

## BULLETIN

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### HSA wins decision to ensure members paid interest on long-delayed retro pay *Members also entitled to employer explanation of pay calculation*

Last year, after the union negotiated significant pay increases for members within the 2022-2025 collective agreement, many members were left waiting as employers failed to move quickly on retro pay. In some cases, employers left members waiting months for the money due to them.

The union advocated forcefully on these delays, taking the matter directly to the Minister of Health on more than one occasion, and pursuing legal action against the employers.

The arbitrator on this matter has recently issued a consent award that requires the employers to pay interest on retro pay that was held up. This means:

- Employers **shall pay interest** as calculated pursuant to the Court Order Interest Rate Act on all amounts owing for retroactive payments made from May 1, 2023, until payment is made. The interest is payable on both the 2022 and 2023 increases for payments made after May 1, 2023.
- Retroactive payments include, the General Wage increase including COLA, the Grade 1 to 2 lift (applicable portions for identified years), profession specific classification increases, and premium pay improvements.

There is no action needed on the part of members who are entitled to receive the interest payments – once individual interest payments are calculated, the Employers are required to pay out to the affected members.

The other key win in this decision requires the employers to provide – to any member who requests it -- a transparent calculation related to the retroactive payments that they have already received. This portion of the award addresses the concerns of members who were unable to distinguish if their lump sum retro pay increases were paid accurately and correctly, regardless of when those payments were made. Should there be an error and the member was paid incorrectly, the employer will correct the payment and those monies will also be subject to the above noted general interest provisions.

The instructions to submit a pay transparency request are as follows, **and must be completed before September 27, 2024.**

- Members employed by Fraser Health are asked to email the following email address to request a pay transparency review: [fhapayroll@fraserhealth.ca](mailto:fhapayroll@fraserhealth.ca)
- All other members (not FHA employees) are asked to go through your regular pay inquiry process to request a pay transparency review (if you don't know how to file a pay inquiry please ask your payroll department for direction)
- Regardless of employer, ALL members seeking pay transparency for retroactive payments are asked to use the following SUBJECT LINE for your inquiry: **RETROPAY INQUIRY 2022/23 GWI TRANSPARENCY and DELAYS**



- Regardless of employer ALL members are asked to please include the following specific details to assist in getting you a substantive response to your transparency inquiry:
  - Name
  - Base position including FTE
  - Classification / job title
  - Pay rate prior to December 22, 2022 (prior to the ratification of the HSPBA Collective Agreement)
  - Describe the type of increases you are seeking pay transparency for (ie. GWI, COLA, premiums, classifications related provisions, etc.)
  - Have you already filed a (previous) payroll query on this same issue? If so please provide the date and reference number, and any response you have received to date
  - Please indicate what you believe to be the retro pay discrepancy and the correct amount you believe should have been paid
  - Any other relevant information
- Regardless of employer, ALL members submitting such an inquiry are asked to please also copy the request to the union email at: [retropay@hsabc.org](mailto:retropay@hsabc.org)
- **All such requests must be made no later than September 27, 2024.**  
NOTE: This process is intended ONLY to capture the accuracy and transparency of the retro pay inquiries related to the 2022 and 2023 increases noted above. All other pay inquiries unrelated to this issue still go through the regular identified employer process.

There is a timetable for the transparency inquiry process to complete including a response from the employer with a deadline of December 13, 2024 though there is flexibility due to the parties not knowing how many transparency queries will be made. Arbitrator Julie Nichol retains jurisdiction to revise the dates for the process to complete if required.

There is also a dispute resolution process if needed in the event the members' inquiry, and employers response do not provide adequate resolution.