

MEMORANDUM OF AGREEMENT #1

Re: Local Issues Addendum

Between
Canadian Union of Public Employees (CUPE) Local 1936-01
And
The Children's Foundation
Represented by
Community Social Services Employers' Association (CSSEA)

1. Article 14.2(a) – Hours of Work

Regularly scheduled full-time hours shall be thirty-five (35) hours a week over four (4) days.
Regularly scheduled daily hours of work shall not exceed ten (10) hours.

2. "Programme" or "Worksite"

The application of Programme or Worksite for those Articles identified below shall be as follows:

13.3(a)	Program
14.2(e)	Program
16.4	Program
18.2(a)	Program
24.1(c)	Program

3. School Based or Seasonal Program Employees

School Based or Seasonal Program Employees are employees employed in a school based or seasonal program that has a designated closed period. These employees are also hired for a period of less than twelve (12) months in successive years of employment. These employees will be required to take their vacation during school breaks or other temporary breaks related to the seasonal program. During the designated closed period, these employees shall have the option of:

- A. the casual call-in list as per Article 30. These employees shall be covered by the terms of conditions of casual employees during the designated closed period; or
- B. being laid off and shall have the following provisions apply:
 - 1) The provisions of Article 13 - Lay-off shall not apply when the school based or seasonal program closes for the designated closed period;
 - 2) Employees eligible for health and welfare benefits, may elect to continue their benefit coverage, provided the employee pays, in advance, the monthly cost of all the benefit premiums to the Employer in accordance with the procedures outlined by the Employer;
 - 3) For the purposes of continuous services for vacation entitlement, employees will be considered to have continuous service; and

4) There shall be no accrual of any Collective Agreement benefit.

4. Article 12.1 – Seniority Defined

A. Seniority is defined as the length of service with the Employer as a regular employee and shall include service with the Employer prior to certification. Seniority shall operate on a bargaining unit wide basis.

B. 1) Casual employees shall accrue seniority on an hourly basis for all hours worked.

2) Upon achieving regular employee status, a casual employee shall have their hourly seniority converted to full-time equivalent days of work by dividing the total seniority by the regular workday. Regular employees who are returned to less than regular status shall receive full seniority credit for all hours worked.

3) The date arrived at the conclusion of all of the above calculations shall be deemed to be the employee's seniority date as a regular employee.

5. Article 30.3 – Casual Call-In Procedures

A. When an employee in the Housekeeping or Cook classification is absent and a replacement is needed as determined by the Program Director, Program Manager or designate, a Casual Employee will be called in within two (2) working days.

B. When an employee in the Maintenance or Child Care classification is absent and a replacement is needed as determined by the Program Director, Program Manager or designate, a Casual Employee will be called in within four (4) working days.

C. The mentioned time limits in (A) and (B) do not necessarily apply during the seasonal scheduled 'shutdowns':

Christmas
Easter Break
Annual Summer Break

D. Casual Employee Bank shall exist as five (5) separate lists for the following programs:

Alderwood Family Development Centre
Family Care Support Program
Kennedy House Assessment Program
Thetis Program
Administration

In addition, there will be one (1) Master Casual List containing all casual employees interested in work at other programs.

A new Casual Employee must apply to be on the Casual Employee Bank of a program listed above and placed on the Master Casual List. Casual Employees will be accepted based on skill and ability as these apply to each program. Seniority will be the final determining factor.

When a shift(s) cannot be filled from the specific Program Casual List the employer will take the senior qualified casual from the Master Casual List who has the ability and has indicated availability to work in the required Program and is available for the specific shift(s).

A Casual Employee may apply for a transfer from one Casual Bank List to another. A transfer if granted will not result in any loss of seniority hours. Casual Employee seniority hours are portable. A transfer request will not be unreasonably denied.

If the Children's Foundation acquires a new Program that is included in the bargaining unit, the new program shall be added to the Casual Employee Bank list above. The Employer shall provide notice to the Union and all active employees prior to the staffing of the new program.

- E. Casual Employees must provide their availability in writing every month to the Human Resources Department and the supervisor of the program.
- F. Casual Employees are responsible for advising the Agency of their current address and up to two (2) contact phone numbers. Since notifications can be sent via email as outlined below, Casual Employees are also responsible for checking their work emails.

Casual Employees will be called to work in order of their seniority within the Casual Employee Bank. There are no regularly scheduled call-out times.

An attempt to notify the employee will be according to the following:

Urgent Shifts – Shifts To Be Filled On The Same Day

- 1) One call, one text, or one email to each contact number or work email address to all casual employees. The practice with respect to communicating the call out for each program will be maintained.
- 2) No wait time.
- 3) First casual employee to respond will get the shifts.

Non-urgent Shifts

- 1) One call, one text, or one email to each contact number or work email address. The practice with respect to communicating the call out for each program will be maintained.
- 2) If no answer, leave message if possible, wait ten (10) minutes from the last call, text, or email before moving to the next most senior casual employee. The above are the minimum requirements.

Work assignments will be handed out on an 'as received' basis. Callouts will be done by the Human Resources Department or when unavailable, a supervisor of the program, or a designated employee authorized by the supervisor or Human Resources Department. When vacancies are noticed to be a "line of work", they will be assigned as such. A "line of work" will not be divided among Casual Employees unless it is first determined that none of the Casual Employees can accept the entire assignment. For the purposes of this Agreement, a "line of work" is defined as consecutive days of work available for Casual assignment, and will be assigned in its entirety to an individual Casual Employee according to seniority, when the vacancies are noticed.

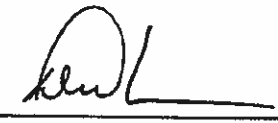
- G. A Casual Employee will be removed from the Casual Employee Bank List and Master Casual List for the following reasons:
- 1) Terminated for unsatisfactory work performance;
 - 2) Indicates in writing they have no further interest in casual work; or
 - 3) Has not provided their availability as outlined in section (E) and/or has not contacted the employer for a period of three months unless there are extenuating circumstances and the Casual Employee can demonstrate that their circumstances were beyond their control.
- H. In extraordinary circumstances it may be necessary to circumvent the provision that seniority and availability alone qualifies a Casual Employee for call-out. A call-out done under these circumstances will only be done with the agreement of the Union Executive. When it is impossible to wait for the agreement of the Union Executive, a Union designate will be advised that a call-out (exempting the above provisions) will be done. The circumstances that required this action to be taken will be documented as to the rationale for so doing, and a copy will be given to the Union Executive designate at the earliest possible date.
- I. Because of the difficulties encountered while trying to establish and maintain a Casual list qualified for secretarial work, the Agency may use office personnel services to cover clerical vacancies.

- J. It is incumbent upon the employee to advise the person calling the employee of the number of hours already worked during the pay period week. It is also incumbent upon the person doing the call-out to ask the Casual Employee for the number of hours already worked during the period week.

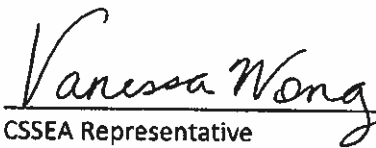
^{pay vW}
Signed on behalf of the Union

Signed on behalf of the Employer


Local Bargaining Committee Representative


Employer Representative


CUPE Representative


CSSEA Representative

Dated this 6th day of March 2019.

LETTER OF UNDERSTANDING

Between
Canadian Union of Public Employees (CUPE) Local 1936-01
And
The Children's Foundation
Represented by
Community Social Services Employers' Association (CSSEA)

Re: Addendum to MOA #1 re: Local Issues
Article 14.2(a) – Hours of Work

The Parties agree that the Administrative Assistant and Building Maintenance Worker positions are thirty-five (35) hours a week over five (5) days.

Signed on behalf of the Union

Signed on behalf of the Employer


Local Bargaining Committee Representative


Employer Representative


CUPE Representative


CSSEA Representative

Dated this 6th day of March, 2019