

**Without Prejudice or Precedent
HOURS OF WORK AGREEMENT
between
MINISTRY OF ATTORNEY GENERAL
&
ADMINISTRATIVE SERVICES COMPONENT**

**This Agreement is between the Ministry of Attorney General (hereinafter the "Employer")
and Duncan employees (hereinafter the "Employee").**

Division/Branch:	Court Services Branch, Region 1
Location:	Duncan Law Courts
Work Unit:	All Sections
Shift Schedule:	As per attached shift schedule (Appendix B)
General Hours of Operation:	8:00 am to 5:00 pm
Earned Day Off (EDO):	As per attached shift schedule

It is understood that this Hours of Work Agreement is to be implemented on a twelve (12) month pilot basis beginning September 2023 and ending September 2024 as outlined in the Hours of Work Implementation Plan and an evaluation process will take place quarterly during this pilot to determine if a permanent schedule change can be accommodated.

Work schedule changes, within existing hours of operation, must not result in increased cost to the Employer and, where possible, shall result in decreased cost to the Employer and/or improved efficiency and/or improved service to the public.

All eligible Employees must confirm their hours of work in writing with their respective supervisor prior to the start of this Agreement.

Eligible Employees

Under this Agreement regular full-time employees, part-time employees working full-time hours and auxiliary employees are eligible. Part-time employees working part-time hours are excluded from this Agreement.

All Employees excluded from this Agreement are to remain on their existing hours of work.

Rescheduling an Earned Day Off (EDO)

Neither the Employee nor the Employer will reschedule their Earned Day Off (EDO) except with prior approval and mutual agreement of both parties and will be rescheduled as soon as practicable and within the same 16-day cycle that it was earned.

The parties recognize the importance of being able to provide adequate service to the public and to fulfil the functions of the work unit. It is acknowledged that when all other reasonable options are exhausted to cover off operational demands, the Employee will make best efforts to accommodate an Employer's request to reschedule an EDO due to unforeseen circumstances in daily operations.

Rest and Meal Breaks

Rest periods shall be scheduled pursuant to Clause 14.4 of the Main Agreement. Meal breaks should be taken as close to the mid-point of the shift as possible. Rest periods cannot be combined to meet the hours of work.

Overtime

Employees requested to work more than a full shift within their scheduled rotation shall be entitled to overtime as outlined in 16.6 of the Main Agreement.

Vacation, Designated Holidays & Medical and Dental Appointments

Pursuant to Clause 20.11 of the Main Agreement, all Employees shall agree that, whenever possible, medical or dental appointments will be scheduled on their EDO.

Pursuant to Clause 14.3(b) of the Main Agreement, where an employee is granted vacation pursuant to Clause 18.1, the annual vacation entitlement shall be converted to hours on the basis of a seven-hour day and vacation taken shall be deducted in accordance with the actual hours of the employee's daily shift in effect at the time the vacation is taken.

Pursuant to Clause 14.3(c) of the Main Agreement where an employee is granted a designated paid holiday pursuant to Article 17 - Paid Holidays, the time off granted will be seven hours per designated paid holiday for a full-time employee and prorated for a part-time employee. Where the scheduled workday exceeds seven hours, the resulting difference shall be included in the work schedules established pursuant to Clause 14.2. An EDO occurring on a designated paid holiday that cannot be rescheduled to the next available workday, will be rescheduled by mutual agreement, with a schedule provided in the format of Appendix D, prior to the Annual Vacation Selection process commencing.

An EDO becomes a fixed day of rest each time it occurs in the cycle. An employee cannot be compelled to move an EDO to accommodate another employee's leave request for the same day. An EDO can only be moved within the same cycle, and with mutual agreement.

Short Term Illness and Injury Plan

For Short Term Illness and Injury Plan (STIIP) purposes, Employees shall remain on the agreed work schedule.

If the employee is eligible for and is accepted onto the Long-Term Disability Plan, the employee shall revert to a 7-hour daily schedule and will not requalify for the Hours of Work Agreement schedule until a full return to work, off Rehabilitative Employment, has been implemented.

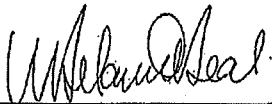
Review of the Agreement

The Employer will perform regular reviews as outlined in this Agreement and will discuss results with the Union Staff Representative on a scheduled basis.

There will be ongoing consultation (see Appendix A) between the Employer and the Union Staff Representative(s) about the implementation of this modified work week trial.

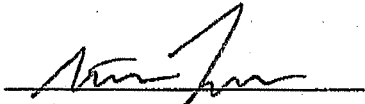
Any changes deemed necessary in this Hours of Work Agreement may be made by mutual agreement between the parties at any time during the life of the agreement.

This Hours of Work of Agreement can be cancelled by either party with fourteen (14) days written notice.



Melanie Neal

Executive Director, Region One



Stefan Farrow

Manager, Court Administration



Sean Antrim

Union Staff Representative

2023/09/20

Appendix A

Review Schedule

Managers will evaluate the cost, efficiency and effectiveness of the Hours of Work Agreement by conducting meetings to discuss the Hours of Work Agreement and issues that arise out of the existing schedule. A formal review will be undertaken at the halfway point of the twelve (12) month trial period, and annually or as needed after that. Feedback will be sought by the participants, supervisors and managers.

Some evaluative measures to review the Hours of Work Agreement may include:

- Compliance with minimum staffing levels and coverage during the week, during peak vacation times;
- Assessment and comparison of the Staff Planning Technique results;
- An internal review related to the Work Environment Survey engagement drivers;
- Employee STIIP utilization;
- Employee absenteeism for medical/dental and other personal appointments during work hours;
- Statistical reports on branch performance;
- Feedback from clients – internal and external to government concerning accessibility of staff, response timelines and related work-based issues.

Managers agree to raise concerns with the Union Staff Representative with the expectation that the Parties will work together to resolve issues within a maximum 30-day period. However, if during the initial twelve (12) month trial period, management determines that the schedule is not meeting operational requirements and would like to either cancel or consider suspending during a period of time, the Union agrees that it will revert to a 5:2, 7-hour day, without the need to invoke the Hours of Work Umpire process pursuant to Clause 14.2(c)(4) of the Master Agreement. The Employer will provide 14 days' notice in this event.

At the conclusion of the trial period, if deemed to be successful, the schedule shall be implemented on a permanent basis, subject to ongoing reviews.

Appendix B

Modified Work Schedule

It is agreed that all employees will work a 16-day cycle with an Earned Day Off (EDO) following a rotational schedule every three weeks.

The workday shall be seven (7) hours and thirty (30) minutes.

(i) This schedule requires an employee to work 15 days then take their EDO on the 16th day. The EDO is scheduled on a different successive day each time through the rotation. For example, on the first rotation the EDO is Monday, then the next rotation it is Tuesday, etc.

(ii) This results in working an extra 8.5 hours per year, less 6.5 hours required to cover the 13 statutory holidays, resulting in 2 hours of lieu time to be scheduled by mutual agreement.

The schedule will be determined by the Employer and can be changed upon mutual agreement to ensure operational standards are met.

The selection process of the start date of the rotation of Earned Day Off (EDO) schedules will be based on seniority. The participating employee with the most amount of seniority will choose their start day first.

Potential work schedules, based on operational requirements of the work unit, could include:

Examples:

- Court Registry position - 8:30 - 16:30 (30-minute lunch)
- Court Clerk position - 8:30 - 17:00 (60-minute lunch)

Appendix C:

RELEASE OF OVERTIME FOR MODIFIED HOURS OF WORK

I, the undersigned, employed at:

(Location) Duncan Law Courts

In the (Name of Department/Work Area) Court house

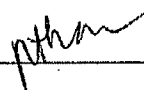
Wish to participate in a modified hours of work schedule.

The proposed work schedule provides for an extended workday.

I understand that overtime rates will apply for work in excess of the scheduled daily hours as outlined in the attached rotation.

I further understand that this extended workday schedule may be discontinued by either party on fourteen (14) days' notice to the other party if either the Union or the Employer finds the modified hours of work schedule unsatisfactory.

Name (Print): Pham, Thi Thu Hang

Signature: 

Position Title: Court Clerk Full-time Part-time

Date: August 22, 2023

Appendix C:

RELEASE OF OVERTIME FOR MODIFIED HOURS OF WORK

I, the undersigned, employed at:

(Location) Duncan, BC

In the (Name of Department/Work Area) Court Clerk

Wish to participate in a modified hours of work schedule.

The proposed work schedule provides for an extended workday.

I understand that overtime rates will apply for work in excess of the scheduled daily hours as outlined in the attached rotation.

I further understand that this extended workday schedule may be discontinued by either party on fourteen (14) days' notice to the other party if either the Union or the Employer finds the modified hours of work schedule unsatisfactory.

Name (Print): Shaelynn Ross

Signature: 

Position Title: Court/registry clerk Full-time Part-time

Date: August 31st, 2023

8:15 - 4:45

Appendix C:

RELEASE OF OVERTIME FOR MODIFIED HOURS OF WORK

I, the undersigned, employed at:

(Location) DUNCAN COURT HOUSE
238 GOVERNMENT ST. DUNCAN BC

In the (Name of Department/Work Area) Court Services

Wish to participate in a modified hours of work schedule.

The proposed work schedule provides for an extended workday.

I understand that overtime rates will apply for work in excess of the scheduled daily hours as outlined in the attached rotation.

I further understand that this extended workday schedule may be discontinued by either party on fourteen (14) days' notice to the other party if either the Union or the Employer finds the modified hours of work schedule unsatisfactory.

Name (Print): Laura Willows

Signature: [Handwritten Signature]

Position Title: Court clerk / Combo clerk Full-time Part-time

Date: 01 SEP 2023

Appendix D:

2023/2024 Rotational Schedule for Duncan Law Courts – All Sections

Employee Name	Earned Days Off
Laura Willows	October 6*, 31, November 22, December 14, 2023 January 5, 29, February 20, March 13, April 4, 26, May 21*, June 11, July 3, 25, August 16, September 9, October 1, 23, November 14, December 6, 30, 2024
Shaelynn Ross	October 3, 25, November 16, December 8, 2023 January 2*, 23, February 14, March 7, 28*, April 22, May 14, June 5, 27, July 19, August 12, September 3, 25, October 17, November 8, December 2, 24, 2024
Thi Thu Hang Pham	October 10, Nov 1, 23, December 15, 2023 January 8, 30, February 21, March 14, April 5, 29, May 21, June 12, July 4, 26, August 19, September 10, October 2, October 24, November 15, December 9, December 31, 2024

* Days that have been rescheduled due to Designated Paid Holiday

** Days that have been rescheduled by mutual agreement

