



Terms and Conditions of Employment for Students

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Terms and Conditions of Employment for Students

1. General

1.1 Effective date

These terms and conditions take effect on January 1, 2007 and supersede the version dated January 2006.

1.2 Definitions

Unless provided herein, the definitions shall be those used in the Directive on Terms and Conditions of Employment.

1.3 Delegation

A deputy head may authorize any person employed in his or her department to exercise any of the powers, functions or duties of the deputy head under these terms and conditions.

1.4 Legal status

Students are defined as employees under the Financial Administration Act and the Government Employees Compensation Act. However, they are not subject to the Public Service Labour Relations Act, and an exclusion order under the Public Service Employment Act precludes their eligibility for closed competitions while they are working as students.

2. Non-paid assignments

2.1 Application

This section applies to all students participating in a non-paid assignment program, such as the Secondary School Co-op Education Program.

2.2 Hours of work

Non-paid assignments are usually arranged on a half-day basis. This does not preclude other scheduling arrangements that the student, school and manager might negotiate. Assignments with working days longer than the standard 7.5-hour working day are not appropriate.

2.3 Travel allowance

The delegated manager may pay the student a travel allowance of up to the value of a "round-trip" daily or monthly public transit fare, whichever is less, between the student's school, work site and home, or the reverse.

2.4 Workers' compensation

Managers must ensure that an authorized work-education agreement precedes any student assignment. Under this agreement, the relevant school administration must provide workers' compensation for the student, in case the student is disabled by a workplace injury.

3. Assignments under a student employment program

3.1 Application

This section applies to all persons engaged under one of the employment programs described in Student Employment Programs in the Federal Government.

3.2 Hours of work

The delegated manager shall set the student's hours of work consistent with the relevant collective agreement and departmental practice.

3.3 Relevant collective agreement

- a. The relevant collective agreement shall be the collective agreement of the predominant group whose duties the student is understudying or performing in part during the assignment period.
- b. All letters of offer shall clearly state the relevant collective agreement.

3.4 Pay

- a. Subject to these regulations and any other enactment of the Treasury Board, a student assigned under one of the student employment programs is entitled to be paid a biweekly salary for the services rendered, at the appropriate pay rate (see [Student Rates of Pay](#)).
- b. All rates also apply to formal apprenticeship programs.

3.5 Overtime

- a. A student shall be compensated for overtime according to the relevant collective agreement, provided
 - o the delegated manager required the student to work overtime;
 - o the student did not control the duration of the overtime period; and
 - o the delegated manager certifies the duration of the overtime worked, and authorizes the compensation.
- b. Notwithstanding the payment options under the relevant collective agreement, a student may not be compensated for overtime in the form of compensatory leave.

3.6 Acting pay

Students are not entitled to acting pay.

3.7 Other benefits

Students are entitled to the following benefits, to be administered in accordance with the provisions of the relevant collective agreement:

- call-back pay;
- standby pay;
- reporting pay;
- shift and weekend premium;
- penological factor allowance;
- travelling time; and
- overtime meal allowance.

3.8 Bilingualism bonus

Students are not entitled to the bilingualism bonus.

3.9 Leave with pay

With the exception of bereavement leave, a student is not entitled to leave with pay.

3.10 Vacation pay

In lieu of vacation, students are entitled to vacation pay, equal to four per cent of their total regular and overtime earnings.

3.11 Designated holidays

- a. A student on full-time assignment is entitled to pay for a designated holiday, provided he or she is not on leave without pay on the working day preceding and the working day following that holiday.
- b. A student on part-time assignment shall not be paid for the designated holidays but shall, instead be paid based on the principles found in the relevant collective agreement.
- c. For students engaged in foreign assignments, delegated managers may substitute the equivalent number of local designated holidays falling within the specified work terms.

3.12 Bereavement leave

- a. Every student shall be granted bereavement leave for a period of up to three consecutive calendar days, to include the day of the funeral, when a member of the immediate family dies. Such leave is to be without pay for the first three months of continuous employment, and with pay thereafter.
- b. Immediate family is defined as father, mother (or alternatively stepparents, foster parents), brother, sister, spouse (or common-law spouse residing with the student), dependent child, stepchild, ward, father-in-law, mother-in-law and relative permanently residing in the student's household or with whom the student permanently resides.

3.13 Sick leave

Students are not entitled to paid sick leave and do not accrue sick leave credits.

3.14 Other leave

The delegated manager may grant leave without pay for any purpose, but not beyond the specified period of the student's assignment.

3.15 Lay-off

- a. A student with at least three months of continuous employment who is laid off before the end of his or her assignment without being given two weeks' notice shall receive compensation in lieu of notice. In cases of termination of employment for disciplinary reasons, refer to section 3.19 Discipline.
- b. The compensation will equal two weeks' pay or pay to the end of the specified period of the assignment, whichever is less.
- c. If the student is re-assigned to the Public Service before the end of the period for which compensation had been paid, he or she shall repay that part of the compensation representing the time from the date of re-assignment to the end of the original compensable period.

3.16 Security clearances

Where required, students must have appropriate security clearances.

3.17 Travel allowance

3.17.1 General

- a. The following provisions apply to all Canadian students engaged under one of the student employment programs.
- b. Students must not be paid a salary while travelling, except when in travel status once engaged.
- c. The manager may decide the mode of transportation to be used by students travelling to and from their educational centres. Travel must be arranged by the most economical and practical means. The Government Travel Service (GTS) shall be used, where practical, to make travel reservations immediately, once the student accepts employment, in order to obtain the lowest fare, with open return tickets when economical and practical. Departments shall maintain a separate Departmental Travel Account and Travel Authority Number (TAN) Register for student travel of this nature.
- d. Travel by private motor vehicle may be authorized. In such cases, the applicable kilometric rate is the employee-requested rate (Appendix B of the Travel Directive), plus the necessary costs incurred en route for tolls for roads, ferries, bridges and tunnels.
- e. Students required to travel on official government business travel during the work period are eligible for the employee defined reimbursement, as published in the Travel Directive.
- f. During the work period, students who are assigned to field parties may, at the discretion of the manager, be given board and lodging while employed in the field. This would normally be done in the same circumstances in which board and lodging would be provided to indeterminate employees.

3.17.2 Domestic travel

- a. Actual and reasonable transportation expenses may be paid, up to a maximum of the most economical air fare available for travel by employees which provides a standard of travel comparable to that provided by major airlines for the most direct routing at the time of travel, for
 - i. travel from a Canadian educational centre to the reporting place or workplace and, return travel on completion of the assignment
 - to the original educational centre, or
 - to another educational centre where the student will continue his or her education, provided that this does not increase the transportation costs; and
 - ii. travel from an educational centre located outside Canada to the reporting place or workplace and, on completion of the assignment, return travel as described in (i) above.
- b. In addition to transportation expenses provided under paragraph (b), a student may be reimbursed up to a maximum of \$200 per return trip, for the combined miscellaneous expenses incurred at the start or at the end of a given period of continuous employment. This provision is intended to offset such additional costs as the return shipment of personal effects and temporary accommodation on arrival. Receipts are to be provided, when available. The honour system applies, at the discretion of the employer, when receipts are not available.

3.17.3 USA and international travel

- a. For assignments outside Canada, the delegated manager may:
 - reimburse the student any proportion of actual transportation expenses between the student's home (or educational centre) and the reporting place or workplace, up to the Apex air fare published by the Department of Foreign Affairs and International Trade for travel by employees which provides a standard of travel comparable to that provided by major international airlines for the most direct routing at the time of travel.
 - reimburse the student up to a maximum of \$250 per return trip, to help offset miscellaneous costs incurred in transit to the reporting place or workplace or on arrival at home (or educational centre).

- authorize payment of a daily post allowance of up to 65 per cent of the meal rate for dinner, as established under the Travel Directive for the workplace. A lesser allowance may be given, depending on living cost at the workplace, student availability and program budget.
- b. While the variable rates for assignments outside Canada give managers operational flexibility to respond to changing economic conditions, they are to be applied consistently to all students engaged at the same workplace.

3.18 Isolated post allowance

Students assigned to work in an isolated post, as defined in the Isolated Posts and Government Housing Directive, are eligible for the relevant environment allowance, the living cost differential, and the fuels and utilities differential, based on the classification of the post.

3.19 Discipline

Subject to any other enactment of the Treasury Board, the deputy head may:

- establish standards of discipline for students on assignment; and
- prescribe, impose, vary or rescind, in whole or in part, the financial and other penalties, including suspension and termination of assignment, that may be applied for breaches of discipline or misconduct.

3.20 Part-time assignments

Compensation for students working in part-time assignments shall be based on the principles found in the students' relevant collective agreements.

3.21 Continuous employment

If a student employed under a student employment program is subsequently appointed to the Public Service, assignments may be counted as continuous employment, provided they meet the relevant criteria of the applicable terms and conditions of employment.

3.22 Indigenous Youth Summer Employment Opportunity

For students participating in the 2017 Indigenous Youth Summer Employment Opportunity Special Project, the delegated manager may provide accommodations as prescribed by the Chief Human Resources Officer.