

**LETTER OF UNDERSTANDING
VACATION SCHEDULING FOR CERTAIN POSITIONS**

WHEREAS:

- A. Article 15 of the Collective Agreement concerns Annual Vacations, and provides that employees must submit their vacation selection preferences no later than November 20, 2020 (the "Submission Deadline") and that the vacation schedule must be prepared and posted as soon as possible and no later than December 10, 2020.
- B. Per Article 15.12(g), the Employer conducts vacation selection to ensure that no employee's second choice takes preference over a junior employee's first choice, etc.;
- C. For the employees who are listed in Schedule A, the Submission Deadline will make it difficult for them and the Employer to complete the number of vacation selection rounds necessary to address all employee vacation selections by the Schedule Deadline; and
- D. The Employer and the Union wish to conduct vacation selection in a manner that complies with the Collective Agreement and provides reasonable clarity and fairness to all employees.

Therefore, the parties have agreed to the following process to govern vacation scheduling for the 2021 Vacation Year for certain positions.

- 1. Schedule A to this Agreement identifies the positions for which this Agreement applies (the "Impacted Positions").

Selection Process

- 2. Vacation selection bid forms, seniority lists, and a calendar indicating the number of available vacation dates throughout the vacation scheduling period ("Vacation Calendar") will be made available to employees in Impacted Positions no later than October 1, 2020.
- 3. Employees in Impacted Positions will receive adequate information & communication on the process and the related procedures during work hours to prepare them for the new vacation selection process.
- 4. A vacation selection preference consists of a request made by an employee for vacation during a single uninterrupted block of time (a "Selection"). During Rounds 1 and 2 all Selections must be submitted in full calendar weeks, from Sunday to Saturday. During Rounds 3 and 4 Selections may be of any duration.
- 5. The Submission Deadline of November 20, 2020 will be eliminated and replaced by four separate submission deadlines to accord with four separate and successive rounds of Selection as follows (the "Round Deadlines"):
 - a. Round 1 (first Selection) – October 14, 2020;
 - b. Round 2 (second Selection) – October 28, 2020;
 - c. Round 3 (third Selection) – November 11, 2020; and
 - d. Round 4 (fourth and successive Selections) – November 18, 2020.

6. In each round of Selection, each employee will be entitled to submit any number of Selections ranked from highest to lowest. Each employee will receive their highest ranked Selection that is available to them in each round based on seniority and the Vacation Calendar.
7. An updated Vacation Calendar reflecting the most current vacation balances will be made available prior to the commencement of each round of Selection.
8. Only Selections submitted using the vacation bid form and received in accordance with the Round Deadlines outlined above will be considered in each round. If an employee is absent from work, they will be able to submit their requests by proxy via their manager or manager's delegate.
9. The final vacation schedule will be posted promptly upon completion of the vacation selection process and by no later than December 22, 2020.
10. Vacation selections made after the vacation selection process outlined in this LOU will be subject to Article 15.12 Vacation Scheduling as applicable.

Call-Backs

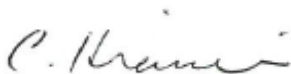
11. After each of Round 1 and 2, the Employer will make call-backs to employees who submit a *bona fide* vacation bid during the round and do not secure any vacation selection. A *bona fide* vacation bid is one where the employee:
 - a. makes Selections that are available on the Vacation Calendar at the start of the round;
 - b. submits at least 5 total Selections; and
 - c. submits at least 1 Selection that is outside of July, August and the last two weeks of December.
12. All employee call-backs will take place during designated call-back days between the hours of 8am and 6pm from Monday to Friday (the "Call-Back Window"). While the Employer will endeavour to call employees on their work number during working time, employees must be available to receive calls at any time during the Call-Back Window and must provide a non-work telephone number that they or a designate can be reached at during the Call-Back Window. The Employer will leave a voice message for and send an email to any employees who miss a call-back call. Employees who miss a call-back call will have 30 minutes from the time of the missed call within which to contact Workforce to make their vacation selection. If an employee calls Workforce back after the 30 minute period they will be slotted into the call-back vacation selection process next in seniority at the time they call in at.

Other Administration

13. On a one-time basis following Round 2, employees will be able to drop vacation time that was scheduled in Rounds 1 and 2 before they bid in rounds 3 and 4. In order to accord with Article 15.12(g), such vacation time will not be made available for other employees to bid on until the end of the vacation scheduling process.
14. The Round Deadlines are target deadlines and the Employer will make best efforts to process the four vacation selection rounds in accordance with the Round Deadlines. However, the parties acknowledge that the Employer may be required to postpone the Round Deadlines in order to allow adequate time to process employee call-backs between each round of vacation scheduling. If a postponement of any of the Round Deadlines becomes necessary, the Employer will communicate that fact and the new Round Deadlines to the Union and then to Employees in a timely manner.

15. Employees on an acting assignment during a portion of the 2021 vacation year will be given the choice to bid on vacation in either their acting position or their regularly owned position in each round of Selection. Employees can only make selections for the position chosen by them in each Round and cannot change their choice once the applicable Round Deadline has passed.
16. Employees on Long Term Disability (LTD) leave during the vacation scheduling process who do not have an established return to work date will, upon their return to work, be entitled to select vacation based on whatever periods would have been available to them had they participated in the vacation selection process.
17. The Employer will provide the allocated vacation results to the Union after each Round Deadline. The Union agrees to not proactively share these results with their members.
18. The Employer will create and utilize a heat map tool to display employee selections during the vacation selection process to help provide transparency to employees about the vacation that other employees are selecting. The Employer will update this tool on at least a twice daily basis and share this tool with the Union twice daily throughout the vacation selection process.
19. The Employer agrees to apply the Union's Vacation Scheduling Proposal provided to the Employer on March 21, 2017 (as amended and as may be amended by mutual agreement) for certain employees as outlined in Schedule A. The call out practice is outlined in Schedule B.
20. The employer agrees to assign one job steward to act in an observer's capacity to the call outs conducted by the employer. The assigned job steward must be mutually agreed to by the parties.
21. The parties agree to meet before March 31, 2021 in advance of the 2022 vacation schedule process to discuss how to proceed with the 2022 vacation selection process and a potential extension of this signed Letter of Understanding. In the event that no agreement is reached to amend or continue the vacation selection process outlined in this Letter of Understanding, the parties will revert to the process outlined in the Collective Agreement.
22. Any dispute(s) arising from the execution of this agreement shall be subject to the grievance procedure as outlined in Article 3 of the Collective Agreement.
23. The parties agree that this Agreement is entered into on a without prejudice and precedent basis and will have no future application beyond this agreement.

FOR THE UNION:



**Cathy Hirani Union Representative
MoveUP**

Date: August 13, 2020

FOR THE CORPORATION:



**Brad Den Ouden
Senior Advisor, Employee Relations
ICBC**

Date: August 13, 2020

Schedule A

List of Impacted Positions:

1. Each of the Province-wide Positions identified in LOU 28 being Claims Adjusters, including those in Out-of-Province Claims or Commercial Claims and Customer Claims Specialists who are not located at Guildford Claims Services (GCS) excluding those in Out-of-Province Claims;
2. Supervisors Telephone Claims, Call Centre Coordinators, Customer Service Adjusters, Claims Contact Representatives at the Claims Contact Centre (CCC); and
3. Broker Enquiry Representatives, AP and Driver Services Representatives at the Broker Enquiry Unit (BEU).
4. Customer Recovery Specialists

List of Impacted Positions to which Paragraph 19 applies:

1. Customer Contact Representatives I, at Driver Testing & Vehicle Information (DTV);
2. Customer Contact Representatives II, Customer Contact Representatives III at Insurance Customer Services (ICS); and
3. Customer Contact Representatives II DL, (DLCCCV).
4. Customer Claims Specialists located at Guildford Claims Services (GCS)

Schedule B

The call out practice is an agreed upon vacation scheduling system, one whereby each employee will receive a phone call from Workforce at a specific pre-scheduled time in order for them to choose their vacation bid.

- All employees must provide their contact information via the Annual Vacation Contact form on the Workforce Services SharePoint site no later than October 1st. If no contact information is provided, the employer will attempt to connect with the employee using their SAP/ESS contact information.
- All employees will be provided with a specific date and time (a 15 minute window) in which they can expect to be called to bid their vacation.

CALL MISSED AND THE EMPLOYEE CALLS BACK:

- If an employee misses their call and they call back before their rescheduled time, the signup facilitator will complete the call they are currently on and if there is time before the next scheduled bidding window, they will secure the employee's choice at that place in the seniority bidding. No call-back will take precedence over another employee's scheduled bidding window.

CALL MISSED AND THE EMPLOYEE DOES NOT CALL BACK:

- If an employee misses their scheduled bidding window, they will be rescheduled a new window at the end of the round when Workforce will attempt to contact them again. They will lose their seniority bidding within that round and their vacation selection will be granted based on the vacation allowance remaining at the end of the round. Employees will not be able to override a vacation bid already assigned.

- All employees will have the opportunity to provide a proxy name on their Annual Vacation Contact Form, should employees be off on leave during their scheduled vacation bid time.
- If employees are in a call centre position whereby they are on the phone queue, they will be taken off the phones in advance of their allotted time slot.
- The hours of scheduled call outs will be from 800am to 600pm, Monday – Friday. To facilitate this, call outs will not be guaranteed to occur during an employee’s scheduled work shift.
- All employees will receive an email confirmation of their vacation bid.
- All employees will be asked if they plan to bid in the subsequent round of vacation bidding. If they want to do another bid, they will be advised by email of their date and time for the next round. At this time the sign-up Facilitator will update the WFO schedule.
- Employees who are on Long Term Disability (LTD) leave during the vacation scheduling process and who do not have an established return to work date will, upon their return to work, be entitled to select vacation based on whatever vacation periods would have been available to them had they participated in the vacation bid.
- Employees on an Acting Assignment during a portion of the 2021 vacation year will be given the choice to bid on vacation in either their acting position or their regularly owned position in each round of Selection. Employees can only make selections for the position chosen by them in each Round and cannot change their choice once the Round has commenced.