

## PSAC Questions & Answers

### **Introduction**

- The Union has been advised of the decision to reduce our workforce as a result of the significant impact COVID-19 has had on NAV CANADA's financial situation.
- All impacted employees will be subject to the Employment Security article in the PSAC collective agreement
- The impacted employees have been declared vulnerable and surplus in accordance with the PSAC Collective Agreement effective September 22, 2020.
- If NAV CANADA is unable to find you alternate employment at the end of the surplus period (March 22, 2021) you may elect to be laid off with recall rights for a period of 18 months or elect to receive a Departure Incentive Package (DIP).
- We are currently in a hiring freeze at this time and will remain in one for the foreseeable future, it is highly unlikely that we will find you alternate employment at your level or in a lower level position during your surplus period or thereafter if you elect to be laid off with recall rights.
- We would like to remind you that you have access to the Employee Assistance Program (EAP) at this time as an employee of NAV CANADA.

### **Q and A Regarding Employment Security Provisions and Next Steps:**

#### **1. What Happens Next?**

- Within days/weeks, a representative from HR will meet with the employees on an individual basis. A "Priority Administration Questionnaire" will be completed with each employee.
- The surplus period will be of six months' duration from September 22, 2020 expiring March 22, 2021.
- During the surplus period the employee is entitled to priority staffing consideration for positions for which he/she is qualified and which are at the same or lower level.
- If no appropriate job is found by the lay-off date, the employee may opt for the DIP or may have his/her name placed on a lay-off list for consideration for positions within the Company for a period of 18 months.

## 2. Who Can I Talk To?

- Your Manager.
- Your Union Representative:
  - Martin Mika, RVP Ontario- Phone: 705-518-0080/ E-mail: [mikam@psac-afpc.com](mailto:mikam@psac-afpc.com)
  - Mike Tennant, RVP Prairies and the North- Phone: 403-474-5195/ e-mail: [tennanm@psac-afpc.com](mailto:tennanm@psac-afpc.com)
- Your Human Resources Business Partner.

## 3. What Are My Options?

- As an employee who has been declared surplus, you will be placed in a Priority status. This means that you will be considered for positions for which you are qualified and which are at the same or lower group and level.

## 4. What Resources Are Available To Me?

- You have been provided with your DIP estimate.
- NAV CANADA employees can reach out to the HREC for their pension estimate.
- Financial and Career Counselling may be available during the surplus period in accordance with the collective agreement.
- HR will automatically refer priority employees to hiring managers who are staffing positions at the same or lower group and level for which they are qualified. It is important however, that you check job postings regularly.
- For any questions, please contact your Human Resources Business Partner copied on your surplus letter.

## 5. Can an employee be declared vulnerable and surplus at the same time?

- Yes.

## 6. Can employees currently on Sick Leave and Authorized Leave of Absence be declared Surplus?

- No. If you are not currently on Sick Leave this question has no application to you.

## 7. Will I have access to my email, pay slips and job postings?

- Your VPN and systems access will be removed immediately. You will continue to have access to your current NAV CANADA email through Office 365 until the end of the day today, September 22, 2020 to allow you to remove any personal emails you wish to retain. As of tomorrow, September 23, you will be assigned a new email address. Your password for that new email address can be set up after 9:00 am on September 23 by calling the NAV CANADA Help Desk at: 613-563-3414.
- We are working on a process for providing you access to your NAV CANADA pay slips and job postings in Workday and will send out instructions on how to access Workday remotely in the coming days.

#### **8. How do you determine who leaves with DIP?**

- The DIP will only be offered to those employees who are declared surplus. If NAV CANADA and the employee have been unsuccessful in finding an appropriate job opportunity within NAV CANADA at the end of the surplus period, the employee may choose layoff with recall rights, or accept a NAV CANADA departure incentive program.

#### **9. What are the details/breakdown of the DIP?**

- The estimate includes a lump sum amount based on Letter of Understanding No. 3 "NAV CANADA Departure Incentive Program" of your collective agreement. You may also be eligible for a training allowance of \$7000 provided you are not entitled to an immediate pension under the NAV CANADA Pension Plan. Please confirm with Human Resources at your individual meetings if you are eligible for a training allowance.

#### **10. Is there a maximum dollar amount for an outside course?**

- Under Employment Security provisions it is \$7000 if eligible (see question one above).

#### **11. Is the DIP pensionable?**

- No, it is not.

#### **12. If the DIP isn't pensionable can you pay into it?**

- No, you cannot.

**13. If I decide to spread out my DIP payment, is it still non-pensionable?**

- Yes, the DIP is not pensionable.

**14. Is the DIP subject to all statutory deductions?**

- Yes

**15. If you decide to take the DIP, is the departure date flexible meaning, can you work up until the 6 months and then take it?**

- You are only eligible for the DIP under the Employment Security provisions of your collective agreement if NAV CANADA decides to offer the DIP during the six-month surplus period or after the six-month surplus period has expired and if no appropriate job is found by the lay-off date.

**16. If I was a contractor before (through my own company) can I work for NAV CANADA again as a contractor if I take my DIP at the end of the six-month surplus period?**

- Yes, you can.

**17. If I choose layoff with recall rights, does that relinquish my right to take advantage of the DIP?**

- Yes, you would not longer be eligible for the DIP.

**18. If I've taken advantage of the DIP can I come back to work with NAV CANADA on contract or employment?**

- The NAV CANADA Rehiring Policy for Represented Employees addresses rehires. It specifically excludes from any restriction on hiring, those employees who have accepted a voluntary departure package because of a lack of work.

**19. Does recall happen often, if I select the layoff/recall option at the end of the 6-month surplus period?**

- We do not have any statistics related to this. However, given that we are currently in a hiring freeze at this time and will remain in one for the foreseeable future, it is highly unlikely that we will find you alternate employment at your level or in a lower level position during their surplus period or thereafter if you elect to be laid off with recall rights.

**20. If there is a lower level position available within another union would I be eligible?**

- No, you only have priority for positions within the PSAC bargaining unit. You could apply and compete on a vacant position in the other bargaining unit(s) through the regular application process.

**21. If I find employment elsewhere within the 6-month surplus period and leave NAV CANADA am I eligible for a DIP?**

- No, you will not be eligible for the DIP.

**22. Is there a possibility to extend the surplus period?**

- Yes, the six-month surplus period is the minimum notice period NAV CANADA is required to provide an employee who has been declared surplus. An extension may be possible in the event that management determines it necessary to continue its operation for some of the positions due to workload.