

January 31, 2008

By E-mail: 4 Pages

Labour Market Adjustment Submissions

The May 22, 2006 Framework Letter of Understanding (FLOU) contained two areas for school districts in conjunction with their local unions to make Labour Market Adjustment (LMA) submissions. These two adjustments can be found as items 17 and 18 in the FLOU.

The first round of LMA submissions were finalized October 25th, 2007. The process proved to be cumbersome which prevented the SSEAC from making timely decisions. We have provided additional criteria to further explain the approval process and have streamlined application and approval processes to allow for quicker decisions.

Item 17

Adjustments proposed under this process must be funded through demonstrable cost neutral trade-offs. The SSEAC will approve or reject these submissions based on the criteria laid out in item 17 of the FLOU (see attached). Where an employer has been incurring and documenting costs associated with recruitment and retention issues, those expected cost savings can be used to offer future wage premiums for the targeted positions. School districts must thoroughly demonstrate the savings in order to have submissions approved. All submissions must be jointly prepared and submitted by the parties.

Note: These adjustments are funded by the district. There is no additional funding from the committee for these adjustments. There is no deadline for submissions made to the committee. Submissions will be reviewed upon arrival and decisions will be rendered as soon as possible. Any approved premiums will expire June 30, 2010.

Item 18

Funding was set aside in this agreement for recruitment and retention issues in the amounts set out in paragraph 18 of the FLOU (see attached). Districts and locals may make joint application to SSEAC and must demonstrate that the funding sought will be used to address recruitment and retention issues on the basis of the criteria set out in paragraph 17 of the FLOU.

Note: The approval of these submissions is in the form of a recommendation to the Public Sector Employers' Council Secretariat (PSEC). The provision of this funding will be subject to approval of PSEC. There is no deadline for submissions made to the committee. Submissions

will be reviewed in the order received, subject to available funding, and decisions will be rendered as soon as possible. Premiums will be effective either January 1 or July 1 in the year the increase is sought. Any approved premiums will expire June 30, 2010. Please make special note of the criteria attached to this bulletin.

Item 18 – Application for LMA’s for Additional Employees hired in Previously Approved LMA Applications

Labour Market Adjustment funding where approved, was provided for incumbents in an approved position as well as for identified vacancies. Where a school district has had to hire beyond their original request, they along with the local may make application for additional employees hired. (For example, the original submission was made for two incumbents and two vacancies and funding was provided for four employees. If the district hired a fifth employee, application can be made to SSEAC for funding of the already approved LMA for the additional employee.)

Questions

Please direct any questions to:

- Renzo Del Negro 604.730.4511 or renzod@bcpsea.bc.ca
- Stephanie Tassin 604.730.4521 or stephaniet@bcpsea.bc.ca
- Bill Pegler 604.291.1940 or bpegler@cupe.ca

Labour Market Adjustment – Item 18 Criteria

The Labour Market Submissions made to the Support Staff Education and Adjustment Committee (SSEAC) will have their approval based on the following criteria and principles:

- Demonstrated evidence of recruitment or retention difficulties;
 - Vacancies
 - Turnover
 - Under qualified incumbents
 - Postings with no or few applicants
 - Relevant market comparators
- Demonstrated recruitment and retention costs, such as:
 - Advertising costs
 - Contracting out costs
 - Training costs
- Identifying which positions and the number of employees that will be affected by the adjustment;
 - Report both existing and vacant positions and number of annual hours filled and unfilled
 - Labour Market Adjustments focused only on retention and recruitment problems affecting casual employees will not be approved
 - Vacancies attributed to a small proportion of the total number of employees in that position will not be approved.
- Identifying the size of the requested market adjustments
 - Consideration will be given to the regional implications between school districts.
- Blanket applications looking for wage parity between classifications will not be approved.
 - Each position will be reviewed individually on its own merits. For example:
 - Recruitment and retention issue is with HVAC – Submission must come in for this specific position and not the entire trades classification
 - Recruitment and retention issue is with a distinguished component of a job description whereby a separate classification or job title applies for that position. Submission must come in for this specific position and not the entire Special Education Assistant or Teaching Assistant categories
 - Recruitment and retention issue is with Accounting Clerks –Submission must come in for this specific position and not all clerical positions
- Compression/Inversion issues will also now be considered.
 - A category that consists of Payroll Clerk 1, Payroll Clerk 2, Payroll Clerk 3 and a Payroll Supervisor. Where a successful LMA is made for the Payroll Clerk 1, the SSEAC will consider the adjustment for the other positions on the rationale of compression/inversion.
 - Where the parties have an approved LMA that previously rejected the compression/inversion argument, the SSEAC will consider reviewing new applications for the positions affected by compression/inversion.

- LMA will apply to all regular, casual, and temporary employees within an approved position.
- This fund is intended for targeted adjustments and as such SSEAC will not provide funding for additional hours or training costs
 - Applications seeking funding for apprenticeship or other training must seek funding from the other monies set aside with SSEAC, (the Skills Enhancement Fund or the Apprenticeship Opportunities Fund.)
- This fund is intended for time-limited adjustments and any premiums approved will expire June 30, 2010.

Frequently Asked Questions

1. Can we make a single submission covering both Labour Market Adjustments provisions?

No. Submissions under Item 17 and Item 18 must be made separately.

2. If we are approved under Item 17, will this automatically qualify us for approval under Item 18?

No. Approval must be granted separately under each submission.

3. What kind of evidence must be provided to show costing?

You must provide invoices showing actual costs of advertising or contracting out, copies of advertising for vacant positions or competitor ads showing higher wage offers, comparable wage data of competing organizations, etc. (Please contact SSEAC should you have any questions on this when preparing your submissions.)

4. Are these adjustments permanent?

These adjustments are time-limited and expire June 30, 2010.

5. Can the School District or the Union submit a submission on their own?

No. Submissions must be made jointly by the parties and require signatures from a representative of both the union and the employer.

6. Can we make a submission for groups of employees in order to maintain parity or banding?

No. Submissions must be made only for the specific positions that are experiencing the recruitment or retention problem. For example:

1. We cannot fill the HVAC position.
The current rate of pay is the same for all trades – The submission should only be made for the HVAC position and not all trades. This will result in a time-limited pay differentiation amongst trades positions.
2. We cannot fill the SEA positions, for example the Autism Support Worker position.
Even if there is one rate of pay for all SEAs in the district, an LMA will only be approved if the position of Autism Support Worker is a distinguished classification, i.e. a separate job title applies to this classification for the purpose of the collective agreement.

Note: Labour Market Adjustments do not affect pay equity plans. Approving positions beyond the scope of the criteria followed by the SSEAC could have this affect.

7. How are the approved LMA amounts applied?

The adjustments are time-limited and expire on June 30, 2010. The adjustments should be calculated hourly and can be paid out as a premium or as a lump sum if agreed to by the parties.

8. Are these premiums subject to general wage increases?

No. These premiums get paid above and beyond your general wage grid as would any other premium in your collective agreement. That is, the hourly rate is as per the collective agreement and this position attracts an extra hourly premium for the life of the agreement.

9. Are these LMA's included when calculating overtime?

Yes. The value of these adjustments would be increased as per the overtime provision in your collective agreement. (For example, a wage rate of \$19 plus a \$1 adjustment = \$20. At time and a half the pay for overtime hours in this position would be $20 \times 1.5 = \$30$.) They also apply to paid time not worked such as stat holidays, vacation or paid leaves.

10. If we received a LMA and still have recruitment and retention issues, can we make a further submission?

Yes, if you are still experiencing difficulty even after having received a LMA you may apply for a further adjustment.

11. Our labour market issues are more general than specific – How do we deal with general labour market challenges?

Labour Market Adjustments are not intended to solve all labour market challenges. This process is designed to temporarily alleviate specific labour market situations in specific positions within a school district. This process does not deal with general labour market challenges. School districts and local unions must consider the nature and impact of a specific LMA on the bargaining unit as a whole when making these submissions.

12. Does the LMA apply to casual employees as well?

The LMA applies to the position. Regular, temporary or casual employees in a position would attract the LMA. This does not apply to tasks within a position where there may be some cross over duties.