

TEMPORARY STAFFING PLAN

Process for Licensees

Updated February 2020

Temporary Staffing Plan (TSP) Process for Licensees

Regulation 36(4) of the *Day Care Act* states that at least 2/3 of staff working directly with children must hold a level 1, 2 or 3, or School-Age Approval (where appropriate).

A facility may have staff who are pursuing completion of the required training or qualification and Regulation 36(6) of the *Day Care Act* provides some flexibility for licensees to request approval from EECD to be temporarily exempt from meeting Regulation 36(4).

In order to qualify for a temporary staffing exemption from the above regulatory requirement, a licensee must demonstrate **all** the following conditions:

- (a) the licensee is unable to hire staff who have the qualification needed for the licensee to meet the requirements of Regulation 36 (4);
- (b) the licensee has hired staff who are working towards completing the required training or qualifications;
- (c) the facility staffing approved will not adversely affect the safety of children in the program or quality of the services and program.

Please note:

The Temporary Staffing Plan will be specific to the staff member who is engaged in training and is not interchangeable with other staff.

A Temporary Staffing Plan is not applicable for staff members who are on short-term leave (3 consecutive weeks or less) or vacation.

A Temporary Staffing Plan may be revoked or amended if, at any time, the conditions are not being met.

The application process is as follows:

1. Licensee is to contact their Licensing Officer via email or phone if they are applying for a Temporary Staffing Plan.
2. Licensee obtains the Temporary Staffing Plan application form from the Licensing Officer or at the following link: <https://www.ednet.ns.ca/earlyyears/licensing/day-care-family-home-day-care.shtml>. The other option would be to apply for a Temporary Staffing Plan during an inspection (annual inspection, monitoring inspection) with the Licensing Officer, if the licensee does not meet Regulation 36(4).
3. Licensee completes all sections of the form, and any attached information as required. The Temporary Staffing Plan will be specific to the staff member who is engaged in training and is not interchangeable with other staff.

4. Licensee submits the completed application by email to their Licensing Officer or mail, to

Education & Early Childhood
Development, Early Learning and Child
Care Branch
2021 Brunswick Street,
PO Box 578 Halifax, NS, B3J 2S9
Attention: Licensing Team Lead

5. The Licensee will receive notification in writing from their Licensing Officer upon receipt of a completed application. The Licensing Officer reviews the application and will issue a decision within 10 business days from the date of notification.
6. If approved, the Licensee will receive a letter from the Licensing Officer. This plan will outline the details of the Temporary Staffing Plan and how the facility will meet the staffing requirements as per Regulation 36(4). In addition, the Licensee will be required to post an approved *Exemption Notice* form next to the facility's license and maintained in the facility staff records.
7. If denied, the Licensee will receive a letter from the Licensing Officer with regards to the reasons why the application was denied and what is needed for the exemption to be approved.
8. The Licensee must notify the Licensing Officer immediately if there is any change to the approved staffing plan.
9. The Licensee will notify the Licensing Officer once the training requirements as outlined on the Temporary Staffing Plan has been completed.
10. When a facility fails to meet the training requirements on the expiry date, compliance with Regulation 36 (4) is reviewed in order to determine if any further licensing action is required.