

**MEMORANDUM OF AGREEMENT #1****Re: Local Issues Addendum***Between**BC General Employees' Union (BCGEU)**And**PLEA Community Services Society of British Columbia**Represented by**Community Social Services Employers' Association (CSSEA)***1. Article 14.2(a) – Hours of Work**

Regular hours of work for full-time employees shall be an average of seven (7) to eight (8) hours per day and an average of thirty-five (35) to forty (40) hours per week exclusive of meal periods, as detailed in the employee's letter of employment.

**2. Article 14.2(b)(4) – Hours of Work**

At the request of the employee and based on program needs, instructors working in the U-Learn program may be regularly scheduled for a minimum of 2 hours.

There will be no other shifts of less than four hours without the agreement of the Union.

**3. Definition of "Programme/Worksite"**

13.3(a)	Layoff	Team will apply
14.2(e)	Hours of Work	Team will apply
16.4	Sharing of Overtime	Team will apply
18.2(a)	Vacation Preference	Team will apply
24.1(c)	Job Postings	Team will apply

"Team" defined as:

- (1) Vancouver Coastal Youth Services
- (2) Children of the Street
- (3) KidStart (excluding Ridge Meadows and Tri-Cities Youth Services)
- (4) Onyx
- (5) Clinical Counselling
- (6) Ridge Meadows Youth Services
- (7) Tri-Cities Youth Services
- (8) U-Turn/U-Link
- (9) U-Learn
- (10) Lighthouse
- (11) Adult Services – Northwest Territories
- (12) Adult Services – Fraser
- (13) Adult Services – Vancouver
- (14) Daughters & Sisters
- (15) Waypoint

- (16) Community Assessment
- (17) Communications and Development
- (18) Asante

#### **4. Clause 30.3 Casual Call-In Procedure**

There are two categories of worksites which have different casual call in procedures:

- (a) staffed resource homes (e.g., Lighthouse); and
- (b) programs other than the staffed resource homes.

##### ***Staffed Resource Homes***

###### ***Submitting Availability***

- (1) Casual employees in staffed resource homes must provide their availability, using *Appendix 3.1.30A –Staffed Resource Casual Call-In Availability Form* to management by the 10th of each month for the following calendar month. When the 10th falls on a weekend, this form is due the Friday before the weekend.
- (2) Part-time employees who wish to be considered for additional shifts must also follow procedure 1.
- (3) Employees will not be called in for a shift until their availability is submitted.
- (4) Casual employees working in staffed resource homes must be available for a minimum of 19 shifts per month, including:
  - (a) Three (3) overnight shifts and four (4) weekend shifts; and
  - (b) Six (6) statutory holidays per calendar year.

###### ***Failure to Submit Monthly Availability***

- (5) If a casual employee fails to submit their monthly availability by the deadline, the following steps are taken:
  - (a) The manager reaches out to the employee via call, email and text within 48 hours of the submission deadline to remind the employee to submit their availability within three (3) calendar days. Enclosed in the email will be a copy of the *3.1.30 Casual Call-In Procedures* policy.
  - (b) If the employee fails to submit their availability within three (3) calendar days, the manager will email and send a letter via registered mail to the employee's home address with the *3.1.30 Casual Call-In Procedure* policy enclosed, reminding the employee to submit their availability within three (3) calendar days of the letter being issued, or they will be dropped to the bottom of the seniority list.
  - (c) If the employee fails to submit their availability for a second month, within a twelve (12) month period, the manager will email and send a letter via registered mail to the employee's home address with the *3.1.30 Casual Call-In Procedure* policy enclosed,

reminding the employee to submit their availability within three (3) calendar days of the letter being issued, or they will be deemed to have resigned.

- (d) If the employee does not submit their availability by the deadline set out in (b) and/ or (c) above, the manager will email and send a letter via registered mail to the employee's home address, advising them that they were dropped to the bottom of the seniority list, or deemed to have resigned, as the case may be. The employee will be afforded the opportunity within ten (10) calendar days to rebut either consequence and demonstrate that there were bona fide reasons for not submitting their availability. If there is no response by the deadline, the consequence shall stand.

*Scheduling shifts that need to be filled with more than 24 hours' notice*

- (6) Prior to the 10<sup>th</sup> of the month, managers create the schedule and identify any vacant shifts for the following month.
- (7) Once managers have received availability from their employees, they will assign them vacant shifts based on the availability provided, in order of seniority. Employees who have been assigned a shift in this way are expected to work the shift.
- (8) If there are vacant shifts for which no casual employees have provided availability, the following will be done:
  - (a) An email will be sent out to all eligible employees alerting them of the vacancy.
  - (b) Employees who wish to pick up the shift will reply to the email informing management.
  - (c) After 24 hours, management will review the replies and award the shift to the employees with the highest seniority.
  - (d) If after 24 hours, the shift has not been filled, the shift will be awarded on a first come, first served basis to the first employee who replies.
- (9) An updated schedule will be posted as shifts are filled and/or as changes are made, as per the Collective Agreement.
- (10) The above procedures will also be used after the initial scheduling period, whenever a vacancy occurs with more than 24 hours' notice.

*Call Outs—Shifts that need to be filled within 24 hours or less*

- (11) In the event where a shift becomes available with less than 24 hours' notice, the following will occur:
  - (a) The manager will review availability to see if an employee has submitted availability for that shift.
  - (b) If an employee has submitted availability, they will be contacted and assigned to the shift.
  - (c) If no one has provided availability, the manager will delegate an employee to conduct a call out. The employee will reference the program's call out sheet and contact

employees in order of seniority to see if they are available. They will report the result to the manager and submit the completed *Appendix 3.1.30B Call-In Shift Log*.

- (d) Managers will periodically review submitted Call-In Shift Logs to ensure they are in compliance with the collective agreement.

*Failing to Answer Call-Outs or Declining Shifts*

- (12) Employees who have submitted availability for a given shift are expected to be available to answer a call out and work that shift.

- (a) An employee who has submitted availability for a given shift will have been deemed to have declined that shift if they:

- i. Fail to reply via phone call or text message to a call out within 8 hours of receiving it.
- ii. Decline to work the shift without reasonable justification.

- (b) Employees who accept a shift and later inform their manager they can no longer work the shift, will be considered to have declined a shift regardless of whether they originally provided availability for that shift.

- (c) An employee who has submitted availability for a shift may accept the shift and then defer the work to another casual employee with less seniority by asking the caller to first call others on the call out list.

- i. If someone with less seniority is available to take the shift and agrees to accept the shift, the senior employee may defer the shift to that person without penalty.
- ii. If no one else is available to take the shift, then the employee who accepted and then deferred the shift is required to work the shift.

- (d) Employees who decline a shift or fail to answer a call out for which they have not provided availability will not be penalized.

- (e) Employees who engage in any of the conduct outlined in 12(a), for a combined total of seven (7) times in a twelve (12) month period, will have been deemed to have resigned.

***Programs Other than the Staffed Resource Homes******Submitting Availability***

- (13) Casual employees in programs other than the staffed resource homes must email their availability to their manager by the 10th of each month for the following calendar month. When the 10th falls on a weekend, this email is due the Friday before the weekend.
- (14) Part-time employees who wish to be considered for additional shifts must also follow procedure 13.
- (15) Monthly schedules (i.e., schedules identifying who has been assigned to each shift) will be posted by the 15<sup>th</sup> of the preceding month.
- (16) Employees will not be called in for a shift until their availability is submitted.
- (17) Casual employees in programs other than the staffed resource homes must be available for a minimum of one weekday and one weekend shift per week. Being available for a shift means being available to work the maximum number of hours (i.e., 7 or 7.5 hours, depending on the program/position) within the program's hours of operations.

***Failure to Submit Monthly Availability***

- (18) If a casual employee fails to submit their monthly availability by the deadline, the following steps are taken:
  - (a) The manager reaches out to the employee via call, email and text within 48 hours of the submission deadline to remind the employee to submit their availability within three (3) calendar days. Enclosed in the email will be a copy of the *3.1.30 Casual Call-In Procedures* policy.
  - (b) If the employee fails to submit their availability within three (3) calendar days, the manager will email and send a letter via registered mail to the employee's home address with the *3.1.30 Casual Call-In Procedure* policy enclosed, reminding the employee to submit their availability within three (3) calendar days of the letter being issued, or they will be dropped to the bottom of the seniority list.
  - (c) If the employee fails to submit their availability for a second month, within a twelve (12) month period, the manager will email and send a letter via registered mail to the employee's home address with the *3.1.30 Casual Call-In Procedure* policy enclosed, reminding the employee to submit their availability within three (3) calendar days of the letter being issued, or they will be deemed to have resigned.
  - (d) If the employee does not submit their availability by the deadline set out in (b) and/or (c) above, the manager will email and send a letter via registered mail to the employee's home address, advising them that they were dropped to the bottom of the

seniority list, or deemed to have resigned, as the case may be. The employee will be afforded the opportunity within ten (10) calendar days to rebut either consequence and demonstrate that there were bona fide reasons for not submitting their availability. If there is no response by the deadline, the consequence shall stand.

*Scheduling shifts that need to be filled with more than 24 hours' notice*

- (19) The manager sends a group email to the employees on the casual call-in list who have submitted their availability for the month, notifying them of the available shift.
- (20) The shift is then bid on by available employees over the next 24 hours. After 24 hours, the shift is assigned to the most senior employee who bid on the shift.
- (21) An employee may accept, accept and defer to a less senior employee (does not count as declining a shift) or decline the assigned shift. If an employee accepts and defers the shift to a less senior employee and no other employee is available, the most senior employee who accepted and deferred the shift will be assigned it.
- (22) If no employees respond within 24 hours of the group email, and:
  - (a) The shift is still more than 24 hours away: the manager will begin texting employees on the casual call-in list in order of seniority that a shift is available based on their availability. The first employee to call/text back and accept the shift will be assigned the shift as offered.
  - (b) The shift is occurring within 24 hours or less: the manager commences procedure 23.

*Call Outs - Shifts that need to be filled within 24 hours or less*

- (23) Employees who have submitted availability for casual shifts are contacted in order of seniority. Specifically, the manager will take the following steps to offer the shift:
  - (a) The manager will call the employee to offer the shift. If the employee does not answer, the manager leaves a voicemail. If the employee does not have a voicemail greeting stating their name, the manager will redial to rule out a misdial.
  - (b) The manager will then text the employee that a shift is available based on their availability.
  - (c) The manager records 'no response' in the call log and documents the time that they sent the text to the employee.
  - (d) The manager then moves on to the next employee.
- (24) This process outlined in procedure 23 is repeated until the shift has been filled.
- (25) The first employee to call/text back and accept the shift, or answer the call and accept

the shift, will be assigned the shift as offered. The Manager will record all calls/texts in the *Appendix 3.1.30B Call In Shift Log*.

#### *Failing to Answer Call-Outs or Declining Shifts*

- (26) Accepting or declining a shift must be done via text message or phone call within twelve (12) hours of being contacted for shifts that need to be filled within 24 hours (see procedure 23), or it will be deemed a 'failure to answer a call-out', unless the employee has a valid reason (see procedures 29 and 30). Employees who fail to answer call-outs or decline shifts for a combined total of seven (7) times within their provided availability in a twelve (12) month period will be deemed to have resigned.

#### **All Programs**

##### *Regular Employees Called Prior to Casual Employees*

- (27) Qualified regular employees who have requested additional hours in writing will be considered prior to employees on the casual call-in list.

##### *Block Booking*

- (28) Where there are consecutive days of work available for a casual shift assignment (e.g., to cover leaves of absences), the assignment will not be divided amongst employees, unless it is first determined by the Employer that none of the available, qualified employees can accept the assignment in its entirety. This promotes continuity of client care, wherever possible.

##### *Availability Exemptions for Casual Employees*

- (29) A casual employee may request a period of time, not to exceed three (3) weeks per calendar year, where they will be exempt from providing availability. Requests for this type of exemption will be reviewed and granted on a case-by-case basis by the manager and shall not be unreasonably withheld.

##### *Changes to Availability*

- (30) Any change to an employee's availability should be submitted in writing via email or text message, or via a phone call to the Employer as soon as possible. A casual employee, who becomes ill or injured, other than while at work, will notify the Employer prior to being assigned work. Employees not available to work shifts that they have previously indicated availability for will not be recorded as having declined a shift, provided that they notify the Employer of the inability to work the shift due to illness, injury or a serious family emergency (e.g., death, injury, or hospitalization of an immediate family member). Should the employee not notify the Employer of such circumstances in regard to their availability, they will be recorded as having declined a shift.

##### *Minimum Requirements to Maintain Employment*

- (31) *Minimum Availability*

Article 30.11 – Minimum Availability in the collective agreement will apply.

*Overtime*

- (32) Where an employee is contacted for a casual shift that would attract overtime, they must advise their manager when contacted. The Employer is not required to assign shifts to an employee that will result in that employee working at overtime rates.

*Communication*

- (33) Casual employees on the casual call-in list are responsible for ensuring their availability and contact information are kept current.

**5. Client Vacations and Out of Town Assignments**

A client vacation/out of town assignment is any situation in which a regular employee or group of regular employees is away from their normal work location with a client(s).

All client vacations/out of town assignments must be approved by the Employer in advance and detailed in a written proposal.

For client vacations/out of town assignments which have been approved by the Employer the following conditions shall apply:

- (a) Employee participation on client vacations/out of town assignments shall be voluntary.
- (b) The Employer will canvass regular employees in a timely manner about their interest in client vacations/out of town assignments. Subject to these employees having the training, familiarization, and compatibility with the particular client(s) so that service will be properly delivered, the assignments will be offered by seniority to interested regular employees. If no regular employees accept the assignment, it will be offered to qualified casual employees in order of seniority.
- (c) The Employer shall pay all reasonable expenses, such as transportation, accommodation, meals and mileage as per Article 26. In the event of an employee or client emergency, it shall be the responsibility of the Employer to arrange transportation for the employee and/or the client to and from the client vacation/out of town assignment and supply the necessary replacement employee if required.
- (d) Travel advances will be per Article 26.11 (Travel Advance) for regulars and casuals.
- (e) Regular employees will be paid seven (7), or seven and a half (7.5), or eight (8) hours straight-time pay depending on their regularly scheduled workday, and will also accrue seven (7), or seven and a half (7.5), or eight (8) hours of compensatory or lieu time depending on their regularly scheduled workday for each twenty-four (24) hour period. The lieu time is to be scheduled at a mutually acceptable time and taken within thirty (30) days following the client vacation/out of town assignment. Out of town assignments will be for a duration of up to five (5) days. Additional days will be negotiated at shop steward level.

**6. School Based or Seasonal Program Employees**

Not applicable. The Employer does not operate school based or seasonal programs.



## 7. Special Project Employees (including Student Employment and Work Experience Program Employees)

The process described in the Letter of Understanding re: Summer Student Protocol between BCGEU and CSSEA, dated April 7, 2016, is incorporated into this local issues agreement and will apply to special project employees and student employment and work experience program employees.

## 8. Article 15.4(b) Split Shifts

The Employer does not schedule split shifts.

### Signed on behalf of the Union

Signed by:



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Toby Mustill

Local Bargaining Committee Representative

### Signed on behalf of the Employer

Signed by:



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Tim Veresh

Employer Representative

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Katie Smith

BCGEU Representative

Signed by:



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Vanessa Wong

CSSEA Representative

Dated this 6th day of March, 2025.