

# CSSEA NEWS

COMMUNITY SOCIAL SERVICES EMPLOYERS' ASSOCIATION

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## New Year: New Improvements at CSSEA

Doris Sun, Communications Coordinator

A new year ushers in new goals and a renewed effort at improvement. We at CSSEA have been working on several exciting projects that will be launched this year and thought now would be the perfect time to give you the round-up.

**Return of Site Visits:** It's been a few years but we heard from many of you the value you received from staff site visits. We are looking to revive the initiative, which will provide the opportunity for one-on-one meetings with CSSEA staff. This time around, though, the parameters will be expanded to include visits not only from the HRLR team, but also the Member Services and Corporate Services departments. Site visits will allow us to learn more about your business and provide an open platform to talk about pertinent issues in the sector. There will be more information to come as administrative details and timetables become finalized.

**Changes Coming to Website:** Slowly but surely, we have been tweaking our website. You may have noticed the addition of a Templates and Forms section, which will allow you to quickly access our most popular forms. While browsing through LR Awards and Decisions page, you will also have seen that they are re-organized by subject matter, making it easier for you to gather information on similar cases. These are just some of the changes we have implemented in our efforts to make the website a go-to resource for any of your HRLR questions. In order to continue with the evolution of our website, we have set up a mini questionnaire on our website that asks for feedback on your web-browsing experience. We ask that you take a few moments to fill it out, as we hope to obtain as much information from you as possible.



**Ask an HRLR Consultant:** Another of our improvements is housed right in the pages of this newsletter! Our new Ask an HRLR Consultant column features a rotation of our consultants who will answer your burning questions, whether they relate to special leaves, seniority, hours of work, and the like. Jennifer Nuttall shares her expertise on medical leave this month (page 4). We encourage you to submit your questions, as it is likely your fellow agencies will/have come across the similar ones and may benefit from learning from your experiences.

**CSSEA Kitchen (pictured above):** Based on a tip from CSSEA member, the South Okanagan Women in Need Society, we recently launched the CSSEA Kitchen. The premise of the CSSEA Kitchen is simple: once a month, a staff member prepares and brings in a simple meal. At lunch, the kitchen opens and all are welcome to purchase a

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# From the CEO

Like many, I embraced the notions of rejuvenation and renewal that come with the start of a new year; however, in looking forward to 2011, it is wise to stay cognizant of the residual elements of 2010.

As you are aware, we closed the last year with a request for you to complete the Public Sector Employers' Council's (PSEC) Benefit Cost Trend Survey, which will ultimately contribute to PSEC's formulation of its 2012 fiscal mandate. The burden on many of your agencies' time and resources were tested, and I commend those who put forth the effort to comply with our request, as your responses impact our collective futures.

Another lingering feature of 2010 is the implementation of the Municipal Pension Plan, which was our biggest human resources undertaking in numerous years. The lead-up to the introduction of

the plan and subsequent flow of funding have presented hurdles, but all stakeholders tackled them in as professional a manner as possible and achieved a successful outcome.

**KEEPING OUR PARTNERSHIP STRONG**  
- Lorne Rieder

We, at CSSEA, continue to look for ways to better address the human resources challenges that remain in our sector and are limited only by our capacity to present a strong case for change. As we continue to emerge from difficult financial times new opportunities will present themselves. With your assistance I am completely confident we can

continue our mutual quest for a more stable and able workforce. We cannot, however, do it alone. We are merely half the partnership and will require your sustained support and professionalism in order to serve you best.

As we continue into 2011, it would be wishful to assume there will not be new challenges that arise. I fully expect we will all continue to be adept, accurate and steadfast in our abilities so those challenges can be met and overcome quickly. ■



The Criminal Records Review Act (CRRRA) underwent two recent amendments: one requires criminal record checks every five years and was implemented over 2008 to 2010. The other, to be implemented over 2011 to 2012, requires individuals working with vulnerable clients to undergo records checks.

Two recent arbitration awards from the health sector have established that employers will not be responsible for paying the record check fees; that responsibility will lie with employees.

In a December 2010 award, *Health Employers Assn. of British Columbia v. Health Services and Support Facilities Subsector Bargaining Association, 2010 B.C.C.A.A. No. 171*, Arbitrator

John Steeves ruled that employers are not required to pay record check fees.

**ARBITRATIONS ON CRIMINAL RECORD CHECKS RULED IN FAVOUR OF EMPLOYERS**  
by Bela Barros  
Legal Research Analyst

In another award, *Health Employers Association of BC and Health Services and Support Community Subsector Association (CBA)*, December 24, 2010 (unreported), Arbitrator Christopher Sullivan denied the grievance submitted by the CBA. The Arbitrator ruled

that employers are not obligated to pay record check fees required by legislation.

Both decisions assist CSSEA members as they establish employers are not responsible for paying for the record check fees arising from the CRRRA amendment requiring record checks every five years.

For the specific effective dates, please refer to the Criminal Record Check Authorizations Regulation at [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/10\\_386\\_2007](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/10_386_2007).

For further information, please contact your HRLR Consultant. ■

## In Profile: posAbilities shares with us the workings of a large agency

### How are your clients involved in the community?

Through our programs, services and project-based initiatives, we create opportunities for developing community, fostering skills development and supporting individuals in connecting with others. We can accomplish this through participating in arts and cultural events, recreational activities or employment opportunities. We also work with a variety of families and community partners to assist us in fulfilling our mission.

### In a Nutshell

**Who they are:** posAbilities helps people with disabilities lead meaningful lives by partnering with the community

**What they do:** The agency's four service areas are: community inclusion, residential services, home-based behaviour consultation and employment services

**Number of staff:** Approximately 600 full-time, part-time and casual staff

**Community it supports:** About 700 people per year in communities throughout the Lower Mainland and other parts of BC.

### Your organization has recently changed its name. What is the significance of your new name?

On March 15, 2010 our Board of Directors voted in favour of adopting a new shorter name and updated logo for our organization: posAbilities. Our former name, Mainstream Association for Proactive Community Living (MAPCL), was chosen in 1998, when four independent service providers merged into one. It was

built on portions of the names of the organizations that joined together. By 2008, it was clear that our organization had grown and developed its own culture, no longer functioning as several distinct agencies. When shortened, it creates a name that people could identify with.



Artist Marty Wong is featured with the Breakfast TV crew and posAbilities staff.

### Tell us about your feature on Breakfast Television.

This is a perfect example of how posAbilities' 6th Annual Art Show for B.C. Artists with Developmental Disabilities and our participation in a local event, the East Side Culture Crawl, resulted in raising the profile of the artists whom we support. In this case, our promotional work caught the attention of local TV host Mark Docherty, who was interested in discovering more about our work. Mark and his film crew came to to interview the artists and staff. The results were fantastic, as the experience was exciting for those involved. When that happens, more good things follow!

### Tell us about your new publication posAbilities Today.

posAbilities Today is a dynamic e-news feature that will appear on our website every Monday, Wednesday and Friday. The articles featured will bring the achievements and successes of posAbilities staff and persons served to life, demonstrating what is possible when people work

together. Storytelling is one way to show our appreciation for others, acknowledge their achievements and it can also highlight our strengths as an organization.

### Your agency has recently requested a number of CSSEA training courses. Why do you think it's important to keep your staff up-to-date on training?

Professional development for all of our staff is a high priority. The CSSEA training courses we have requested will assist us in providing our staff with leadership development opportunities, ultimately adding to their ability to deliver on posAbilities' vision and mission. Leaders play a crucial role in engaging our workforce to provide the high quality of service to supported individuals. We recognize the complexity of this challenge and want to ensure that our leadership team has the tools it needs to do so. We invest in our people knowing that we are building capacity to take our agency into the future. ■



Staff pose for "Project Orange Thumb," an initiative where a community garden was built.

### The posAbilities Vision Statement

*Opening doors to a world of possibilities. Believe. Empower. Inspire!*

## Ask an HRLR Consultant: Jennifer Nuttall



**Q:** *If I have an employee on medical leave, what information am I entitled to? What are my rights if an employee fails to maintain contact with me? Can I inquire further if a doctor's note is too vague?*

**A:** As an employer you are entitled to know the nature of the condition, the prognosis and return-to-work date of a sick employee who is on a leave of absence for medical reasons.

- Contact can be maintained either through an Early Intervention Program provider or through your employee directly. If an employee fails to stay in touch with you, you are then entitled to contact him/her for updates and may involve the union, if needed.
- If an employee provides a vague doctor's note that does not detail his/her prognosis and return-to-work date, you have the right to require the employee get more information from his/her doctor for you.
- It is important for employers to be aware that complex Human Rights principles may come into play with an employee who is dealing with a health issue. If you know or suspect that an employee is misleading you, it is especially important to seek advice respecting discipline or other human resources matters relating to that employee.

Send your questions to [dsun@cssea.bc.ca](mailto:dsun@cssea.bc.ca)

## Sectoral Case Updates

**Continuity of Service Grievance – Issue:** The HEU has filed an application with the Labour Relations Board (LRB) seeking a declaration that they are the bargaining agent for a bargaining unit currently serviced by the BCGEU. CSSEA has also filed a submission with the LRB asking for the HEU's application to be dismissed on a number of grounds. The BCGEU has also filed a submission requesting dismissal of the HEU's application. **Status:** Still awaiting Labour Relations Board's decision on preliminary objections of CSSEA and the BCGEU.

**Use of sick leave by part-time employees – Issue:** Use of sick leave credits by part-time employees on days outside their regularly scheduled shifts. **Status:** Hearing dates are being set.

**Calculation of Hours for Wage Rate – Issue:** To be determined by union. **Status:** CSSEA is awaiting information from the union.

**Class 4 Driver's License – Issue:** Interpretation of Article 28.12, specifically, which costs an employer is obligated to pay. **Status:** Files are being consolidated before a single arbitrator, Vince Ready, for adjudication. CSSEA is canvassing members for information in preparation for litigation.

**Improper Activities of BCGEU Representatives – Issue:** Improper actions were conducted against a CSSEA member by renegade members of the BCGEU. **Status:** Case management of remaining issue is ongoing.

## Welcome!

We welcome two new General Services members: **211 British Columbia Services Society** from Vancouver and **Sources Community Resources Society** from White Rock and one new Aboriginal Services member: **Haida Child and Family Services Society** from Masset. We look forward to working with you!

## Keep in Touch With Us!

Now there is an easier way to let us know about contact information changes, such as changes in addresses, phone numbers and email addresses. Just go to our website and fill out a simple form under Membership List. Never miss a CSSEA correspondence again!

*Continued from Page 1*

portion of the lunch. Money generated from the sale of lunches are pooled into a central fund, which will be used to purchase goods for a needy family at Christmastime. It's a fun, team-building initiative that supports a great cause, a true win-win for all involved. We thank the staff at South Okanagan Women's in Need Society for sharing this with us and also acknowledge CSSEA's Research Analyst, Adam Chatburn, who was instrumental in organizing the initiative and also responsible for bringing the first dish: his amazing chilli! ■