



A SUBCONTRACTOR'S GUIDE TO WORKING WITH BCIB

ON COMMUNITY BENEFITS AGREEMENT PROJECTS



AN IMPORTANT NOTE ABOUT THIS GUIDE

Use this guide as a quick reference to support your understanding of how the CBA is being implemented by BC Infrastructure Benefits.

In case of a conflict between this document and any other document, always refer to the original source as the language in the original source document will prevail.

This guide is provided to assist contractors in implementing their contracts with BCIB. This guide does not change such contracts in any way. Each contract in all circumstances is the exclusive document that sets out the parties' rights, responsibilities, obligations, and duties.

This guide is confidential information pursuant to the applicable contract. Any person using this guide expressly acknowledges the confidential nature of this guide and agrees to not disclose this guide, except in accordance with the applicable contract with BCIB.

DO YOU HAVE QUESTIONS ABOUT WORKING ON A CBA PROJECT?

GET IN TOUCH WITH US

www.BCIB.ca/contractors

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Introduction

- BC Infrastructure Benefits has created this guide to support subcontractors interested in working on public infrastructure projects delivered under the Province’s Community Benefits Agreement (CBA).
- BC Infrastructure Benefits Inc. (BCIB) is the province’s progressive construction employer for the skilled trades workforce for Community Benefits Agreement (CBA) projects.
- The CBA is an agreement to grow and diversify the skilled trades in British Columbia. As contractors across the province find it increasingly difficult to recruit workers, the CBA helps create opportunities for locals and underrepresented workers to build their careers in construction and fill the skilled trades shortage.
- Indigenous peoples and women only make up 6% of British Columbia’s construction workforce. There’s room for improvement, and space for including diversity and reconciliation. BCIB has developed processes and partnerships to grow the number of underrepresented workers by creating opportunities and apprenticeships.
- This guide will walk subcontractors through the key language in the CBA to help them understand how the CBA works on jobsites.

Key strategies of the CBA

The CBA includes three key strategies that BCIB applies to grow and diversify British Columbia’s skilled construction trades workforce.

Priority hiring

- The CBA includes a tool called Priority Hiring. Priority hiring means that individuals who are members of groups that are traditionally underrepresented in the skilled trades are hired first. These groups include Indigenous people, women, people with disabilities, members of the LGBTQ2S+ community and others.
- Priority hiring is not a quota or a target system for hiring underrepresented workers. Instead, it creates meaningful career opportunities through a continuous and equitable hiring process through the life of a project.
- When workers are being dispatched to site through BCIB, priority hiring may apply to certain types of dispatches. Priority hiring does not apply to a contractor’s named hires. For more information about the dispatch process, see the “Employee requests and dispatch” section below.

A network of projects for apprentices and trainees

- Apprentices and trainees are the future of the skilled trades. Every trade on a CBA project has an apprentice to journeyman ratio that contractors need to include in their employee requests.

- Apprentices and trainees on CBA projects have access to employment on a number of other CBA projects to help them work towards their certifications.

Respectful Onsite Initiative

- Changing worksite culture so women, Indigenous peoples and other groups traditionally underrepresented in the trades feel safe and respected is critical to diversifying and retaining new workers.
- All BCIB Employees participate in BCIB's Respectful Onsite Initiative, which includes Indigenous Cultural Competency Training and Justice, Equity, Diversity and Inclusivity (JEDI) training.

CBA overview for contractors and subcontractors

- Any contractor and subcontractor can bid and work on a CBA project. Project procurements are open to union and non-union companies.
- Contractors and subcontractors are not selected by BCIB. Procurement processes outline how project teams are developed and established.
- The primary contractor working on a CBA project will enter into a BCIB-Contractor Agreement (BCA) with BCIB. Subcontractors working on a CBA project will enter into a BCIB-Subcontractor Agreement (BSA) with BCIB. These agreements are legal contracts that outline how BCIB will work with the contractor and the subcontractor. The contract also includes the management rights and responsibilities delegated to the contractor and subcontractor.
- The workforce on CBA projects is employed and paid by BCIB. Wages are listed in the CBA, which is available on BCIB's website at www.bcib.ca/resources.
- BCIB manages employee payroll, onboarding, training and the relationship with the unions.
- The contractor and subcontractor have delegated management rights to direct, supervise and operate the workforce in the way required to complete the project.
- Contractors and subcontractors are responsible for discipline, suspension and termination. BCIB must be notified when discipline is required.
- BCIB worksites are unionized. Workers on CBA projects are required to join one of the 19 unions affiliated with the Allied Infrastructure and Related Construction Council (AIRCC) within 30 days of starting work. This includes craft supervisors. A list of the unions is available in Appendix A and at www.bcib.ca. The CBA supersedes any existing union agreement a company may already have in place.
- Subcontractors name their existing workers for a portion of the crew on CBA projects. BCIB hires those workers and fills remaining positions with candidates that have registered at www.bcib.ca and with dispatches from AIRCC-affiliated unions. Subcontractors are encouraged to invite their workers to register with BCIB.

Current CBA projects

- As of April 2022, current projects to be delivered under the CBA, through BCIB, include:
 - Highway 1 Four-Laning Projects between Kamloops and the Alberta Border, including:
 - Kicking Horse Canyon Project Phase Four
 - Highway 1 – Illecillewaet (complete Fall 2021)
 - Highway 1 - Chase Creek Road to Chase West
 - Highway 1 – Chase East
 - Highway 1 – Quartz Creek
 - Highway 1 – Salmon Arm West 1st Avenue SW to 10th Avenue SW
 - Ford to Tappen (in planning and procurement)
 - Bruhn Bridge (in planning and procurement)
 - Pattullo Bridge Replacement Project
 - Broadway Subway Project
 - Cowichan District Hospital Replacement Project
 - BCIT Trades and Technology Complex

Working with BCIB on the jobsite

- BCIB will have a presence on the worksite with its Site Representatives. Site Representatives will be available to support contractors and subcontractors in components of working with BCIB, such as submitting a request for employees, handling hiring, discipline and termination, applying for permits and liaising with the unions on the project.
- BCIB's Site Representatives will also be supporting the workforce in answering questions around payroll and employment questions.
- Site Representatives are available on site Monday to Friday 7am – 3pm, excluding statutory holidays.

Wages on CBA projects

- Workers get, within trade and job classifications, transparent and reliable wages on CBA projects. Wages are listed in the CBA.
- Contractors and subcontractors with permits have to pay CBA wages and benefits.
- To determine which CBA wage tables apply to a Project, consult the applicable Project Appendix or Sub-appendix.

Payroll and timesheets

- BCIB pays its employees every two weeks.
- Payroll is calculated on the basis of the timesheets submitted daily to BCIB by contractors and sub-contractors.

- BCIB sends contractors and subcontractors an invoice. The invoice is only to recover payroll costs. BCIB's operating costs are recovered from the project owner.

Employee invoices

- The following table provides a breakdown of the CBA employee invoice.

CBA employee invoice breakdown	
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

Apprentices and trainees

- BCIB establishes apprenticeship and training targets for each project. Targets are primarily based on trade sections within the CBA but set by BCIB on a project-by-project basis.
- Contractors are required to submit employee requests that include the appropriate allocation for trainees and apprentices.

Where BCIB gets workers

- Workers on CBA projects come from three sources:
 1. A contractor or subcontractor's own workforce - these workers typically make up about half of the workforce.
 2. The 19 AIRCC unions with membership across BC¹.
 3. BCIB's Outreach and Engagement - BCIB has an outreach team recruiting near the project sites. We work with Indigenous communities, industry partners, training institutes, job fairs, social media and job centres locally and across the province. Candidates apply online at BCIB.ca and are assessed by the union. Qualified candidates are added to the union dispatch list.
- Anyone can apply for work on BCIB's website, www.BCIB.ca

Worker supply forecasts

- BCIB has developed a comprehensive worker supply forecast model to plan for project skilled workforce requirements and enhance targeted recruitment efforts.
- BCIB receives updates on workforce availability from the 19 AIRCC-affiliated unions and also from many other sources across the province.
- BCIB is working to access workforce databases in communities and regional districts, Indigenous communities, training institutions and other networks. With this information, BCIB is able to have a view of worker availability beyond the unions.

¹ Please note some of the AIRCC-affiliated unions also have international affiliations

Local workers

- Locals receive priority when being considered for work on CBA projects.
- The definition of local varies slightly on a project-by-project basis. Consult the applicable Project Appendix or Sub-appendix for full details.

CBA Definition of Local	
Project	CBA Definition of Local
For Trans Canada Highway 1 Projects (excluding Kicking Horse Canyon Phase 4)	Someone who resides within 100 road kilometers of the applicable project site
For the Cowichan District Hospital Replacement Project	Someone living on Vancouver Island and within a 100 km radius of the project site
All other CBA Projects	Someone living within a 100 km radius of the project site

Local subcontractors on small jobs

- Local companies doing work with a labour component of less than \$35,000 can pick all their employees for their crew, so long as they are local.
- These individuals still become employees of BCIB and must join an affiliated union of the Allied Infrastructure and Related Construction Council (AIRCC), however it enables the contractor to work with its own crew and helps local companies get work on CBA projects.
- CBA Article 8.604 has more details.

Permits

- In specific situations permits allow work to be performed on site by workers who are not BCIB Employees.
- CBA Articles 8.400 and 9.505 have more information.
- Permits can be applied for under three sections of the CBA:
 1. Under Article 8.402 – for emergency, temporary or specialty applications
 2. Under Article 8.403 – intermittent works
 3. Plus, for certain projects, there is the option to apply for a permit under Article 9.505 – for Indigenous contractors or Indigenous persons working subject to, or as a result of, an agreement with the Province. There is no fee for a permit application made under Article 9.505.

When does CBA Article 9.505 (for Indigenous Permits) apply?

CBA Article 9.505, which allows for Indigenous contractors or Indigenous persons working subject to or as a result of an agreement with the Province to obtain a permit to perform work on site without entering into a contract agreement with BCIB, applies to all current projects. This includes all projects included as part of the Trans-Canada Highway 1 Four-Laning Program, including those currently in procurement and yet-to-be-tendered.

As of March 2022, these projects include:

- Pattullo Bridge Replacement Project
- Broadway Subway Project
- Projects included as part of the Highway 1 – Kamloops to Alberta Four Laning Program, including:
 - Chase West
 - Chase East
 - Salmon Arm West
 - Quartz Creek
 - Kicking Horse Canyon Phase 4
 - Ford to Tappen (in planning and procurement)
 - Bruhn Bridge (in planning and procurement)
 - Any future projects announced as part of the Highway 1 - Kamloops to Alberta Four Laning

Note that project-specific agreements may apply, and that Project Definition Appendices may make further changes.

Article 9.505 does not apply on projects that have not yet been announced.

Important notes:

- Only contractors that have signed agreements with BCIB can submit a permit request
- Workers are not allowed on site until a permit is approved. If workers arrive on site prior to permit approval this will be considered non-compliance pursuant to the terms of the BCIB Contractor/Subcontractor Agreement.
- Permitted contractors are required to pay wages and benefits as per the CBA (refer to the wage scales in the CBA for your Project). It is the responsibility of the requesting contractor to ensure the permitted contractor adheres to this CBA requirement.
- The Council fee for each permit request is \$100 per day to a maximum of \$500. There is no fee for permits requested under CBA Article 9.505 (Indigenous permits) or for provisional permits applied for during the procurement phase of a project.
- Permits are only valid for the time agreed to when issued. Permits can be renewed if required.
- Requesting contractors are responsible for reporting that wages and benefits were paid in accordance with the CBA. This will be supplied to BCIB for auditing purposes.

- Ensure that permit requests are submitted with adequate lead time (e.g. 14-days' notice). This will allow enough time for processing so as to help ensure that your permit can be approved in time for your desired start date. If less lead time is provided, BCIB will make best efforts to process approvals in time for the desired start date but cannot guarantee processing time. Emergency permits are always processed with the highest priority.

Accommodation

- Contractors and subcontractors pay for worker accommodation, where it applies. For example, a contractor would be directly and solely responsible for paying for a hotel room for a worker.
- BCIB pays Room and Board, or Living Out Allowance, to its employees who live more than 100 kilometres driving distance from project sites. Contractors and subcontractors are required to reimburse BCIB for these amounts.
- If no room and board is provided, the employee can choose either:
 - A lump sum Living Out Allowance, or
 - A single room plus meal allowance
- More details are available in the CBA Article 17 – Board and Lodging.

Onboarding and orientation

- BCIB organizes a two-part onboarding and orientation for its employees.
- Onboarding and orientation will be scheduled when an employee is dispatched.
- Onboarding and orientation take place on the first day of employment at the beginning of an employee's shift.
- Onboarding and orientation will take about three hours total.

Training

- All workers on BCIB projects, including employee supervisors, must complete:
 1. Comprehensive fundamental safety training before starting work. BCIB accepts BCCSA's SiteReadyBC. BCIB provides licences to employees who do not yet have the required training course
 2. Indigenous Cultural Competency Training
 3. Justice, Equity, Diversity and Inclusion training (JEDI)
 4. In addition, all BCIB workforce Supervisors must complete a two-day Supervisor Training course, coordinated through BCIB



TOTAL HOURS FOR TRAINING, BCIB ONBOARDING AND ORIENTATION

Contractors and subcontractors can expect BCIB orientation, onboarding and training to take between 10-12 hours for workers to complete in total. The training hours will be scheduled with the contractors and subcontractors and is intended to be in the first few weeks of a worker's time on the job. The contractor and subcontractors are responsible for paying for the hourly wages during the training for employees assigned to them.

- BCIB will work with the contractor and subcontractors to set a mutually agreeable training schedule approximately 14 days in advance of the first training.
- Contractors and subcontractors can provide additional training above and beyond what is delivered by BCIB.
- Returning workers, or workers employed previously on another BCIB project, do not need to repeat the BCIB training listed above.

Union membership

- BCIB's worksites are unionized. Workers are required to join one of the 19 affiliated unions within 30 days of starting work on a CBA project. This includes supervisors.
- A list of the unions is available at www.bcib.ca. The CBA supersedes any existing union agreement a company may already have in place.
- Article 5 of the CBA prevents unions from using a BCIB employee's union membership on a CBA project as part of a future application for certification under the Labour Relations Code.

BCIB worksites and safety

- The occupational health and safety of the BCIB-supplied workforce is a shared responsibility between BCIB and Contractors (both the Prime contractor and subcontractors).
- It is expected that Contractors support the health and safety of the BCIB supplied workforce to the same extent that is required for its own workers.
- For more information about shared OHS responsibilities and for a clear understanding of BCIB's expectations with respect to safety, refer to the BCIB Health and Safety Policy and Program and supporting guidance documentation. For a copy of this document, email safety@bcib.ca.
- During project operations, BCIB will conduct safety assessments. These assessments include site visits, review of OHS documentation and soliciting BCIB supplied workforce feedback.

How hiring works

Employee requests and dispatch

- Contractors and subcontractors complete the Contractor Employee Request form.
- Include specific requirements/certifications/skills for the requested position(s) to be filled. Please be as detailed as possible about the work that will be completed, site conditions, and specific equipment requirements.
- Include apprentices and trainees in the request. Consult the CBA Trade Sections for ratio guidelines.

Important note:

- BCIB will not assign any employees who are not qualified for the job.

Employee request timeline

30 days before dispatch

- The subcontractor is required to formally request employees using the Contractor Employee Request form 30 days before dispatch is requested.
- If there are any workforce recruitment challenges, this timeline gives BCIB enough time to broaden its recruitment and go outside the region, or province, if need be.

Short notice Employee requests

- BCIB expects two-weeks' notice of an Employee request. Advance notice of Employee requests helps create greater certainty around the workforce supply for BCIB and for contractors.
- In certain situations, BCIB will deploy employees with a minimum of 72 hours of notice.

The hiring process

- The process for selecting and dispatching employees is described in CBA Article 8.600.
- Step 1: The contractor's/subcontractor's supervisors or non-working forepersons are hired by BCIB.
- Step 2: The contractor/subcontractor names members of its regular crew. They are hired by BCIB. This number of Name Hires depends on the size of the crew and the number of trades.
- Step 3: The next employee is dispatched from the AIRCC unions/BCIB's candidate database.
- Step 4: The contractor/subcontractor requests a worker by name from the AIRCC union lists.

They are hired by BCIB.

- Step 5: Hiring steps two through five repeats until the crew is complete. Employees are added one at a time from the contractor's regular crew, dispatched from the AIRCC unions/the BCIB candidate database and requested by name from the AIRCC lists. These steps repeat until the crew numbers is complete.
- Step 6: When additional employees are required, the hiring cycle continues **from the last hiring turn**.

HIRING AND DISPATCH COMMON TERMS

Employee: A member of the project workforce, hired and employed by BCIB. Must apply to join the applicable affiliated union within 30 days.

Supervisor: Craft worker up to non-working foreperson who has supervisory duties. Supervisors are BCIB employees and become union members.

Name Hire: Contractor's or subcontractor's choice.

Name Request: Someone the contractor or subcontractor requests who is a member of an AIRCC union.

Dispatch: An employee from BCIB and/or the AIRCC's database.

Priority Hiring

- The CBA gives hiring priority to people underrepresented in British Columbia's construction industry.
- Those who receive Priority Hiring include locals, Indigenous peoples, women, people with disabilities, members of the LGBTQ2S+ community, visible minorities and other underrepresented groups in the trades.
- Priority Hiring applies to **Name Requests** and **Dispatched Employees**, but not a contractor's **Name Hires**.
- Priority Hiring also applies to any apprentices and trainees requested by the contractor or subcontractor.

Important note:

- Priority hires must be qualified for the role they are hired for.

EXAMPLE: CONTRACTOR AND SUBCONTRACTOR REQUIRING 10 EMPLOYEES (CBA ARTICLE 8.601A)

1. Name Hire all supervisors up to and including non-working forepersons
2. Name hire any four employees (employees one through four)
3. Six remaining employees hired using the repeating process:
Dispatch, Name Request, Name Hire:

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

Rehiring employees

- Recall rights apply to workers laid off from BCIB in the last year. Notwithstanding hiring process and hiring priorities, any employee laid off in the last year may be rehired.
- Subcontractors can indicate a rehired employee on their Contractor Employee Request form.

Appendix A – AIRCC-affiliated unions

The AIRCC represents the following affiliated unions. BCIB works directly with the unions.

1. British Columbia Regional Council of Carpenters
2. Construction Maintenance and Allied Workers Council
3. International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers Local Union 97
4. International Association of Heat & Frost Insulators & Asbestos Workers Local Union 118
5. International Association of Sheet Metal, Air, Rail and Transportation Workers Local Union 280, Local Union 276
6. International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers Lodge 359
7. International Brotherhood of Electrical Workers Local Union 213, Local Union 993, Local Union 1003, Local Union 230
8. International Brotherhood of Teamsters Local Union 213
9. International Union of Bricklayers & Allied Craftworkers Local Union 2
10. International Union of Operating Engineers Local Union 115
11. International Union of Painters and Allied Trades District Council 38 Painters 138, Glaziers 1527, Drywall Finishers 2009
12. Labourers International Union of North America Construction and Specialized Workers Union Local 1611
13. Move Up – A Movement of United Professionals Local 378
14. Operative Plasterers' and Cement Masons' International Association of the United States and Canada Local Union 919
15. United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Union 170, Local Union 516, Local 324
16. United Brotherhood of Carpenters and Joiners of America Floorlayers Local Union 1541
17. United Brotherhood of Carpenters and Joiners of America Millwrights, Machine Erectors and Maintenance 2736
18. United Brotherhood of Carpenters and Joiners of America Piledrivers Local Union 2404
19. UNITE-HERE Local 40

Appendix B - Contractor resources

Find BCIB's Contractor Information Pages

<http://www.bcib.ca/contractors>

Link to the Community Benefits Agreement

<https://www.bcib.ca/resources>

Link to BCIB's Contractor and Subcontractor Q&A document

<https://www.bcib.ca/wp-content/uploads/2020/06/BCIB-Contractor-QAA-June-8-2020.pdf>