



# HR Guidelines For Unit Restructuring

*A step-by-step guide for managers*



## IN THIS GUIDE

<b>HR Guidelines for Unit Restructuring:</b> Overview	<b>1</b>
<b>Step One:</b> Review the situation and identify considerations	<b>2</b>
<b>Labour Relations Considerations</b>	<b>4</b>
<b>Step Two:</b> Draft plan and timeline considerations in collaboration with HR	<b>6</b>
<b>Step Three:</b> Implement the plan	<b>7</b>
<b>Step Four:</b> Considerations after restructuring initiated	<b>7</b>
<b>Additional Resources</b>	<b>8</b>

# HR GUIDELINES FOR UNIT RESTRUCTURING: OVERVIEW

These guidelines are intended for leaders to utilize as part of the change management process review when considering a unit restructuring that will impact staff based on the operational changes required. These changes may be driven by budget reduction, reduced workload, streamlining work efforts, technological change and new operational processes.

*Your Human Resources Representative will also be able to support and guide you through these guidelines to ensure the restructuring is appropriately aligned with UBC's best practices and legal and contractual obligations.*

## Overview of the process



If you have any questions about the process, please contact an **HR Representative** for support.



## STEP ONE: REVIEW THE SITUATION AND IDENTIFY CONSIDERATIONS

Understand the reason for restructuring; the 'why' the restructuring is necessary. As noted above, these changes may be driven by budget reduction, reduced workload, streamlining work efforts, technological change and new or altered operational processes or skill requirements.

If you are considering a change due to the underperformance of employees, it is important that in every circumstance, the reason we are implementing the change truly reflects the situation. UBC strives to ensure we operate in good faith with our employees. If there are performance related issues, ensure these are addressed through a performance management process ([contact your HR representative for support](#))

- Determine the future state based on the operational needs required.
- Review current state and implications:
  - » Consider what factors contribute to the effectiveness of jobs and the operational structure.
  - » Is the action expected to be a permanent change or is it to address a temporary situation (e.g. short-term, non-structural budget short-fall)?  
\*[Contact your HR Representative](#), *who can help you consider options for both circumstances.*
  - » Restructuring is intended to focus on a change in operational requirements rather than individual performance. Once an operational change is determined, employees will receive the appropriate notice entitlements as per their collective agreement. If there are underperformance issues, we recommend you contact your HR Representative or refer to: [https://hr.ubc.ca/sites/default/files/documents/Managing\\_Underperformance\\_Toolkit\\_2024.pdf](https://hr.ubc.ca/sites/default/files/documents/Managing_Underperformance_Toolkit_2024.pdf)
  - » Connect with your HR Representative sooner rather than later to ensure you are aware of University-wide practices and union/association implications.

\*If restructuring is a result of a broader University initiative, has impacts on the operations of other units, or alters the services provided to the campus community, it may require coordination with other units based on the timing, impact and messaging for the decision.



## STEP ONE: REVIEW THE SITUATION AND IDENTIFY CONSIDERATIONS

Once you have determined your needs, below are some of the common considerations:



Ensure appropriate consultation and approvals are in place (e.g. VPs, Department Heads, Unit Supervisors).



Ensure your discussions and planning processes are managed confidentially and that these expectations are shared with those involved in the decision making.



Ensure that where a central unit provides a similar service to another unit discussions have occurred with senior leaders between both units regarding the service delivery model.



Redistribute functional duties throughout the unit by streamlining work efforts due to the introduction of new processes or technology or altered work requirements or services.



Once roles and responsibilities are defined, review the abilities and skills of current staff and identify training and development needs to meet the operational requirements.



Identify appropriate resources which may involve reducing and eliminating redundant roles or adding positions as necessary.



## LABOUR RELATIONS CONSIDERATIONS

It is essential to consult with your HR representative immediately and throughout the restructuring process if any of these events occur during your planning.

- ➔ **Position being moved from one bargaining unit to another**  
Depending on the bargaining unit and the work being performed, there are requirements outlined in the Collective Agreements that require disclosure to the Union if making a change that may result in a position being moved into another bargaining unit.
- ➔ **Is there a statutory freeze in effect**  
If the employer is in negotiations with the union, the employer will not be allowed to unilaterally change the terms and conditions of employment until either a collective agreement is agreed to and in force or 12 months after the date of certification (becoming unionized).
- ➔ **The nature of the work being performed has changed**  
Depending on the bargaining unit and the work being performed, there are requirements outlined in the Collective Agreement and the Agreement of Terms and Conditions of Employment (ACTE) on whether there may be notice required and how changes in the work being performed can be administered. Further, there may be situations where consideration must be made as to whether there is an argument that there is a substantial change to the role that significantly impacts the employee.
- ➔ **Potential for a human rights complaint**  
Employees can not be discriminated against as per the grounds in the human rights code. When reviewing potential impacts due to restructuring, it is important to ensure that the decision is not related to a protected ground.
- ➔ **Closure to a unit or office**  
A closure or location change may result in additional notice required under labour law or other considerations due to the Collective Agreement or ACTE.

*(continued on next page)*



## LABOUR RELATIONS CONSIDERATIONS

- ➔ **Magnitude of the restructuring**  
Where UBC introduces or intends to introduce a change that affects the terms, conditions, or security of employment of a significant number of employees in the bargaining unit, we may be required to develop a labour adjustment plan per the labour relations code.
- ➔ The Employment Standards Act (ESA) sets out additional notice requirements that must be met when an employer conducts group terminations. The specific requirements are triggered when 50 or more employees are terminated from a location within a rolling two-month period. It is not specific to employee group, department, unit or faculty. The threshold is triggered when UBC terminates more than 50 people within two months.
- ➔ For group termination, the following would be considered one location:
  - Point Grey Campus
  - Kelowna Campus
  - Vancouver General Hospital site, including associated facilities
  - BC Women's and Children's Hospital sites
- ➔ The amount of extra notice is dependent on the number of terminations within the two-month window:
  - 8 weeks if 50 to 100 employees are affected;
  - 12 weeks if 101 to 300 employees are affected;
  - 16 weeks if more than 300 employees are affected.

It is critical that all restructuring in which employees may be deemed redundant is managed in consultation with HR. To avoid group terminations notice implications, terminations across a location need to be coordinated in such a fashion to minimize the number that occurs within any two-month window and the implications of recall rights for unionized employees must be factored into the assessment.



## STEP TWO: DRAFT PLAN AND TIMELINE CONSIDERATIONS IN COLLABORATION WITH HR

- It's important to be clear and establish the reasons for the restructuring (the 'why'). During the planning process, it is also important to ensure confidentiality of your discussions until appropriate communications are identified.
- Create job descriptions for new and/or changed position(s); note: A Central HR Job Analyst may be required to classify the position(s). Please ensure you track changes so they can advise you on the significance of the changes. If the position will be replacing an existing position, please inform your Central HR Job Analyst.
- If job descriptions are being used for a central service function (e.g. Human Resources, Communications, IT, Finance, etc.), it will require a touch point with Human Resources and those functional units to discuss the change and impact on these services.
- Document the organizational chart changes: 'before' and 'after' (current state/future state).

### **Connect with your HR Representative for the following:**

- review the draft restructuring plan before implementation.
- assess legal and contractual obligations.
- determine union notification or in some cases the applicable consultation requirement.
- determine notice considerations for those losing employment.
- considerations when changing someone's job and/or reporting line/structure impacts.
- draft a communication and timeline plan that includes who is notified, how they are notified and when activities are to occur.
- your HR representative will connect with Employee Relations as needed and work with you based on their advice.
- create training and development plans to support the restructuring.





## STEP THREE: IMPLEMENT THE PLAN

Your HR Representative can provide guidance to determine the appropriate level of EFAP support required, both for those employees immediately affected by the changes and/or others that are affected by the restructuring.

- » Ensure notice entitlements are provided to employees respectfully and privately.
- » If a termination meeting is occurring in a Zoom format, it's important to be aware that these meetings may be surreptitiously recorded.
- » If there are any safety concerns, please reach out to your Safety & Risk units at either campus (UBCV/UBCO).
- » Ensure statutory obligations are met (e.g. ROE, vacation pay, etc.).
- » Advise on a script and communications plan for the changes.
- » Continue to work closely with your HR Representative to ensure your plan continues to meet the health/well-being needs of all affected and identify additional support if required.

Consider Workday administrative requirements and explore Workday and/or IT security issues (your HR representative will work through the termination steps to consider).



## STEP FOUR: CONSIDERATIONS AFTER RESTRUCTURING INITIATED

- Ensure post-communications occur throughout the unit and wider community as required.
- Check in with remaining employees regularly; continue to assess training and support requirements.
- Manage union recall processes (e.g. CUPE 116); contact your HR Representative to determine if applicable.
- Provide a mechanism/process for feedback to allow for staff to share their concerns/thoughts/experiences.



## ADDITIONAL RESOURCES

- UBCV Strategy + Decision Support <https://sds.ubc.ca/services>
- Consider creating a **Change Management Plan**: To access Central HR's **Change Management Start Guide, Toolkit and Checklist** click **here**: <https://hr.ubc.ca/managers-admins/team-and-professional-development/organizational-change-and-transition>
- Employee Assistance Program (EAP). EAP provides immediate and confidential support for a variety of work, health and life challenges. EAP can be accessed at 1-866-424-0770 or online at [one.telushealth.com](https://one.telushealth.com)
- LinkedIn Learning: post-restructuring support <https://hr.ubc.ca/career-development/workplace-learning-opportunities/linkedin-learning>



### UBC Human Resources

600 - 6190 Agronomy Road  
Vancouver, BC Canada  
V6T 1Z3

To reach an HR Representative, [contact us](#)  
or visit us at [hr.ubc.ca](https://hr.ubc.ca)