



FYI



| PLEASE POST |

Date: October 28, 2022

To: Members who filed classification appeals relating to the Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD)

Re: FLNRORD Classification Appeals Update

Members of the B.C. General Employees' Union (BCGEU) recently ratified the 19th Main Public Service Agreement (the Agreement). As a result of this Agreement, the Memorandum of Agreement re: FLNRO Classification appeals at the Joint Technical Working Committee (the MOA) will be implemented, and it is attached [here](#) for reference.

This MOA means that all classification decisions are considered final and binding, and all FLNRO appeals are hereby concluded.

The Public Service Bargaining Committee was faced with difficult decisions when presented with the proposal from the B.C. Public Service Agency (PSA) to settle the FLNRO classification appeals under this MOA. On the one hand it did result in a number of positions with wage increases as set out on Table A. On the other hand, it included a number of appeals that the BCGEU either disagreed with the employer as to the appeal outcome or classification level, or we agreed with the current classification level but had not yet reported the final results (Table B). Absent this settlement, the outstanding appeals would have run their course and continued at least another two or three years with limited, if any, prospects of further success. There was no perfect solution.

Below is information about what these outcomes mean for members.

Table A Appellants

The PSA will recognize and provide retroactive (retro) pay for any member who occupied a reclassified position for the time the member spent working in that position. This means that some of the estimated numbers provided on Table A will have additional members than originally identified. Through payroll, the PSA will be determining who should be included in each appeal as they implement the decisions for each position, and do not have complete lists available at this time. The PSA advises that they will let us know as implementation work progresses.

The PSA's steps to calculate retro pay will involve a lengthy process due to the need to address each individual member's circumstances in turn. Please see this [information sheet](#) for some of the factors taken into account when retro pay is calculated.

As part of each reclassification, payroll will be contacting the B.C. Pension Corporation about necessary adjustments to pensions, and there is no need for members to reach out individually. As with retro pay, this will likely involve a lengthy process.

The PSA pays retro as a lump sum pursuant to Revenue Canada's payroll rules. These taxation rules do not allow negotiated amounts paid under normal collective bargaining processes to qualify for special tax calculations. This means the lump sum of retro pay will be taxable in the year in which the lump sum is paid. If members have any concerns about their own personal circumstances, they are encouraged to contact an accountant for further information.

The PSA has advised that it intends to provide additional information about its implementation process. Members should watch for this information as the Union is not involved in the implementation of reclassifications. Some FAQ information is currently available here at the top of the page: [Collective agreements - Province of British Columbia \(gov.bc.ca\)](#)

If you have any questions or run into any issues about implementation of retro pay, please email ClassificationAppeals@bcgeu.ca and we will be sure to follow up.

As we have previously stated, if you have left or will be leaving the BC Public Service (including retiring), we may need your personal contact information to share with the PSA in order to action retroactive pay, should you be eligible. **Please keep the BCGEU up to date with your personal (home) email and phone information at ClassificationAppeals@bcgeu.ca.**

Table B Appellants

Members who were part of appeals that are concluded pursuant to this MOA will have their file closed.

All Appellants

Pursuant to paragraph 7 of the MOA, there will be a one year moratorium from the signing of the MOA for all positions listed on both Tables A and B, unless it can be demonstrated that the job's duties and responsibilities have changed in a significant way within that year.

In solidarity,

Judy Fox-Mcguire, Vice-President, Component 6
Maria Middlemiss, Vice-President, Component 12
Rob Davis, Vice-President, Component 20

moveUP