



ISM / BCGEU
ARTICLE 28 - JOINT UNION/MANAGEMENT
COMMITTEE
AGENDA / MINUTES

Thursday, April 30, 2020
(MEETING HELD REMOTELY VIA
VIDEO CONFERENCE)
3:00PM – 4:00PM

Co-CHAIR: Joseph Ivens (BCGEU) and Marie Doherty (ISM Canada)

BCGEU: Joseph Ivens, Brent Stokell, Eugene Fox, Shirley Kay
EMPLOYER: Marie Doherty, Rachelle Clarke, Janice Gill

Regrets: Kraig Dingwell (April 30, 2020)
GUESTS:

Welcome and introductions	▶ Joseph - Minutes	▶ Marie - Chair
Adopt Agenda - Additions:	▶ This is an ad hoc meeting meant to cover an emergent issue. Items discussed here may be added to the normal Article 28 JUM Agenda.	▶

NEW ITEMS		
NEW ISSUE	MINUTES	RESPONSIBILITY/ACTION (Open)
1. Telework during the current public health emergency and subsequently teleworking as it results from the closing of the PW office.	Union's interest are telework arrangements and EE safety. Cost, inconsistency in application of telework, and not following existing policy. ISM wishes to keep working alone under COVID separate from Production Way closure. BCGEU does not share this view, but for the sake of this discussion will treat them separate. Under COVID-19 telework we cannot go back into office and everyone able to work from home were told to work from home, this should be employer initiated telework. Not everyone told to	



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work from home have telework agreements. Some costs incurred include furniture, added internet costs (bandwidth/data), telephone use, headset costs, cell phone plan costs. ISM have not provided information on how to reimburse added costs. Employer needs to provide place to work and provisions to work, making people use own equipment/office space isn't providing what's needed to work. ISM asks why we were told to work from home. BCGEU response is this is not relevant to the discussion. ISM asks, would BCGEU have preferred not taken the action on March 17th. BCGEU responds that we will not know because we weren't specifically asked. A conversation occurred between the parties on March 12th about the Pandemic that was not minuted. BCGEU's interpretation of this meeting was that it was to be a capacity test for ISM's readiness to respond to working from home and nothing more. BCGEU advises that telling people to work from home is what gets you in this situation, feeling forced to work from home. ISM Canada felt that they had engaged the BCGEU on this topic.

ISM's interest in working from home during COVID-19 is to keep the workforce safe. Felt that there was no choice and doing the responsible and ethical choice. ISM is also interested in remaining viable as an organization, so cost is a consideration; not asking EE's to bear additional cost. The economic impact of COVID-19 is not yet understood, want to see us get through best as possible considering environment and uncertainty. Marie had a conversation with Lori on March 23 for an unrelated matter and had a similar conversation since it wasn't known for how long. Conversation revolved around incremental cost incurred and Marie had said to Lori that there was no question that incremental cost would be reimbursed and to be dealt with by management. The BCGEU states that the exact mechanism for claiming reimbursement was not made clear.

Regarding Production Way closure, ISM have enough space for 130 affected



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people to work from Canada way office. People are being asked when crisis is over, if they want to continue working from home as Employee initiated Telework or work at Canada way. Some people HQ'd at Production Way have employer initiated telework agreements. There is an intention for ISM to give 30 day telework cancellation notice to affected EE's on employer initiated telework agreements HQ'd in Production Way. It is not known how many people are affected, expected less than 20. BCGEU wishes to know why they are being asked now where they want to work instead of asking them when they are able to return to work. ISM responds it is for planning purposes. BCGEU wishes to know If people change their minds during the pandemic and want a seat, what is the option? In a normal circumstance 30 days notice is given. If someone were to cease their telework agreement before restrictions are lifted, ISM view this as taking effect after restrictions are lifted. BCGEU points out that there is nowhere to work if someone wishes to cancel telework agreement before restrictions are lifted. ISM raises that they can cancel all telework agreements post restrictions with 30 days notice and have everyone work from the office post pandemic if this is too difficult, but wish it to be known that ISM are trying to be accommodating to EE's affected by transition. Marie raises that ISM is getting positive response from survey. BCGEU asks for copy of Survey. To be continued 1PM May 1, 2020.

May 1. BCGEU responds to survey noting that the survey does not indicate support for telework. ISM clarifies that what was meant was there was a good response rate to the survey.

BCGEU asks about announcement for telework agreement post pandemic. ISM's intention is to get the decisions before the restrictions are lifted.

BCGEU suggests a possible MOU to address a COVID-19 Pandemic telework



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agreement which would contain recognition of use of personal equipment and compensation for its use and T2200 for the duration of working from home with an intent for broader emergency processes which may include telework agreements that would be addressed at bargaining. (Caucus @ 2:00PM, Resume @ 2:30PM). BCGEU suggest using the Employer Initiated telework agreement as a basis for a COVID-19 Telework agreement. ISM say that they have already addressed accommodation needs for people who require it. ISM will consider paying for internet overages and providing surplus office equipment for people working from home. BCGEU would like ISM to explore the option of ISM paying for 1/3 of an EE's internet bill to compensate for using personal equipment.

Referring to Production Way EE's, ISM have identified only one person with Employer initiated telework agreements. BCGEU do not have copies of telework agreements past November 2018 and would like copies of additional agreements. This will continue to be discussed.

May 6, 2020

ISM had asked BCGEU to reflect on Article 1.2 and its validity to circumstance. BCGEU responds that it does not apply in this case because the change was not legislated. ISM's position is that Article 1.2 applies and that it is supported by the provincial government's guide to legislation and ministerial orders they reference applicability of subordinate legislation and as a result the provincial health officer's orders are relevant to Article 1.2. BCGEU raises that committee can only make recommendations as per 28.4 and we are not able to come to an agreement on Telework, but can make recommendations. BCGEU's recommendation would be for ISM EE's ordered to work from home during the COVID-19 pandemic to expense EE's under an Employee initiated Telework or no telework agreement 1/3 of internet costs with no cap and leaving it up to workers to claim. A T2200 if allowed by CRA



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for time teleworking. Tools and equipment necessary to do the job. Long distance costs, and a mechanism for claiming expenses. ISM are not opposed to the bulk of the recommendations but have some requirements before they can agree. This would apply to anyone working on a telework agreement less than 100% of the time prior to COVID-19 regardless of whether it's employer or employee initiated. ISM would agree to tools and equipment if the language were tightened up; not looking for an exhaustive list. An approval process is needed because everyone's definition of reasonable is different, but there is avenue to dispute and would be administered through P&C. ISM would agree with the recommendation of 1/3 of internet cost but need a cap and recommend a maximum of \$25. ISM would cover any incremental costs resulting from work at home for phone usage, however it is the expectation that the employee would do their best to mitigate costs. Receipts will be required, and personal/irrelevant information should be redacted. ISM suggests that this agreement be called the Pandemic Initiated Telework Agreement (PITA) and retroactive to March 17th, 2020. If return to work is handled in phases, people who remain at home would stay on the PITA until clear to return.

Regarding the survey sent out to Production Way EE's, these were sent out to capture the post-COVID-19 world. The planning for that is taking place now. EE's have the choice between working from Canada Way or Teleworking on an Employee initiated telework agreement.

Next Meeting (Tentatively): Tuesday, May 5, 2020 (10AM PST).



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