

Memorandum of Agreement

Between

**The Government of the Province of BC
(as represented by the BC Public Service Agency)**

and the

Professional Employees Association

respecting

Retention Incentive Payments

in the

Ministry of Energy, Mines & Petroleum Resources

Insofar as the Parties have recognized that recruitment and retention challenges may occur over the life of the agreement, retention incentive payments for eligible employees in the Mining and Minerals Division, Ministry of Energy, Mines and Petroleum Resources are agreed as follows:

1. Employees eligible for the retention incentive payments are regular employees in the Mining and Minerals Division Ministry of Energy, Mines & Petroleum Resources who have been appointed as an Inspector of Mines pursuant to the Mines Act.
2. The amount of retention incentive payments are attached at Appendix A.
3. The retention incentive payment is payable annually in the last pay period of fiscal year. This Memorandum of Agreement will commence for the 2008/09 fiscal year such that the first recruitment incentive payment will occur in the last pay period of March 2009.
4. In respect of employees becoming eligible for the retention incentive payment during a fiscal year, the payment will be pro-rated for partial years based on first day of eligibility. The payment will be pro-rated for part time employment. With the exception of maternity and parental leave, periods of absences on leave without pay or STIIP periods in excess of 30 calendar days and periods of LTD shall also be pro-rated from payments.
5. Eligible employees who become ineligible (e.g. resignation or transfer to another position) prior to payment of the retention incentive payments at the end of the fiscal year shall not receive any payment for that fiscal year. Notwithstanding the foregoing, an employee scheduled to retire and receive a pension benefit under the Public Service Pension Plan Rules will have the retention incentive payment pro-rated based on last day worked.

6. Determination of indirect/direct experience and appropriate/allied degree shall not be grievable but an employee's determination will be reviewed by management upon the employee's request.
7. The Parties recognize that these retention incentive payments are in response to current market conditions to assist with the Ministry's desired recruitment and retention outcomes. As such they will be reviewable on an ongoing basis. The Employer may terminate this Memorandum of Agreement with 60 days notice to eligible employees and the Professional Employees' Association. Should the effective date of termination not coincide with the end of the fiscal year, the recruitment incentive payment applicable to the final fiscal year will be pro-rated to include the period prior to the effective date of termination.
8. This Agreement is made without prejudice to Memorandum of Agreement #11 of the Master Agreement and given the lump sum nature of these recruitment incentive payments, it is understood that Clauses 2, 3, 4 and 5 of Memorandum of Agreement #11 of the Master Agreement do not apply.
9. It is understood that the retention incentive payments are not pensionable, and do not form part of base salary.

**Signed on behalf of the
Professional Employees Association**



Jodi Jensen
Executive Director
Professional Employees Association

**Signed on behalf of the
BC Public Service Agency**



Doug Caul
Assistant Deputy Minister
BC Public Service Agency



Doug Mikasko
Director, Labour Relations
BC Public Service Agency

Date: *July 17, 2008*

Appendix A

**Retention Incentive Payment
Mining Inspectors**

Criteria A- Experience

The experience scale is for actual work experience in the mining industry, or for mining industry related work within government. Indirect experience is for applicable work performed in related industries.

Criteria B- Education

Education is based on completed levels of education. No credit is given for partial completion of a course of studies.

	Engineer or PhD (appropriate to position)	M.Sc. (appropriate to position)	B.Sc. (appropriate to position)	Allied Degree
Greater than 10 years direct experience	\$18K	\$18K	\$15K	\$12K
Greater than 5 years and up to 10 years direct experience	\$18K	\$15K	\$12K	\$9K
1 to 5 years direct experience	\$15K	\$12K	\$9K	\$6K
5 or more years indirect experience	\$12K	\$9K	\$6K	\$3K
Less than 5 years indirect experience	\$9K	\$6K	\$3K	0

NOTE: THE MAXIMUM INCENTIVE IS \$18K. EMPLOYEES THAT ARE ASSESSED AT AN \$18K GRID INTERSECT ARE NOT ELIGIBLE FOR THE \$3K SPECIALIZED TRAINING INCENTIVE.

Specialized Training Component

In addition to the amounts outlined on the table an employee will be paid an additional amount of \$3,000 annually for the completion of specialized training. The five specialized training modules are outlined below. One acceptable course from each group A, B, C, D and E must be successfully completed in order to receive an additional incentive payment for specialized training. The Employer may exercise discretion in determining an appropriate course from each specific module that an employee is required to complete. Existing and new employees can be assessed to determine if previous formal courses can be credited.

The maximum specialized training payment is \$3000.00. Employees currently receiving an \$18,000 incentive are not eligible for the specialized training amount.

The foregoing does not restrict the Employer's right to require additional training including that listed below.

Topic areas:

Group A. Training related to Exploration

e.g. Diamond Drilling Traversing Helicopter Safety;

Group B. Training related to Mine Planning

e.g. Mine Design Ventilation Design
Economic Geology Aggregate Pit Design

Group C. Training related to Mine Operations

e.g. Shift Boss Certificate Mine Rescue
Blasters Certificate Mine Ventilation Endorsement

Group D. Training related to Mine Closure

e.g. Acid mine drainage Geotechnical Assessment
Agrology

Group E. Workplace Incident Response

e.g. Accident Investigation Mine Rescue
Incident Command Confined Space Entry

1. No specialized training amount is payable for partial completion of the specialized training.
2. The full specialized training incentive payment will be made at the completion of the fiscal year in which the minimum requirement has been met (i.e. completion of one acceptable course from each group).
3. The specialized training incentive payment is part of the overall retention incentive payment, and as such will be included in the pro-rating addressed under paragraph 4.