

# CSSEA NEWS

COMMUNITY SOCIAL SERVICES EMPLOYERS' ASSOCIATION

## New CSSEA Website Offers One-Stop Access to Tools, Resources and the Latest Sector Information

*Dalbhagh Carroll, Senior Administrative Assistant, CSSEA*

CSSEA's new website launched October 16, 2012, with the aim of providing better service to our membership. The fresh, contemporary look is more intuitive and provides access to better resource information. By embracing technology such as RSS feeds, e-commerce solutions and optimized browsing for smartphones and tablets, the redesigned site gives members more options and creates new ways for us to do business together.

Each agency has a unique workforce that accesses website resources specific to their individual needs, something we kept in mind when developing the members' section of the site. This section is divided into eight subsections, each reflecting a topic on which CSSEA routinely advises our membership. The new structure makes it easier and quicker to find the information relevant to you. Links to forms and frequently used guides allow you to download what you need directly from the site. In order to help you navigate the new website, we have prepared a brief summary of what you'll find in each subsection, which you will find on the following pages.

### **New Features**

#### *Username/password reset*

You no longer have to contact CSSEA to reset your password. Instead, click the reset link at the bottom of the login script. This automatically sends an email to the primary contact email address for your agency to guide you through the reset process, making passwords much more secure.

#### *Jobs*

A job posting RSS feed to notify agencies or individuals of new positions now complements the Careers page. To subscribe, follow the link at the top of the RSS – Job

Postings page. You will need an RSS client to access the feed. There is also a new email address for job posting submissions: [csseajob@cssea.bc.ca](mailto:csseajob@cssea.bc.ca).

#### *Quick Links and Popular Pages*

At the bottom of each page are two new sections: Quick Links and Popular Pages. The Popular Pages section reflects the pages receiving the most visits, so over time you can see what your fellow members are viewing. CSSEA will assign pages to the Quick Links section to highlight pages for members to visit. For example, in the run-up to the AGM and Fall Conference, the Events section may be highlighted.

#### *Sector Overview*

The Sector Overview section (under "About Us") provides a series of graphs reflecting compensation and employee and full-time equivalent (FTE) information for the community social services sector, both collectively and by service division.

### **Next Steps**

Over the coming months, CSSEA will add pages and features to the site to better serve our membership. We will be integrating the web-based application for data collection and introduce a section where members can keep CSSEA, each other and the sector at large up-to-date on initiatives and events at their agencies. This section will feature photographs provided by members and associates and will introduce a social aspect to the site. We will refine our e-commerce process and add an online store where members and associates can buy CSSEA-produced publications and register for upcoming CSSEA training sessions and events.

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## From the CEO

As the year comes to a close, I would once again like to thank the board, panels, staff and especially the members for making my first year at CSSEA challenging but also a pleasure. When I became the Chief Executive Officer of CSSEA I set four major goals for my first year:

- (1) Improve relationships with our members through active engagement
- (2) Improve relationships with our government partners
- (3) Create a three-year strategic plan, and
- (4) Refocus CSSEA and change the narrative of the sector.

I am pleased to say that these goals have been accomplished or CSSEA is well on its way to achieving them. However, even where the goal has been fully achieved, we need to continue to raise the bar and demonstrate CSSEA's added value to the sector and our stakeholders. Over the past year, I met and visited with more than 100 members. These visits provided me with valuable insight into the good work that goes on in the social services sector and the people who deliver those services in the many communities across BC. In the course of our dialogue, we didn't agree on every subject, but I was always left with a greater understanding of the diversity within our sector, the challenges our members face and their hopes and aspirations for the future.

A key milestone in 2012 was the strategic planning session and the creation of a new vision statement. This new vision sets the direction for CSSEA as we chart a new course to becoming a leader in human resources and labour relations for the community social services sector. The board and panels also set six strategic goals for the organization and in the process started to change our narrative in the social services sector.

The delivery of our HRLR services has been refocused, including a re-organization of our HRLR consultants' portfolios along regional lines, the creation of a members' HRLR Practitioners' Group, the addition of specialized resources in WorkSafeBC appeals, and an enhanced focus on Aboriginal Services. We will continue to build on the expanded dialogue with the HRLR practitioners and foster more regional activity to support our members.

Looking ahead to 2013, we hope to reach a settlement and conclude 2012 collective bargaining. In the spring we will launch the new sectoral data project, which will make CSSEA the data repository for the sector and bring quality HRLR training and services to our members and associates. Only then will we be able to say we have fully met our goal of making CSSEA a leader in human resources and labour relations and a trusted advisor to our membership and government for the community social services sector in British Columbia.

On behalf of CSSEA, the board, the panels and staff, I wish you and your family a very happy holiday season and all the best for a healthy and prosperous New Year. §

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## Ask an HRLR Consultant: Jennifer Nuttall



**Q:** Who is responsible for paying the cost of the open road toll charges on the Port Mann Bridge – the employee or the employer?

**A:** If an employee accumulates the toll charges during the course of work and for work purposes, the employer is responsible for paying those costs. Any such fees accumulated by employees on their way to/from work or doing other personal business are not the responsibility of the employer.

To be thorough, it is recommended that organizations amend their relevant policies to confirm this practice.

Employers are also encouraged to visit the TReO.ca website for general information and to review registration procedures and opportunities to receive introductory toll rates.

Send your questions to [cssea@cssea.bc.ca](mailto:cssea@cssea.bc.ca).

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## **What You'll Find in Each Area of the New Members' Section**

### *Bargaining*

- Up-to-date information on the current round of bargaining: Updates from the bargaining committee, agreed-to language changes to the collective agreements, and relevant arbitrations and Labour Relations Board decisions related to bargaining.
- Bargaining resources: Past and present collective agreements, the Employers' Guide to the Collective Agreement by article, and the new certification Cost Estimator.
- Coming soon: An agency-specific Documents section to access local agreements and superior provisions.

### *H&W Benefits*

- Information and links: Information on health and welfare benefits and the Community Social Services Early Intervention Program (CSSEIP), and links to community social services sector benefit providers.
- FAQ: Answers to common queries about benefits and contact information for CSSEIP.

### *Health and Safety*

- WorkSafeBC guidance: Information about their processes and policies.
- WCB guides: How to process Workers' Compensation claims and assessments.
- Health and safety issues: Important general information and specific developments that affect CSSEA members.

### *HRLR*

- CSSEA resources: Best Practices series, Self-Help

guides, and policies and procedures.

- Downloadable templates and forms: One-click access to layoff letters, forms for adjusting rates of pay, and a number of other topics.
- Group information: How to contact the HRLR Network Practitioners' Group and others that discuss matters relating to HRLR.

### *Legal*

- Information on the latest legal issues facing the sector: Resource materials and reviews and summaries of legal cases and decisions.

### *Joint Job Evaluation Program*

- A general overview of the Joint Job Evaluation Program.
- Job description resources and tools: Information, benchmark ratings and wage grids, job descriptions, and a guide to developing accurate job descriptions.

### *New Certifications*

- Support for newly certified agencies: Collective agreement costing tools, information on the Municipal Pension Plan, and advice on managing a successful unionized work environment.

### *Member Resources*

- All CSSEA publications: CSSEA newsletters and information bulletins, communications from the CEO, and presentation materials from the Annual Fall Conferences and dedicated groups such as the HRLR Network Practitioners' Group. There are also archived publications which give you access to important issues from previous years.
- Surveys: Information about the 2012 Sectoral Costing and Bargaining Data Collection and links to survey submission forms.

- Reports: CSSEA's Annual Report and Financial Statements, and reports generated from CSSEA's data collecting, such as the Annual Employee Turnover Survey Report.
- Partnership information: Detailed information about CSSEA's partners and their services. §

## **New Vision New Direction New Logo**



CSSEA's new vision statement sets the goal for CSSEA to become a leader in human resources and labour relations and a trusted advisor for community social services in British Columbia. We are pleased to introduce our newly revamped logo, designed by staff, which reflects our commitment to providing leadership and HR expertise throughout BC and the inclusiveness of our sector.

**We are excited about our new website. Your feedback is invaluable to us as we continue to develop and refine the site, so please let us know your thoughts and suggestions either by completing the questionnaire on the website or by emailing [research@cssea.bc.ca](mailto:research@cssea.bc.ca).**

# Social Host Liability: What Employers Should Know

*Lindsie M. Thomson, Harris & Company LLP*

Employers hosting social events in connection with or at work at which alcohol is served can expose themselves to a number of significant risks.

Commercial hosts such as pubs and restaurants have a duty to protect intoxicated individuals and the public because of the financial relationship between the host and the customer; they have been found responsible for injuries sustained or caused by customers who become impaired.

Employers are likely to be considered commercial hosts to event attendees who are not employees. Moreover, employers are held to an even higher standard of care than commercial hosts when serving or providing alcohol to their employees.

In the Ontario case of *Hunt v. Sutton Group Incentive Realty Inc.*, [2002] O.J. No. 3109 (C.A.), the employee attended a holiday party at the office where alcohol was served from an unmonitored open bar. On her way home, the employee stopped at a bar and had more to drink. While attempting to drive home she was badly injured when her vehicle crashed. The employee alleged her employer had failed to take adequate steps to prevent her from leaving the office while in a state of intoxication. At trial, the Court determined the employer was liable for the employee's damages (a new trial was ordered on appeal, but the Appeal Court did not dismiss the contention that the employer might be liable for the employee's injuries).

In summary, employers are held to a high standard with respect to duty of care owed to employees and non-employees when providing alcohol at work-related events. There remains some uncertainty as to liability when an employer hosts a social gathering outside of work hours and off work premises. However, it is clear that an employer may be held liable for anything that can be considered a reasonably foreseeable consequence of an attendee's intoxication, especially if that attendee is permitted to drive home from an event after demonstrating signs of intoxication. Moreover, claims may be made by guests or third parties injured by impaired employees or guests, not just employees themselves.

To limit potential liability, an employer should ensure the alcohol consumption and sobriety of those attending social events are closely monitored. Liability can then be limited by ensuring those who have had too much to drink are provided with a safe ride home and not permitted to drive their vehicles. §

## Name the System Contest - Deadline Extended

Help us name the new data collection system. Send your suggestions to [cssea@cssea.bc.ca](mailto:cssea@cssea.bc.ca) by January 31, 2013.

The individual with the winning name/suggestion will receive a complimentary registration to the 2013 AGM and Fall Conference in Nanaimo.

What are you waiting for? Start sending...

## 'Tis the Season to Consider Employer Liability as a Social Host



Employers hosting social events at which alcohol is served should follow these guidelines:

1. Begin events after work hours.
2. Hold events at a bar, restaurant, or hotel.
3. Hire a bartender if the event is held at the workplace.
4. Monitor the alcohol consumption of attendees.
5. Provide employees with taxi vouchers.
6. Announce arrangements (like taxi vouchers) in advance.
7. Purchase event-specific insurance.



*Thank you to all who attended and contributed to making the event a success!*



## 2012 AGM Scrapbook



## Sectoral Case Updates

**Rate of pay at time of hire** – Issue: Interpretation of application of prior experience to wage rate at the time of hire. **Status:** CSSEA has prepared a response.

**Hours worked outside regular classification** – Issue: The Union claims that all hours worked by an employee must be used to progress along the steps of the wage grid, regardless of the classification in which they are performing work. CSSEA's position continues to be that only hours worked in exactly the same classification/position can be applied to the steps of the wage grid. **Status:** Arbitrator Wayne Moore remains seized of this matter. CSSEA's position remains consistent.

**Expedited arbitration process** – Issue: Setting dates for regional expedited hearings in 2012. **Status:** Expedited hearing dates continued to be scheduled this Fall and files have been resolved or adjudicated in regions around the province. The parties will meet in January to schedule new regional dates for 2013. A further review of the Expedited Arbitration Protocol will be forthcoming in the New Year.

**Variance of certification and declaration re: bargaining agency** – Issue: The HEU has attempted to file an application with the Labour Relations Board (LRB) to cancel the BCGEU's certification. **Status:** CSSEA was successful in its application resulting in the LRB dismissing the HEU's application. The employees remain within the larger existing bargaining unit serviced by the BCGEU.

**Application to change CSSBA articles of association** – Issue: CSSEA has reinvigorated its application before the LRB in order to ensure bargaining can proceed in a manner consistent with the Labour Relations Code. **Status:** The LRB requested that CSSEA withdraw the matter without prejudice in exchange for the ability to bring the application back before the LRB on short notice if issues arise (i.e. in collective bargaining).

**Article 29 (Harassment)** – Issue: Harassment complaints have been advanced by the Union without notice to CSSEA as the bargaining agent. **Status:** CSSEA continues to work closely with Boards of member agencies to ensure that harassment investigations are conducted properly and in the most cost effective manner. §



On behalf of everyone at CSSEA,  
we wish you a safe and enjoyable  
holiday season!

## Hello and Farewells

As a result of a reorganization of the Corporate Services department, we said goodbye to **Karen Yow** in September after 18 years with CSSEA. We thank her for her many years of service and wish her well in her future endeavours.

In October, CSSEA contracted with **David Umbach** to provide expertise and financial oversight to the organization. Dave brings more than 20 years of accounting experience and has worked with a number of financial institutions, charities and CSSEA members.

Our HRLR Intern, **Michael Hart**, completed his term with CSSEA and has moved on to continue with his professional development.