



FYI



| PLEASE POST |

Date: November 7, 2018

To: All BCGEU Members at BCLDB (VDC Warehouse)

Re: Temporary Workers

UPDATED: The email for Kusam Doal provided was incorrect and should be kusam.doal@bcgeu.ca.

Due to a significant backlog of work at VDC, the Employer has hired workers for limited employment as per the Article 36.1 of the Collective Agreement.

ARTICLE 36 - LIMITED EMPLOYMENT AND PRIVATIZATION

36.1 Limited Employment

(a) *Definitions* - in Clause 36.1 of this article:

"*Limited Term Employee*" means:

(1) a person appointed pursuant to Section 1(1)(j) of the *Public Service Labour Relations Act* ("PSLRA") or;

(2) a person described in Appendix II, "*Excluded Classes*", of the Master Agreement between the Employer and the Union as "*persons*

appointed on a temporary limited basis for a specific term of less than 31 calendar days pursuant to Section 1(1)(j) of the PSLRA".

(b) *Reporting Procedures*

(1) The Employer agrees to provide the Union with a copy of all letters appointing a person pursuant to Section 1(1)(j) of the *PSLRA* within 10 calendar days of such appointments.

The appointment notice shall contain the following information:

- (i) the date the appointment is to commence;
- (ii) the date the employment is to terminate or is intended to terminate;
- (iii) the work location and classification of work to be performed.



- (2) (i) The Employer agrees to provide the Union with written reports every three months of each calendar year regarding usage of service of employees from employment agencies.

(i) *Reports will be forwarded as follows:*

- a) by April 30 for the period January 1 to March 31;
- b) by July 31 for the period April 1 to June 30;
- c) by October 31 for the period July 1 to September 30;
- d) by January 31 for the period October 1 to December 31.

(ii) *Each report shall include:*

- a) the name of the employment agency and individual concerned;
- b) the location and ministry at which such services are provided;
- c) the dates of utilization.

(c) *Limited Term Employee*

(1) No individual will be permitted to work on a subsequent appointment of less than 31 days without the elapse of a period of 31 days since the expiry of that individual's most recent appointment of less than 31 days. If a person is appointed pursuant to section 1(1)(j) of the PSLRA and the person's appointment extends beyond 30 days, that person shall be re-appointed as an auxiliary employee effective the date the appointment is extended, however, seniority shall be credited for hours worked pursuant to the Section 1(1)(j) appointment.

(2) For the purposes of Clause 36.1 of this article non-working periods in excess of seven days within a period of 90 days shall not be counted for purposes of calculating whether an appointment is for a period of less than 31 days.

(d) *Employment Agencies*

(1) An "employment agency" is defined as a person or business organization who is in the business of recruiting and providing the services of individuals to other persons or organizations, including the Employer.

(2) No assignment of work to any one individual from an employment agency shall exceed 30 days.



(e) *Combination Usage*

The Employer agrees that it will not utilize limited-term employees and individuals from employment agency(s) or a combination of either, in succession to perform the same duties for a period in excess of 30 days within a period of 90 days.

(f) *Waiver*

Nothing in this article prohibits the Union from waiving any term or condition of this article. A waiver may only be granted by the President of the Union in writing, and such waivers will not be unreasonably withheld. The President of the Union shall respond to requests for a waiver within 10 calendar days of a request.

In Solidarity

Kusam Doal

Vice President Retail Stores and Warehouse

FAB for KD/km
Move UP/FA-572/ Re: Temporary Workers

