

What's Inside

This MyInfo sheet provides information for excluded employees who are facing the loss of employment in the BC Public Service. The advice in this document is based on years of experience working with BCEEA members who have been made redundant or terminated with or without cause.

Some of the ideas presented in this MyInfo sheet include:

- Why you have received a notice
- How to respond
- Your financial and career options
- How the BCEEA can help.

Job Loss and Severance

Finding Out

In our experience, employees sometimes get an informal "heads up" about an upcoming branch or division restructuring and realize that a position may be eliminated or changed. More often you will be called into a formal meeting where you will be informed that your position has been impacted or declared redundant, or that you are being "let go." In both cases, you will be handed a letter that informs you of job redundancy or termination. Immediately following this meeting, you will likely be introduced to a professional transition counsellor who is there to provide support.

Depending on the circumstances and the organizational culture, you may return to your office and continue to work. In other instances, you could be required to leave your workplace immediately and have your personal effects forwarded to you, or you may be permitted to pack up on your own. The ministry may offer to send you home in a taxi.

Why?

BC Public servants lose their jobs for a variety of reasons that fall within two main categories: with cause or without cause.

With cause means the employer believes sufficient aspects of your work or workplace behaviour constitute grounds for dismissal. If you're a BCEEA member and you find yourself in this situation, contact us immediately. There are instances where individuals believe the evidence is not sufficient to warrant dismissal with cause. In those situations, we will refer you to a lawyer familiar with BC Public Service policy related to dismissals with cause. For more information please see the [BCPSA](#) policy on termination for just cause.

Without cause means the employer believes it is obligated or most appropriate to compensate you for the dismissal. There are a wide variety of factors that lead to this type of dismissal. For more information, please see the [BCPSA](#) policy on termination without



cause.



No matter how you find out or how it plays out, the experience is almost always difficult and emotional.

First Things First

Even though you're emotionally impacted, you need to pay attention to pragmatic details that are critical to your future. Based on our wealth of experience in this area, here are our top tips for managing during this difficult time:

Keep it in Perspective

Remember that this is only one, albeit rough, period of your life and career. It is time-limited and although it often feels very difficult, there are other aspects of your life that will not change. Putting job loss in perspective can help with some of the difficult emotions that accompany these situations.

Save the Emotions for People you Trust

Feeling angry is part of the process - none of us like imposed change, particularly when we have had little choice in the matter. However, it is important that you present a professional demeanor to those you work with because you just might find employment elsewhere in government. People are watching how you conduct yourself in these difficult circumstances and how you behave speaks volumes about your level of professionalism.

Save your ranting and anger for only people you trust the most. If you're a BCEEAA member, call us! We understand what you're going through and it's safe to vent with us.

If you're provided with a transition professional or coach, be sure to use them. These services are confidential so you can let off steam without worrying.

Set a Realistic Goal

Figure out what your preferred and realistic goal is in the situation, given the parameters of the dismissal. Would you like to continue to work in government or do you want to move to the private sector or broader public sector? Is this the best time for you to go back to school or get retrained? Are you close to retirement and would like to begin your post-work life? We can help you sort through those types of options. But you do need to know what you want so you can take a strategic approach to your situation.

Let the BCEEAA Help You

If you're a BCEEAA member, we'll sit down with you and review your severance letter. The letter lays out the terms of your severance and how it is to take place, including some options. You'll be given a certain amount of time to review the options and to sign the letter. It is possible to propose alternate options in rare instances, but you need to have a strong rationale presented in a clear and positive manner.

Tips for Responding

- Pay attention to pragmatic details critical to your future.
- This is only one period in your career and things will change.
- Don't rant and rave at your supervisor or colleagues
- Set realistic goals for your situation.
- Let the BCEEAA help you.



What is in My Notice Letter?

The contents of your notice letter depend on your circumstances. There are, however, some predictable components:

Reason: It is with regret that I am writing to inform you that your position has been impacted because of recent restructuring (or whatever the reason is).

Date: Your employment with the Government of the Province of British Columbia will be terminating at the end of the day on (a date). The date is often the date of the dismissal letter.

Options: This letter and enclosed documents will detail the terms and conditions and agreement of settlement.

Next Steps: The following steps will assist you in working through the severance process (one of which will be the date at which you are obliged to sign and return the Agreement to the BCPSA).

Other: Depending on the circumstances, you will have a second page which outlines options and terms. There are likely several mix and match options depending on your organization and the people above you in the hierarchy—they do have some flexibility.

What Are My Options?

Value of Severance: Before you can look at the options, it's important to understand the value of your severance. Severance is based on a formula-driven calculation that considers your years of service, level of pay and your age. While there is very limited flexibility in how severance is calculated, in rare instances other circumstances are considered. The calculation is expressed both in dollar amounts and time, for example 12 weeks of severance or \$X dollars. This is important because your final severance could end up being a blend of time and money.

Time: There are three types of time: 1) Working Notice; 2) Salary Continuance; and 3) Lump Sum Severance.

Working Notice: A given date upon which your employment in your current position will end. Until this date, you will continue to go to work, receive your salary and benefits as you normally would and continue to have access to all government services and systems like any other permanent employee. You're expected to aggressively seek employment elsewhere and you'll be given sufficient time to do so.

Because you have regular employee status, there are a wide variety of employment options available to you, including lateral transfers. Lateral transfers are best suited to people who wish to continue to work in the provincial government as you may already have a network who can help you find another position. It's much easier to find work when you're working in the system. You also

What Are My Options?

- Determine the overall value of your severance in time and money?
- Consider options for lump sum payout, salary continuance, and working notice
- Consider the math – what are the career and financial implications of your choices?



continue to contribute to your pension and to accrue pensionable time. The "value" of any working notice time is deducted from the overall financial compensation.

For example, if your overall severance is 12 months, and you agree to 6 months working notice. If at the end of 6 months you have not secured permanent employment, the dollar value of that 6 months will be subtracted from the 12 months, and you will receive the remainder as a lump sum severance or as bi-weekly payments. If you do find permanent employment in the BC public service, then the severance slate is wiped clean, and any working notice is simply considered part of your regular work time.

Salary Continuance/Bi-Weekly Severance Installments: This option means you are no longer a provincial government employee, but your salary continues to be paid in the form of severance, and you will continue to receive health and dental benefits and accrue pensionable time. You may be considered in-service for the purpose of applying to in-service competitions. You will not however have access to a regular IDIR. This option works well if you have plans for future employment, are uncomfortable staying in the workplace or if a lump sum payment would have negative income tax implications. We've seen instances where parents take this option to be with their children or to complete an educational program.

Lump Sum Severance: This option means that you accept the dollar value of your severance period as of a certain date and at that date you are no longer a provincial government employee. You can seek employment in the private sector, but if you accept employment or a contract with the provincial government, most other public sector entities, some crowns and organizations that are mostly funded by the province, you may be required to pay back some of the severance money based on the daily value of your salary while in government.

Combinations: It is not unusual for severance to be formulated in a combined manner – for example if the value of your severance is 12 months, it is possible to take 6 months in bi-weekly payments and 6 months in a lump sum.

How Do I Decide What Is Best?

You have two main considerations: your employment goals and what we call "the math". For example, if you have expertise sought after in other employment sectors and you are mid-career, you may wish to take a very short working notice and the rest in lump sum severance. If, however, you are close to retirement and/or prefer not to work for a while due to personal circumstances, salary continuance might work best for you. If you are close to attaining your maximum pension, then a longer working notice would be the best consideration.

To make this decision, you need to understand the tax, pension, and employment implications of these options for your unique circumstances. The BCEEA can help you through our specialized services. We help our members develop a plan to work through all the options and assist in writing a letter outlining their specific needs and asking for considerations different from what they were originally offered. That decision is at the

How Can the BCEEA Help?

- Unbiased and supportive advice
- Goal setting for future employment
- Networking
- Interview preparation
- \$750 to support legal advice



discretion of the employer and rests with the Deputy Minister of your ministry. Most senior staff want to assist impacted employees in any reasonable way within acceptable government human resources policies.

In addition to any support we offer, the BCPSA provides a range of support services to impacted employees. Our members have had positive experiences using all the help available to them.

How Can the BCEEA Help?

We offer completely unbiased advice and support. We'll help you develop a strategic approach and outline all the steps you need to take to make the best decisions for your future.

If your goal is to secure employment with the BC government, we'll work with you to develop an approach, set up one-on-one career networking meetings and help you with interview preparation.

In the rare situations where you require legal advice, we will support you by reviewing your file and helping you organize supporting documents so that your time with a lawyer is most productive. We can also work closely with the lawyer if needed. If you have been a member for six months or longer you may qualify for legal assistance reimbursement of up to \$750.00.

We have experience and expertise in this area, but more than that, we care about you as an individual and we work to support you in any way we can.

Please remember that this MyInfo sheet has been developed to provide general tips and does not consider any individual circumstances, constitute legal advice, represent government policy, or replace a personal consultation.

