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**REPORT TO CRD FINANCE COMMITTEE
MEETING OF WEDNESDAY, SEPTEMBER 6, 2017**

SUBJECT Recoverable Overtime for Exempt Staff Deployed for Emergency Response

ISSUE

To ensure that overtime worked by Exempt Staff when deployed for emergency response situations is recoverable.

BACKGROUND

Wildfires in the province have put the Province of British Columbia in a state of emergency. To assist with emergency response, employees of other agencies – such as the CRD – are assisting the Province. By Agreement, the Province reimburses organizations who deploy staff to assist with such emergencies.

Frequently, CRD Exempt Staff are requested to lead and/or assist with emergency situations. Such is the case with the current state of emergency, where two CRD exempt staff in Protective Services were deployed. In such circumstances, the Province of BC fully reimburses the CRD all costs that are paid to the employee which are associated with the deployment including base salary, paid overtime, benefits, travel and related expenses, and per diems. The hours worked in such situations can be exceptional.

By Bylaw, CRD Exempt Staff do not receive paid overtime for additional hours worked, but rather receive a time-off-in-lieu (TOIL) bank of one (1) week. In unique circumstances where exceptional overtime is worked, additional TOIL may be granted. The Bylaw does not address emergency situations where CRD staff are deployed by the CRD but work under and are compensated by the Province.

In emergency situations where costs are recoverable from the Province, overtime that is not paid but rather is banked, such as TOIL, is not a recoverable cost.

ALTERNATIVES

Alternative 1

That the Finance Committee recommend to the Capital Regional District Board:

That in the event of a formally declared emergency circumstance, and where the salary costs of such emergency circumstance are fully recoverable, that overtime worked by Exempt Staff be provided in the form of paid compensation at the rates permitted to be recovered.

Alternative 2

That the Finance Committee recommend that the Capital Regional District Board receive this report for information.

IMPLICATIONS

FINANCIAL IMPLICATIONS

There would be no financial implications as costs are fully recovered. Under the current provincial arrangement, overtime time banked as time-off-in-lieu is not recoverable, and costs associated with banked time (time off work) would be borne by the CRD.

ORGANIZATIONAL IMPLICATIONS

By their collective agreements, CRD unionized staff are paid overtime in the form of compensation at defined overtime rates, which are recoverable in emergency situations, and so there are no impacts to unionized staff.

CRD Exempt Staff are not paid overtime in the form of additional compensation for CRD duties. Alternative 1 ensures that additional time is paid and recoverable and not a burden borne by the CRD.

CONCLUSION

CRD Exempt Staff are frequently required to lead and/or assist with emergency response in the Region. From time to time, Exempt Staff may also be called upon to assist outside of the Region. It is anticipated that this expectation will continue in light of the impending Local Government Auditor General audit and expectation that we have a sustainable approach in place to ensure staff are engaged and willing to support the organization and other local governments and partners in prolonged emergencies. Time spent providing these services can frequently involve longer than normal work hours. In many of these circumstances, costs for these services are recoverable provided such costs are paid in the form of compensation to an employee.

RECOMMENDATION

That the Finance Committee recommend to the Capital Regional District Board:

That in the event of a formally declared emergency circumstance, and where the salary costs of such emergency circumstance are fully recoverable, that overtime worked by Exempt Staff be provided in the form of paid compensation at the rates permitted to be recovered.

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