	3	238 700	265 200	305 000	298 375	331 500	381 250



The Board of Governors of Grant MacEwan University	President	3	238 700	265 200	305 000	298 375	331 500	381 250
The Board of Governors of Mount Royal University	President	3	238 700	265 200	305 000	298 375	331 500	381 250
The Board of Governors of Bow Valley College	President and CEO	2	209 300	232 600	267 500	261 625	290 750	334 375
The Board of Governors of Lethbridge College	President and CEO	2	209 300	232 600	267 500	261 625	290 750	334 375
The Board of Governors of NorQuest College	President and CEO	2	209 300	232 600	267 500	261 625	290 750	334 375
The Board of Governors of Red Deer Polytechnic	President	2	209 300	232 600	267 500	261 625	290 750	334 375
The Board of Governors of Alberta University of the Arts	President	1	184 000	204 400	235 100	230 000	255 500	293 875
The Board of Governors of Northwestern Polytechnic	President	1	184 000	204 400	235 100	230 000	255 500	293 875
The Board of Governors of Keyano College	President and CEO	1	184 000	204 400	235 100	230 000	255 500	293 875
The Board of Governors of Lakeland College	President and CEO	1	184 000	204 400	235 100	230 000	255 500	293 875
The Board of Governors of Medicine Hat College	President and CEO	1	184 000	204 400	235 100	230 000	255 500	293 875

REFORM OF AGENCIES, BOARDS AND COMMISSIONS  
(POST-SECONDARY INSTITUTIONS)  
COMPENSATION REGULATION

The Board of Governors of Northern Lakes College	President and CEO	1	184 000	204 400	235 100	230 000	255 500	293 875
The Board of Governors of Olds College	President	1	184 000	204 400	235 100	230 000	255 500	293 875
The Board of Governors of Portage College	President (CEO)	1	184 000	204 400	235 100	230 000	255 500	293 875

NOTE: The title of a position listed in Column 2 includes any other title or name that is or may be used for that position.

AR 47/2018 Sched 2;249/2021

**Schedule 3**  
**Maximum Total Remuneration**

**Tier A**

Position Level	Maximum Total Remuneration (\$)
5	391 125
4	312 200
3	266 875
2	234 063
1	205 713

**Tier B**

Position Level	Maximum Total Remuneration (\$)
5	312 900
4	249 760
3	213 500
2	187 250
1	164 570

AR 67/2021 Sched 3