



CANADIAN UNION OF PUBLIC EMPLOYEES □ LOCAL 101 LONDON  
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President

**Dominic Anello**  
Recording Secretary

May 15<sup>th</sup>, 2020

Fellow CUPE 101 Members:

This FAQ pertains to the Declared Emergency Leave (DEL).

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**Q. If I started my DEL leave at the time of notice, when was my last pay? If I defer the DEL by using Vacation, what would my final pay date be?**

A. If you commenced the DEL on Monday May 11/2020 your last pay on May 7<sup>th</sup>, was your final pay and it took you to May 10<sup>th</sup>, so you are paid to date.

If you postponed the start of the DEL, as you used vacation for example, if you take vacation through to May 29<sup>th</sup>... your last pay will be June 4<sup>th</sup>, and it will be a partial pay (as you would have 1 week of vacation and 1 week of leave)

If you are unsure of your final pay date you can email Human Resources directly to inquire. The email is [hrinquiry@london.ca](mailto:h Rinquiry@london.ca).

**Q. I have been called in to work for Ontario Works but Citi Plaza is not my regular location, is parking still available for Citi Plaza staff?**

A. At this time, parking is still available. When in doubt, ask your manager or see the FAQ from March 19<sup>th</sup>.

**Q. Article 23.9 in the Collective Agreement indicates that temporary Staff will be entitled to benefits once earned in accordance with the completion of the 30 week provision so long as there has been no break in service. If a Temporary 101 staff received a DEL will this be considered a break in service?**

A. No. It is not considered a break in service because it is a protected leave under ESA a temporary staff will continue to accrue time towards Long Term Temporary status. HR is monitoring these timelines and will notify benefits and payroll when temporary workers reach this status.

**Q. If someone uses vacation to cover the next two weeks to defer the start of their DEL, both employee and employer pension contributions are paid for the vacation period, as it is just like they have not left the work place?**

A. Correct

**Q. Will the Employer be sending the Record of Employment direct to EI for CERB applications?**

A. Yes, ROEs are being issued, they should be sent by the week ending May 15, 2020. For CERB applications you don't require an ROE to apply, for Employment Insurance DEL Benefit you will.

**Q. The Collective Agreement reads that a person can carry over 5 vacation days into the next vacation planner period. Can I carry more than 5 days of vacation due to the COVID pandemic?**

A. People are allowed to carry over 15 days as long as they use before end of 2020. Should you need to carry over more than 15, due to a special circumstances, you will need to send a request to your manager for approval?

**Q. How will I know how much the cost of buying back my pension will be and what happens if I choose to not buy back my share of the pension?**

A. The actual cost for OMERS for the period of the leave will be calculated and sent to employees once the leave has ended and we know the exact length of the leave. The costing will also include options for payment if they elect to purchase the leave.

As part of the OMERS Regulation, your cost to purchase a period of broken service- ESA leave is your normal contributions for the period. The City of London matches your contributions and remits both payments to OMERS.

Broken service does not interrupt OMERS membership, however, unless you purchase the period of broken service, the period is not included in your OMERS credited service and the corresponding contributory earnings are not reported to OMERS.

As per OMERS regulations, if an employee elects not to purchase the leave, the entire length of the leave will be counted as broken service. The employer can only match contributions if the employee elects to purchase their share of the leave.

The OMERS Regulation requires employees to decide whether they wish to purchase periods of broken service. The employees' election and payment, if electing to purchase a period of broken service, must be received by the end of the year following the year in which the period of broken service ended. (i.e. leave period ends in 2020 you will have until Dec. 31, 2021 to purchase this service). If Employees are electing to purchase the leave, they will be given options to purchase the leave such as equal installments through payroll deductions, lump sum payment by cheque or transfer from an RRSP. Regardless of the payment option they elect, if the employee is electing to purchase the leave, the full payment must be received by the indicated purchase deadline.

If the employee elects not to purchase the leave by the OMERS purchase deadline (i.e. December 31, 2021) the employee can still purchase the broken service as a buy-back from OMERS and the cost will be higher.

Any questions can be sent directly to Joanne Sorrenti – [jsorrent@london.ca](mailto:jsorrent@london.ca) or to Jessica Buschlen – [jbuschle@london.ca](mailto:jbuschle@london.ca)

**Q. I am participating in the Corporation's OMERS Pension Buy-back Program, as I have previously purchased back broken service time. Currently this is done by payroll deduction. How will the DEL impact the repayment schedule?**

A. Once your DEL ends, the amount you normally have deducted from your pay will be recalculated and the amount per pay will increase for 2020 only. Then your normal deductions per month will return for 2021. Payments will need to be processed this way in order to continue to ensure payments are made as per the OMERS amortized payment schedule you received at the time monthly deductions commenced for the buyback.

#### Vacation Planner (City staff)

**Q. How is vacation impacted?**

**Q. Is vacation still being approved for those of us still working?**

**Q. The request for the new Vacation Planner is now due on June 1<sup>st</sup> but I wasn't sure if they would allow people off with such a low number working. Will it be the same working compliment for time off?**

A. Yes. There are still operational needs but management needs to allow some vacation to be taken. We have been told some people will be allowed to take vacation. However, management has not determined what the working compliment/vacation ratio will be.

#### Booked Vacation but I am on a DEL Leave

**Q. Now that I am on a DEL leave, what happens to vacation that has been booked during that time? Would it be cancelled by management? Can the vacation be cancelled by the employee?**

A. If you are off on a DEL leave and you have not made any arrangements to use vacation prior to going off as a means of delaying the DEL start date, then your vacation time remains available to you when you return.

## July 1<sup>st</sup> Annual Vacation Tabulation

**Q. Will we get our vacation allotment on July 1<sup>st</sup>, 2020?**

A. Yes, Payroll will update your online totals as normal.

## Voluntary DEL Leave

**Q. If I am scheduled to work but I want to be put on DEL. What is the process?**

**Q. If a staff has NOT been selected to get a DEL, can they elect to take a DEL due to COVID?**

A. Management has not agreed to any Voluntary DEL unless it is for a reason outlined in the CERB criteria for reason to have stopped work. The options available to them would be to request a personal leave of absence or making application for Short Term Disability. The Union is working on this issue.

## Ontario Works for Other Municipalities

**Q. I am aware that the Caseworkers in Barrie, Toronto and St. Catharines are all working from home and using their own computers. Why are we all, or half of us not working from home?**

A. The Executive Committee agrees with you completely. This has been proposed since early March when the magnitude of COVID-19 was beginning to be understood.

We pointed to the fact that even our fellow caseworkers in Middlesex County are able to work remotely without any problem whatsoever. Their office has IT functions to allow secure and remote access to the software they need to function. The answer to your question is twofold.

First, the amount of folks away on a DEL Leave – for all positions affected – was generated by management and their determination of the minimum number needed to operate within this crisis budget amount, to function.

Second, they don't want to. No amount of persuasion in this matter has led to another answer.

**Q. Why are we not working at our satellite sites in the community with Ontario Works? The logic is that we would be more spread out and allow more people working.**

A. Agreed. From a safety perspective, your logic is correct. The DEL leave is not determined by safety but by financial constraints.

**Q. It seems like Ontario Works department has been hit particularly hard with the DEL. Half of our salaries are funded by the Province. Was that taken into consideration? Will they have to pay the \$ back? Was this discussed at all when it came to DEL and the amount of people off?**

A. We were shocked by how many people were slated to be placed on DEL. Fully 83% of this union's DEL occurred in the Ontario Works London area. DEL selection was entirely determined by the department head in each area, to repeat: this is 100% a decision by management.

The Executive Committee believes that some departments were already experiencing financial constraints imposed by the Ontario government for this year and others, and are using this opportunity to remedy it. There has been some foreshadowing of layoffs of one kind or another back to late 2017 and early 2018. This has been shared at several General Membership Meetings (GMMs).

**Q. Why would the union make such an agreement?**

A. The Union does not agree to any job losses – why would we? This is not good for anyone. The decision was already made by management due to financial shortages and with only some areas being unable to function given the COVID-19 restrictions.

That being said, we are using the analogy that this is like being thrown in a Judo match: You may not be able to control the fact you've been thrown, but you can control how you land.

Also, our constant reminder is to please contact Executive Assistant Michelle Sterling at [michelle01@rogers.com](mailto:michelle01@rogers.com) with your personal email address, etc., if you, or someone you know, are not receiving our email updates but want to. (Again, this information is for Local use only.)

If you have questions not addressed above, or on past FAQ notices, please let us know and we will pursue answers. Thanks.

## **APPENDIX A (City of London – Human Resources) QUESTIONS AND ANSWERS**

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### **1. Will my benefits continue when I am on Declared Emergency Leave?**

Yes. If you are currently enrolled in the group benefits plan, you are eligible to continue coverage during the leave period.

The Corporation will continue to pay for the period of the leave the employer's share of premiums for the benefits you are presently enrolled in. Currently, the monthly premiums for extended health, STD/LTD, and basic life insurance coverage is 100% employer paid therefore these benefits will continue for the period of the leave.

Employee paid benefits, which may include extended health, dental, dependent life and optional life will continue during the period of the leave and the premiums owing for the period of the leave will

be collected from your pay upon your return to work. This will ensure, that coverage of such benefits will continue during the period of the leave.

If you do not wish to continue your benefits please contact Jessica Buschlen (jbuschlen@london.ca or 519-661-2489 ext. 0234)

**2. Will the employee and employer OMERS Pension Plan contributions continue when I am on Declared Emergency Leave?**

Yes. You are eligible to continue participating in OMERS during the Leave, provided you continue to make any required member contributions. You have the option to purchase the period of the Declared Emergency Leave from the OMERS Pension Plan. As part of the OMERS Regulation, if electing to purchase, the cost is your normal contributions for the period. The Corporation matches your contributions and remits both payments to the OMERS Pension Plan. Please note the OMERS purchase deadline is the year following the year the leave has ended. (ie. leave period ends in 2020 you will have until Dec. 31, 2021 to purchase this service).

When the Leave period ends, Human Resources will issue you a letter advising of the option to purchase the leave period and the cost of contributions required.

*For questions about Benefits or OMERS Pension Plan, please contact Jessica Buschlen (jbuschlen@london.ca or 519-661-2489 ext. 0234) or Joanne Sorrenti (jsorrenti@london.ca or 519-661-2498 ext. 5318)*

**3. While I'm on Declared Emergency Leave will I have access to the Employee Assistance Plan - Shepell?**

Yes. We know these are difficult times for you and your family. Please remember that you can access our employee and family assistance program at <https://www.workhealthlife.com/> or 1-844-880-9137.

**4. What happens if I become sick and unable to work when I am on Declared Emergency Leave?**

You will not have access to sick leave while you are on Declared Emergency Leave.

If you remain sick and unable to work on your scheduled return to work date you will be eligible, at that time, to access sick leave and wage loss replacement benefits.

If you become disabled during you leave, please contact Lisa Brohman (lbrohman@london.ca or 519-661- 2489 ext. 4907) as soon as possible.

**5. Will I continue to accrue seniority and/or service while on leave?**

Yes. This is a job protected ESA leave; therefore, seniority and service continues to accrue including for the purposes of accruing sick leave credits and vacation.

**6. While I'm on an ESA approved Declared Emergency Leave will I have access to my work e-mail?**

Yes. This is a temporary leave and you will continue to have access to your e-mail. .

**7. Who do I contact if I have other questions?**

Please contact your Manager or your appropriate HR Advisor that is listed below:

Kandace Cook ([kcook@london.ca](mailto:kcook@london.ca)) or 519-661-2489 ext. 7142

- City Manager's Office
- Tourism London

Andrea Moyer ([amoyer@london.ca](mailto:amoyer@london.ca)) or 519-661-2489 ext. 2394

- Finance and Corporate Services

Rebecca Ruddy ([rurddy@london.ca](mailto:rurddy@london.ca)) or 519-661-2489 ext.2793

- Parks & Recreation
- Neighbourhood, Children & Fire Services
- Social Services & Housing

Kara Stanley ([kstanley@london.ca](mailto:kstanley@london.ca)) or 519-661-2489 ext. 7005

- Environmental & Engineering Services
- Legal & Corporate Services