

Memorandum of Agreement

Between the

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

and the

B.C. Government and Service Employees' Union
(BCGEU)

Whereas the parties have a mutual interest in updating the *Public Service Act* and making changes to Article 12 of the Main Agreement to modernize human resources practices and improve hiring processes in the public service, the parties agree to the following:

- The parties will review the provisions of the *Public Service Act* with a view to making recommendations to government on needed legislative changes. It is agreed that recommendations will be made by September 1, 2018 so that there is sufficient time to allow for potential drafting/approval of Request for Legislation to advance in the Spring, 2019 session;
- In working towards proposed legislative changes, up to four representatives of the Public Service Agency, including members of the Executive of the Public Service Agency (the Deputy Minister and Assistant Deputy Ministers), and up to four appropriate representatives from the BCGEU will engage in a series of workshops in July and August to jointly solution a new model that would modernize human resources practices in the BC Public Service, including, but not limited to, making it more nimble and flexible, more supportive of diversity and inclusive, and reframe the oversight of merit while ensuring merit-based staffing practices and hiring appeal processes that are meaningful and efficient;
- An interest-based approach would be used to guide the joint solution workshops. The initial workshop(s) would focus on each party articulating the current challenges or identifying the potential opportunities so that common understanding can be reached. From there, joint solutioning of a model/practice(s) that should be considered would be identified. This would then in turn lead to the identification of changes needed in the legislation;
- The Agency will also consult with the union on miscellaneous amendments to the *Public Service Act* including Public Service Oath provisions, authorities of the Head of the Public Service Agency, information management, and housekeeping/administrative clarifications;
- If the parties are unable to agree on recommended amendments to the *Public Service Act*, the Agency will put forward the BCGEU's position on any areas of disagreement, as well as any of the Agency's positions, to the Minister of Finance as part of the request for legislation process;

- The parties recognize that the Agency cannot guarantee that proposed amendments to the *Public Service Act* would be introduced in the Spring 2019 session as this is the sole purview of the Legislature;
- The parties will also use the workshop process to **discuss, and explore potential changes to, the current service delivery model for Human Resources services in the Public Service and** negotiate changes to Article 12 of the Main Agreement. The Article 12 discussions will include, but are not limited to, all Article 12 proposals that the parties tabled on May 7, 2018 as part of the negotiations for the 18th Main Agreement; **. In addition, the proposals that the Employer made on special employment programs will be included;**
- Any agreed changes to the Article 12 require confirmation by PSEC that they are either cost-neutral or are within the overall financial mandate for 18th Main Agreement.
- If there are any Article 12 issues that are still outstanding as of September 1, 2018, the parties will agree to resume formal collective agreement negotiations on those outstanding issues that were tabled on May 7, 2018. The formal Article 12 negotiations must be concluded by October 15, 2018 provided that the overall negotiations for the 18th Main Agreement have been completed.

Signed on behalf of the BC Government and
Employees' Services Union

Signed on behalf of the BC Public Service Agency

Stephanie Smith
President

Lori Halls
Deputy Minister

Signed on behalf of the BC Government and
Employees' Services Union

Signed on behalf of the BC Public Service Agency

Mike Eso
Regional Coordinator

John Davison
ADM

May 22 **23**, 2018