



Salary Continuity	
<p>Did the University guarantee salary continuance until May 31st? The HR website says “The University will maintain pay continuity for all staff appointed base-budget funded positions until May 31, 2020”</p>	<p>There have been very mixed messages on this, but there is no “pandemic pay” past April 30th. The University made a commitment to all staff for salary continuance until April 30th. Since then, staffing decisions are being made at the division and departmental level and they will vary based on their operations and financial situations. The meaning of “pay continuity” for “base-funded positions” on the website is really not clear. At this point, “salary continuance” or “pay continuity” <u>does not guarantee that you will not be scheduled to take vacation to ensure that you are paid until the end of the month.</u></p>
Temporary layoffs	
<p>Have any staff-appointed members been laid off?</p>	<p>Yes, eleven members in Ancillary Services received two weeks’ notice of temporary layoff on May 11. Their layoffs are 13 weeks in duration, with a return to work date of August 26th.</p>
<p>Do benefits continue during temporary layoff?</p>	<p>You will continue coverage for the following benefits while under temporary layoff (provided you were already enrolled in them prior to layoff)</p> <ul style="list-style-type: none"> ▪ Group Life and Survivor Income Plan ▪ Dental Care Plan ▪ Extended Health Care Plan ▪ Joint Membership Plan ▪ Vision Care Plan ▪ LTD <p>The University has agreed to pay the employee and employer contributions for the benefits for the duration of the temporary layoff.</p> <p>Tuition waivers do not continue during temporary layoff.</p> <p>See our document “Information and Assistance for members facing Temporary Layoff” for more details.</p>

<p>If I am temporarily laid-off am I eligible for EI or CERB?</p>	<p>Yes, there is one application which will channel you to either EI or CERB. Both programs pay the same benefit (maximum of \$2000 per month).</p> <p>In addition to the income support from the government, the University has agreed to pay a top up to the lesser of 80% of salary or \$1000 per month.</p> <p>See our document “CERB or EI handout” for more details.</p>
<p>Using Vacation to mitigate layoff</p>	
<p>I just received a letter from my supervisor mandating that I take my vacation immediately. Can the University do this?</p>	<p>Ordinarily, the Union’s position on our contract language is that management can only unilaterally schedule vacation if someone has too much in their bank and is not allowed to carry it over to the next vacation year. Due to the exceptional circumstance of the COVID pandemic, on a without prejudice and without precedent basis, <u>the Union has agreed that the University may unilaterally schedule vacation in an effort to mitigate and/or avoid temporary layoffs.</u> We have agreed to this up to August 31st.</p> <p>Departments which have been hard hit financially by the COVID pandemic are starting to do this as a way to either delay or (hopefully) avoid temporary layoffs.</p>
<p>Can they schedule a few days of vacation a week?</p>	<p>Ordinarily unilateral vacation scheduling can only be done in increments not less than five days (or four days if there’s a long weekend). Due to the exceptional circumstance of the COVID pandemic, on a without prejudice and without precedent basis, <u>the Union has agreed that the University may unilaterally schedule vacation in increments of less than five consecutive days, or less than four consecutive days where a paid holiday falls within the 5 consecutive day period, in an effort to mitigate and/or avoid temporary layoffs.</u> The University may not unilaterally schedule vacation in increments of less than one day. We have agreed to this up to August 31st.</p>
<p>Can personal days be used first or in conjunction with having to take forced vacation?</p>	<p>Using Personal Days would not reduce the department’s financial liability, so there is no benefit to the department to have people use them. People who stand to go into vacation deficit could ask about using personal days before going into debt on vacation. If someone has a legitimate reason to ask for a personal day, they should ask for one as usual.</p>

<p>Can they start scheduling lieu time from my overtime bank?</p>	<p>24:08 (c) of our collective agreement says: "Lieu time off in an employee's overtime bank will be taken at times mutually agreed to by the employee and the immediate supervisor."</p> <p>The language here is clear. Your department may ask you to take off time in your overtime bank, but they cannot force you to.</p>
<p>How are they determining who's on vacation and who's not?</p>	<p>We aren't privy to departments' decision-making on this. Some may rotate and have different people on vacation at different times, some of it may be based on type of work. There should be a fair process and transparency with the affected members. If you have questions about what's happening in your department, ask your supervisor for clarification. If you have concerns that this is not being handled fairly in your department, contact the Union and we can look into it.</p>
<p>Will my department force everyone to use up all their vacation and then proceed with temporary or indefinite layoffs?</p>	<p>As this point, we don't know as there are so many variables which are not in anyone's control. Scheduling vacations could mean that temporary layoffs are delayed or reduced in duration. We don't have a crystal ball, but we think it is unlikely that we will see <u>indefinite</u> layoffs. Our contract provides for 12- or 18-weeks' notice of indefinite layoff, which would be very expensive for a department that is trying to save money in a financial crisis. You are entitled to two-weeks paid notice of temporary layoff.</p>
<p>What do I do on my vacation days?</p>	<p>We realize that no one planned their 2020 vacation to look like this and that sitting around the house is not really a vacation. However, <u>don't treat these as just another work from home day</u>. Don't log in to your work computer, don't check your work email and don't work for free. Use these days to take care of yourself and your family.</p>
<p>I don't have enough accrued vacation to stretch to the end of May and I'm being asked to go into "debt" with my vacation. Can they do this?</p>	<p>Article 22:04 of our collective agreement states "Employees cannot take vacation which exceeds the employees' vacation credits earned to the date of the commencement of the vacation."</p> <p>Our contract language is clear that an employee cannot be <u>forced</u> to go into a deficit in their vacation if they don't agree. However, a member may agree to this as a way to mitigate temporary layoff.</p>

We have agreement with the University that people could pay back those vacation days at no more than a week a year while also accruing their typical vacation allotment. Management has indicated to us that they will be flexible. The Union and the University want to avoid a situation where someone can't take a vacation for years because they're in vacation debt.

If you are in the situation of being asked to go into deficit on your vacation and you have concerns, **please contact the Union and we can discuss your options**. Members need to understand all the financial ramifications of unpaid leave or layoff vs. going into vacation debt.

Understanding different scenarios if you are not willing to go into vacation deficit		
Using Vacation	Leave of absence without pay (article 13:02)	Temporary layoff
<ul style="list-style-type: none"> receive full pay 	<ul style="list-style-type: none"> no pay not eligible for Employment Insurance or EI 	<ul style="list-style-type: none"> eligible for EI / CERB (up to \$2000) per month U of T top up of up to the lesser of 80% of salary or to \$1000 per month
<ul style="list-style-type: none"> continue benefits 	<ul style="list-style-type: none"> can continue benefits if you pre-pay the employer and employee portion 	<ul style="list-style-type: none"> benefits continue with employer paying both employer and employee contributions
<ul style="list-style-type: none"> continue to accrue pensionable service 	<ul style="list-style-type: none"> can continue to accrue pensionable service if you pre-pay the employee and employer portion 	<ul style="list-style-type: none"> cannot accrue pensionable service during lay-off period
<ul style="list-style-type: none"> continue to accrue vacation 	<ul style="list-style-type: none"> cannot accrue vacation during unpaid leave 	<ul style="list-style-type: none"> cannot accrue vacation during lay-off period
<ul style="list-style-type: none"> pay back any vacation debt at one week a year, ensuring that you can still take 		

some vacation each year		
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Work re-assignment to mitigate layoff

What is work re-assignment and how is it being implemented?	<p>Departments that don't have work for staff to do, or don't have funds to pay staff may re-assign staff to another area which needs help and can afford to pay them. These may be very fluid, informal arrangements with someone helping out for part of a week, or they may be more formal like a temporary transfer under our collective agreement. In some cases, a member may be doing the duties of a job that has been posted, but not filled yet due to the COVID crisis. As with the assignment of vacation, this should be done fairly and with a rational explanation as to who is being re-assigned.</p> <p>If you have questions about what's happening in your department, ask your supervisor for clarification. If you have concerns that this not being handled fairly in your department, contact the Union and we can look into it.</p>
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Help and support in difficult times

Local 1998's Lifeline Foundation (EFAP)

Provides free confidential counselling, information and referral services to Steelworker members and their families. They focus on a wide-range concerns - coping with stress, marital or family concerns, alcohol or drug Use, depression, anxiety, financial problems, legal issues and violence issues.

Please contact Sharon Clarke at 416-977-6888 or life_line@bellnet.ca

U of T 's Employee & Family Assistance Program (EFAP)

The Employee & Family Assistance Program (EFAP) is available to employees of the University of Toronto who are eligible to participate in the University's group benefit programs, and their dependents, spouses, partners (including same-sex partners) and dependent children. This program is provided at no cost to you. The EFAP is operated by an external provider, [Homewood Health](#). It is available 24 hours, seven days a week, 365 days a year at many locations both near your home or work.

Contact EFAP: 1-800-663-1142 [Download the EFAP brochure](#)