

CBA Info Session for Subcontractors

August 20, 2020

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British Columbia Infrastructure Benefits Inc.

Agenda

1. Introduction
2. KHCP4 procurement process
3. CBA strategy overview
4. CBA on the jobsite
5. How hiring works

KHCP4 Project procurement

Proponent teams:

Kiewit Infrastructure BC ULC (Email: WCD.BD@kiewit.com)

Flatiron-Vinci Joint Venture (Email: jvanderwal@flatironcorp.com)

Kicking Horse Canyon Constructors (Email: KHCP4@aecon.com)

Project team:

KHCPAdmin@gov.bc.ca

What is the Community Benefits Agreement

CBA Objective:

- Mobilize, grow and diversify the skilled construction trades

BCIB:

- Crown corporation to implement the CBA
- Employer on CBA jobsites

BCIB orientation and training

- Gender and equity training
- Respectful workplace (bullying and harassment) training
- Indigenous Cultural Competency training



Training hours

All employees:

Training type	Length and timing	Responsibility
- Foundational safety training (RSTS)	- 6-8 hours before start of work	- BCIB provides the licence - Requirement prior to employment
- Onboarding and Orientation (day 1 prior to working)	- 10-12 hours on the job	- Contractor pays employee hours
- Be More than a Bystander	- BCIB works with contractors to schedule the training	
- Indigenous Cultural Competency Training		

All supervisors:

- Supervising for Safety	- 2 days - Before the start of work	- Contractor pays employee hours
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Priority hiring

- Groups hired first among equally-qualified candidates:
 - Indigenous workers
 - Women
 - Persons with disabilities
 - Locals
 - Other under-represented groups
- Priority hiring applies to Name Requests and BCIB/AIRCC Dispatch



Apprentice and trainee targets

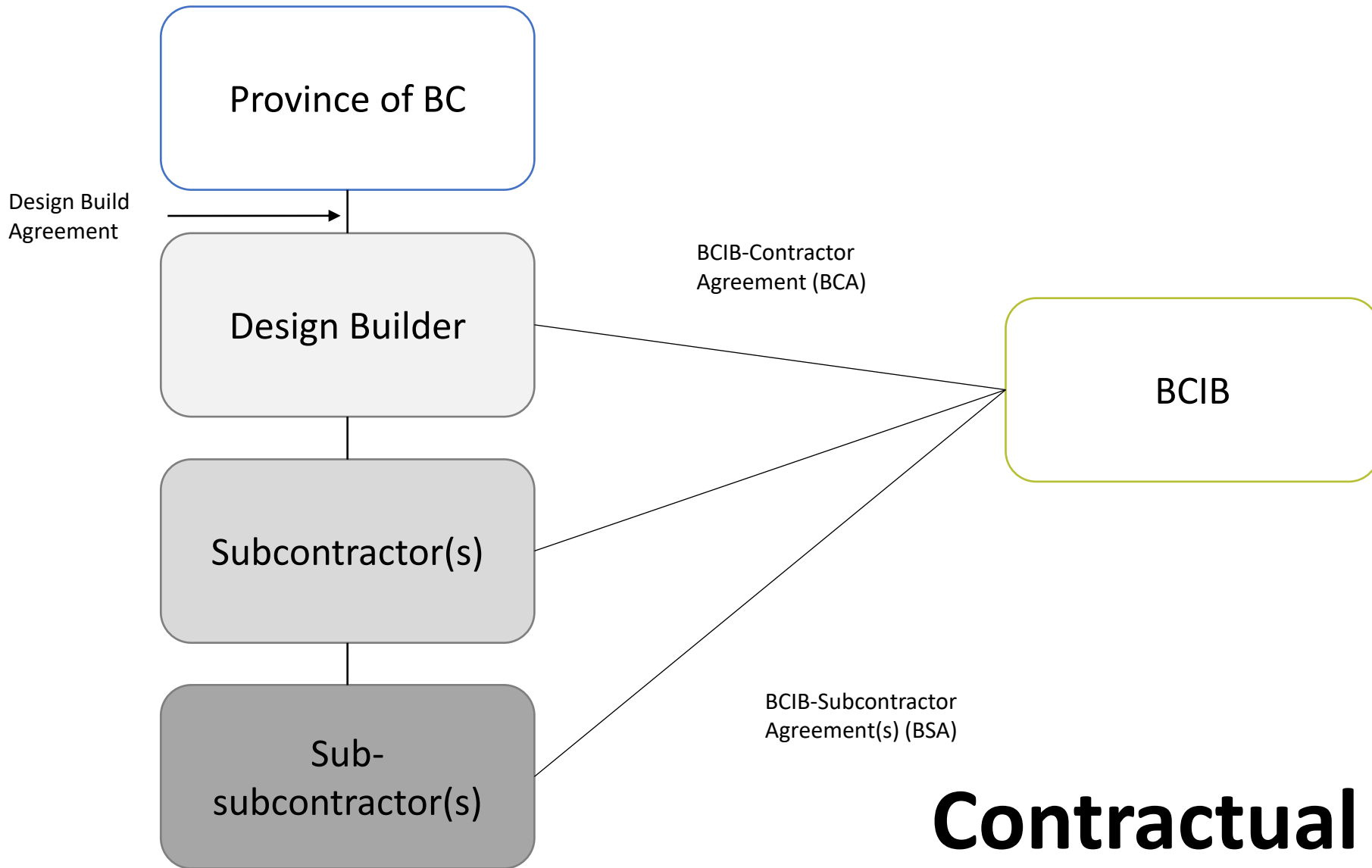
- Apprenticeship and training targets of 9 – 19% for KHCP4
- Contractors are required to submit employee requests with the appropriate allocation for trainees and apprentices.
- Targets are primarily based on trade sections within the CBA, but set by BCIB on a project-by-project basis.

BCIB and the CBA on the Jobsite

BCIB-Contractor Agreement (BCA) BCIB-Subcontractor Agreement (BSA)

- The BCA is between BCIB and the Major Works Prime Contractor
- The BSA is between BCIB and all other applicable subcontractor on the project.
- The BCA and BSA set out roles, responsibilities and related mutual obligations between the parties, regarding workforce provision and the management of the project.
- The agreement is required to receive BCIB employees





Contractual relationships

Operational Responsibilities for the Workforce

Contractor / Subcontractor	BCIB
Working with the contractor on-site, sourcing, hiring and onboarding employees	
Day-to-day direction, scheduling and supervision of workers and the performance of the work	On-site presence to support the skilled workforce and contractors and HR functions
Preparing, approving and submitting timesheets to BCIB, pay invoice to BCIB	Managing and processing payroll
Providing workforce requirements and employee requests	Sourcing qualified workforce

Occupational health and safety



Safety is BCIB's top priority and it is a shared responsibility.



Both BCIB and the Contractor have OHS Employer duties and responsibilities, per the *Workers Compensation Act*.



BCIB requires all employees complete foundational safety training



BCIB will conduct Safety System Assessments on the jobsite and share the findings with the Contractor and the Owner



WorkSafeBC claims administration is a contractor responsibility

WorkSafe BC claims management

- Claims affect Contractor/Subcontractor's experience rating for the purpose of WorkSafeBC assessment.
- Contractors submit Workers Compensation Board claims and collaborate with BCIB to manage return to work (RTW).
- Contractors report to WorkSafeBC project-related workforce cost, invoiced for by BCIB, together with your own payroll and remit their assessment directly.

COVID-19

- Both BCIB and the Contractor are currently required to have a COVID-19 Exposure Control Plan.
- BCIB will incorporate COVID-19 as part of its safety system assessments to ensure the plan is being implemented and our employees are carrying out their duties in a safe environment.
- The CBA states that contractors are responsible for supplying personal protective equipment (PPE) to CBA employees.

How Hiring Works

Workforce supply stages

BCIB Pre Contract Activities

Community engagement

Recruitment

Development of a workforce estimate

Subcontractor Info Sessions

Procurement

Interim Workforce Requirements Submission (Forecast)

Post-Award

Enter into BCA / BSA

Six month forecast

- Submitted once
- Due 5 days after signing of BCA / BSCA

Three month forecast

- Submitted monthly
- Due 5 days after signing of BCA / BSCA

Pre-job conference

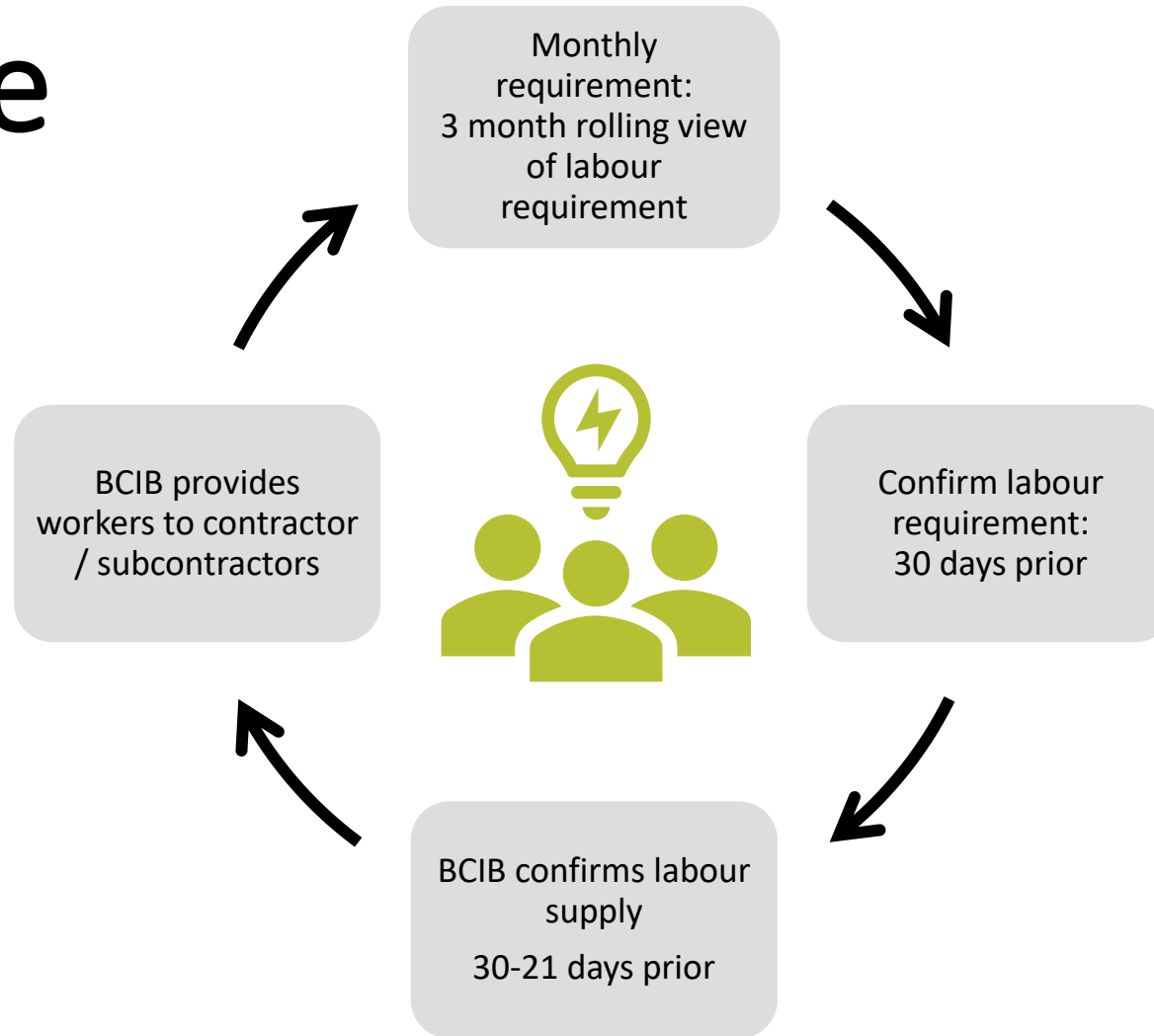
Construction

Workforce Request from Contractor

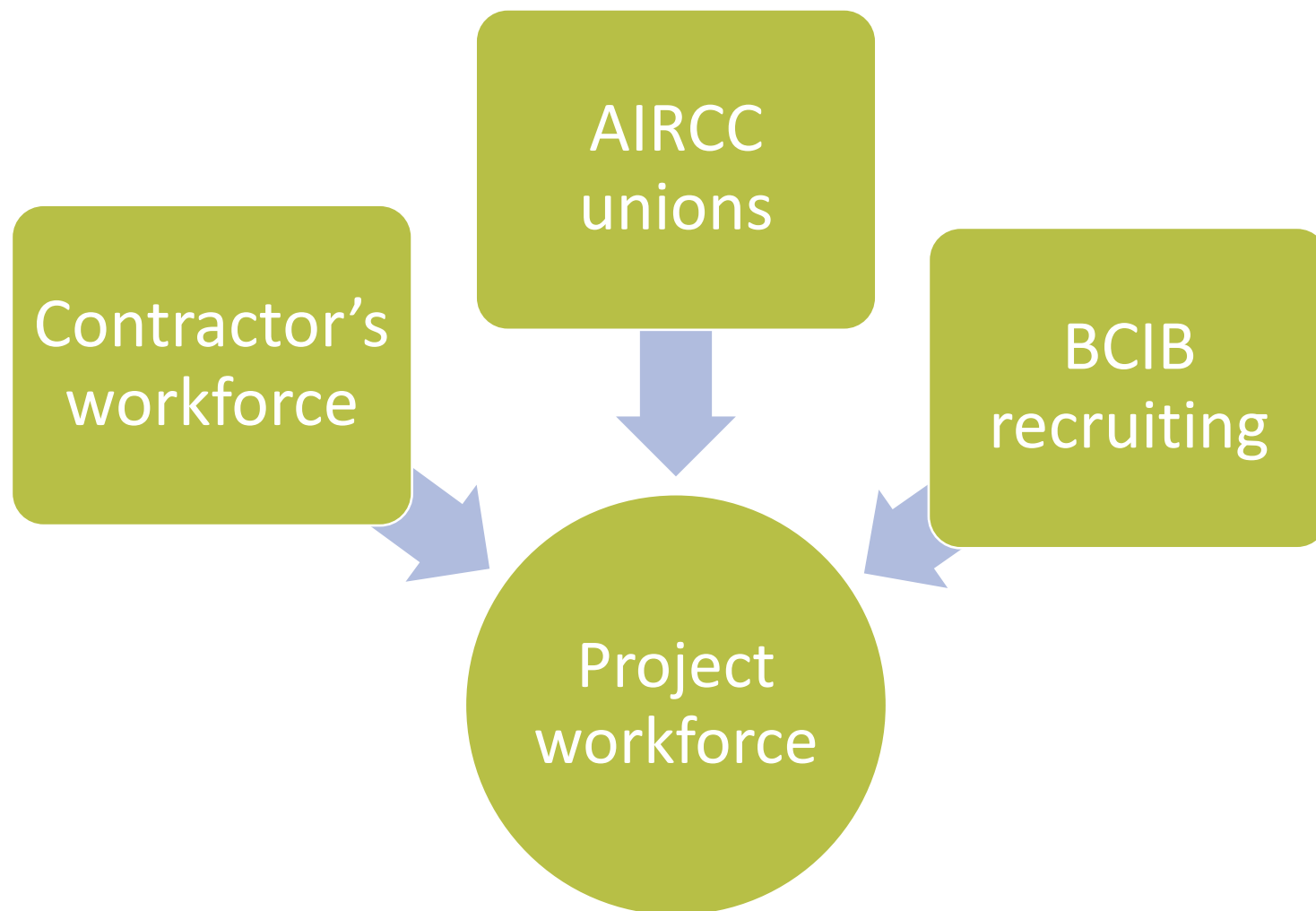
Workforce Supply by BCIB

BCIB Payroll and Payment by Contractor

Workforce supply stages



Workforce sourcing



Hiring and dispatch

Common terms:

- 1) **Employee:** A member of the project workforce, hired and employed by BCIB. Must apply to join the applicable affiliated union within 30 days.
- 2) **Supervisor:** Craft worker up to non-working foreperson who has supervisory duties. Not your project management staff.
- 3) **Name Hire:** Contractor's choice.
- 4) **Name Request:** Someone the contractor requests who is a member of an AIRCC union.
- 5) **Dispatch:** A worker from BCIB and/or the AIRCC's database.

Definition of Employee – Article 2.309

CBA Article 2.309 defines BCIB employees.

- Supervisors and non-working forepersons ARE employees.
- Off-site staff, like project management staff or admin staff, are NOT employees.

Union membership

- BCIB's worksites are unionized
- BCIB employees are required to join one of the 19 AIRCC unions within 30 days
- "No raid clause" in Article 5 of the CBA

Permitting – Article 8.400

Permits are available for:

- Emergency or temporary works
- Short term works (e.g. mobilization, de-mobilization)
- Deliveries to site
- Specialized work or qualifications AIRCC unions unable to fulfill

Permitted contractors need to pay workers CBA rates

Permitting - Article 9.505

- Indigenous contractors or Indigenous persons working subject to an agreement with the Government will be guaranteed a permit under Article 8.400.
- Council Fee provision does not apply to Indigenous contractors with an agreement with the Government

Common questions

“Is my small team subject to the CBA?”

- Article 2.309 – Definition of BCIB employees
- Article 8.400 – Permits
- Article 8.604 – Local subcontractors
- Article 9.505 – Indigenous contractors or workers

Wage rates and job classifications

- Project-specific wage rates in the KHCP4 Appendix
- Wage rates available from the Bidding Teams
- Include Article 13.2 - Funds

Materials delivery and pick-up

- Delivery and pick-up of materials to the project site is not covered by the CBA.
- Except for:
 - bulk quantities of asphalt mix
 - aggregates
 - embankment materials
 - ready-mix concrete produced on-site
- CBA Article 4.300 Delivery or Pick-up on the Site.

Off-site production

- Materials produced on-site are within the scope of the CBA.
- Materials produced off-site are **outside** the CBA
- Materials produced in an off-site facility purpose-built for the project are within the scope of the CBA.

- CBA Article 4.300 Delivery or Pick-up on the Site.

Hiring and dispatch

The hiring process varies for workforce size, the cost of labour, and number of trades.

1. Name Hire all supervisors up to and including non-working forepersons
2. Name Hire 2-4 Employees based number of Employees and number of trades
3. Repeating hiring process for all other Employees:
 - a. Dispatch
 - b. Name Request
 - c. Name Hire

Example: CBA 8.601 (A)

10 employees, single trade

Name hire all supervisors up to and including non-working forepersons
10 employees left to hire:

Name hire any four (4) employees (Employees 1 through 4)

6 remaining employees following repeating process:

Dispatch	Name Request	Name Hire
		Employee 1
		Employee 2
		Employee 3
		Employee 4
Employee 5	Employee 6	Employee 7
Employee 8	Employee 9	Employee 10

Total workforce composition:

- Name Hired supervisors
- 6 Name Hires
- 2 Name Requests
- 2 Dispatch

Example: CBA 8.601 (A)

21 employees, single trade

Name hire all supervisors up to and including non-working forepersons

21 employees left to hire:

Name hire any four (4) employees (Employees 1 through 4)

17 remaining employees following repeating process:

Dispatch	Name Request	Name Hire
		Employee 1
		Employee 2
		Employee 3
		Employee 4
Employee 5	Employee 6	Employee 7
Employee 8	Employee 9	Employee 10
Employee 11	Employee 12	Employee 13
Employee 14	Employee 15	Employee 16
Employee 17	Employee 18	Employee 19
Employee 20	Employee 21	

Total workforce composition:

- Name Hired supervisors
- 9 Name Hires by contractor
- 6 Name Requests by contractor
- 6 Dispatch

Example: CBA 8.602 (A)

21 employees, multiple trades

Name hire all supervisors up to and including non-working forepersons

21 employees left to hire:

Name hire any three (3) employees (Employees 1 through 3)

17 remaining employees following repeating process:

Dispatch	Name Request	Name Hire
		Employee 1
		Employee 2
		Employee 3
Employee 4	Employee 5	Employee 6
Employee 7	Employee 8	Employee 9
Employee 10	Employee 11	Employee 12
Employee 13	Employee 14	Employee 15
Employee 16	Employee 17	Employee 18
Employee 19	Employee 20	Employee 21

Total workforce composition:

- Name Hired supervisors
- 9 Name Hires by contractor
- 6 Name Requests by contractor
- 6 Dispatch

Rehire privileges

- Employees laid off within the last year receive hiring priority
- Rehires do not take place of a contractor's Name Hires
- Once the contractor has rehired last year's crew, BCIB rehires employees and applies priority hiring



Composite crew principles

- The foreperson of the composite crew will be assigned by the Contractor.
- The contractor can propose other composite crew/work team arrangements.
- Short term work includes:
 - Work in another jurisdiction for 2 hours or less per day and;
 - Two days or less when layoff of one trade and hiring of another is impractical and/or unreasonable.

Grievances

Grievance Process

Stages	Action	Participants	Timeline
Stage 1	<ul style="list-style-type: none"> Employee tries to settle grievance by discussion with their Foreperson 	Employee / Steward and Foreperson / Superintendent	Up to 5 business days
Stage 2	<ul style="list-style-type: none"> Written grievance issued BCIB convenes meeting with AIRCC and Contractor 	BCIB / Contractor and Council / Steward / Appropriate Affiliate	Up to 10 business days
Stage 3	<ul style="list-style-type: none"> Written notice of desire to submit an unsettled grievance to arbitration issues Mutually agreeable arbitrator, or arbitration board, selected within 10 days The decision of the arbitrator is final and binding 	Arbitration	Selected within 10 business days

Payroll and financial



Contractor responsible for preparing and approving electronic timesheets, and uploading to BCIB



BCIB manages all payroll



Pay period is every 2 weeks



BCIB issues a payroll invoice to contractors and subcontractors

Payment is due within 5 business days of invoice

Employee invoice breakdown

CBA employee costs

Cost	Description
Employee earnings	Wages as per the CBA (regular earnings & overtime)
Other earnings	Travel expenses, Living Out Allowances and premiums
Vacation pay	8% or 10% of earnings, as per the CBA
Benefits	Pension, Health & Welfare, other
Employer taxes	CPP, EI, EHT (Employer Health Tax: 1.95%)
CBA funds	Per section 13.200 of the CBA

Key takeaways

- BCIB is committed to grow and diversify the workforce
- Monthly requirement for a 3 month rolling forecast
- Safety is everybody's priority and responsibility
- Read and know Article 8.600 – Hiring Process
- Wages in KHCP4 Appendix
- Include Article 13.200 – Funds when calculating wages

Resources

- Subcontractor's Guide to the CBA
- Contractor and Subcontractor Q&A
- CBA and Errata

Any questions:

info@bcib.ca

We look forward to working with you