

# Terms & Conditions for Excluded Employees & Appointees Schedule 05 - Relocation

Last updated April 12, 2016

## Part I: Interpretation

### 1. Definitions

In this schedule, unless the context otherwise requires:

**"dependent"** means spouse, dependent child or other dependent relative and includes a common-law spouse and dependents.

**"headquarters"** or **"geographic location"** is that area within a radius of 32 kilometers of where an employee/appointee ordinarily performs his/her duties. When an employee/appointee is relocated, the headquarters area may be redefined where exceptional circumstances such as unusual road conditions exist. For the purposes of employer-initiated relocation and privatization and expenses arising there from, headquarters or geographic location will be redefined as a radius of 50 kilometers (32 kilometers in the GVRD or CRD) of where an employee ordinarily performs his/her duties.

**"house"**, **"residence"** and **"property"** refer solely to the property occupied as the principal residence of the employee/appointee at the time of relocation, including mobile homes.

**"private dwelling house"** refers to the single family residence of the employee/appointee on a reasonable amount of property required to support such a house, owned by the employee/appointee or their spouse, and for which evidence of title can be provided.

**"property evaluation"** where an employee/appointee elects to purchase a dwelling house on a piece of property that would not be considered a "reasonable amount" (e.g. hobby farm, etc.) the following formula shall be used to determine the value of the private dwelling house for legal fee reimbursement purposes:

1. value of an average serviced lot in or close to the nearest town;
2. assessed value of actual house on site;
3. total added value in (i) and (ii)

**"relocation"** means a change of residence by an employee/appointee from one headquarters or geographic location to another made necessary by being the successful applicant in a Public Service competition, or at the employer's request or direction.

**"travel status"** means the absence of the employee/appointee from their designated headquarters or geographic location on government business with the approval of the employer, but travel status does not apply to an employee/appointee temporarily assigned to a position outside of the designated headquarters or geographic location or to a field status employee/appointee.

## **2. Application**

1. This schedule applies to the following employees/appointees:

1. Regular employees;
2. OIC appointees in categories A, B and C;
3. Auxiliary employees over 1,827 hours;
4. Auxiliary employees under 1,827 hours, moving at the employer's request; and,
5. Auxiliary employees under 1,827 hours who have completed their initial probationary period and have won a competition.

In addition, at the discretion of the hiring organization, newly hired regular management employees, newly hired auxiliary employees, and newly hired OIC category A and category C appointees may have the provisions of this schedule provided in whole or in part.

2. The determination as to level and extent of the relocation assistance for newly hired regular management employees and newly hired OIC category A and category C appointees will include consideration of:

1. budgetary constraints,
2. operational needs of the organization,
3. the need to attract competent staff, and
4. reasonable and legitimate relocation costs incurred.

3. Reimbursement of relocation expenses in excess of the provisions of this schedule may be authorized by the deputy minister in the following business situations:

1. The employee brings difficult to recruit skills to the job;
2. The location of the job makes it difficult to recruit; or
3. There is a need to be competitive in order to attract a candidate who will provide good value for cost.

4. Pursuant to Section 3, deputy ministers are authorized to approve reimbursement of relocation expenses in excess of this schedule for all appointments up to and including Assistant deputy minister. The Deputy Minister to the Premier, in consultation with the Head of the Public Service Agency, is authorized to approve the reimbursement of relocation expenses in excess of this schedule for deputy minister appointments.

5. All existing employees/appointees and newly hired employees/appointees who are receiving relocation assistance after winning a competition will be required to sign a repayment agreement. If the employee/appointee resigns within the two (2) year period immediately following relocation, repayment of the relocation assistance and / or house-hunting expenses will be made on the pro-rata basis of 1/24th of the total amount received for each full and final partial month of service (if any), that the employee/appointee's

employment with the Province of British Columbia falls short of 24 calendar months of full time (or equivalent) service. However, where the employee/appointee is at work beyond the 15th day of the final partial month of service, that final partial month will be considered to be a completed month of service for purposes of calculating the amount to be repaid.

6. Where the position is permanently located at another headquarters or geographic location, relocation expenses will apply to an employee/appointee who has to move at the employer's request or after winning a public service competition. The employee/appointee shall not be entitled to relocation expenses where their new worksite is closer to their current residence.
7. Relocation expenses will not apply, but instead the applicable traveling, living and moving expenses provided under the board and lodging provisions will apply to the following groups of employees/appointees who will not be considered to be on relocation:
  1. field status, mobile and other employees/appointees whose normal duties require moves from one temporary headquarters to another or from one assignment to another;
  2. field status, mobile and other employees/appointees who are successful applicants for positions, where such positions are not permanently located at one headquarters or geographic location, such as is the usual case with field crew positions; or
  3. apprentice employees when there is a pre-programmed change in their headquarters or geographic location.
8. Where a change of location is at the request of the employee/appointee, any expense occasioned thereby will not be reimbursed and this schedule does not apply.
9. For an employee/appointee entitled to relocation expenses, the employer will pay traveling, living and moving expenses on relocation in accordance with Part II or Part III of this schedule as applicable.

## **Part II: Relocation expenses for excluded employees and designated OIC appointees**

### **1. Locating new accommodation**

1. For existing employees/appointees only, the employer shall grant an employee/appointee up to five days leave with regular pay plus reasonable travel time to permit the employee/appointee to locate new accommodation at the new work location. The employee/appointee and spouse shall receive personal travel and living expenses in accordance with the [Travel Policy](#) for one trip to and from the new location.
2. For new employees/appointees, where required, the employer may authorize a house-hunting trip of up to three days plus reasonable travel time. Expenses for the house-hunting trip for employee and spouse will be reimbursed in accordance with the [Travel Policy](#).

## **2. Traveling and living expenses on relocation**

1. The employer shall reimburse an employee/appointee for necessary personal expenses incurred in the transportation of themselves and their dependents to the new location, in accordance with the [Travel Policy](#).
2. Where an employee/appointee and dependent(s) are entitled to reimbursement for meals on relocation, reimbursement shall be in accordance with the meal allowances in the [Travel Policy](#).
3. Where an employee/appointee uses a private vehicle for transportation to the new location, the cost shall be reimbursed in accordance with the distance rates contained in the [Travel Policy](#).
4. The employer shall pay the full expenses of the employee/appointee and dependent(s) for not more than 15 days after the employee/appointee has moved out of a former residence and prior to moving into the new residence.
5. Where suitable accommodation at the new location is not readily available, the employer shall pay the employee/appointee a living allowance for any period not covered by subsection (4), as follows:
  1. for an employee/appointee with dependent(s), for a period not exceeding 12 weeks, an allowance of \$175 per week; or
  2. for an employee/appointee without dependent(s), for a period not exceeding five weeks, an allowance of \$140 per week.
6. Where unusual or exceptional circumstances exist, the deputy minister may:
  1. increase the amounts payable under subsections (4) and (5);
  2. extend the time for which allowances may be paid under subsections (4) and (5);  
or
  3. make such other arrangements as it deems advisable.

## **3. Incidental moving expenses on relocation**

To assist with incidental moving expenses after an employee/appointee has found suitable accommodation at the new location, the employee/appointee is eligible for an allowance of \$800 in addition to any other payment that may be made under this part.

## **4. Move of mobile home**

1. On relocation, an employee/appointee who owns a mobile home may opt to have the mobile home moved by the employer in either of the following circumstances:
  1. where the employee/appointee's new headquarters area is on the list of isolated areas, and no suitable accommodation is available; or
  2. where an employee/appointee is living in a mobile home, which was moved to its present location by the employer and the employee/appointee's headquarters, prior to the impending relocation, is on the list of isolated locations.

2. Where an employee/appointee's mobile home is moved by the employer under this section, the employer shall arrange and pay for the following:
  1. Moving of a single wide mobile home up to the maximum width allowed on the highway with a permit including any skirting, cabanas or attachments; or
  2. Where a mobile home exceeds the maximum width allowed on the highway with a permit:
    1. the equivalent cost of moving a single wide mobile home up to the maximum width allowed on the highway with a permit; or
    2. the real estate and legal fees involved in selling the extra wide mobile home up to a maximum of \$5,000.
  3. Comprehensive insurance to adequately protect the employee/appointee's household furniture and effects and trailer during the move up to a maximum of \$60,000;
  4. The setting up and levelling of a mobile home or double wide at the new location to a maximum of \$600 upon production of receipts; and
  5. The packing and unpacking of the employee/appointee's household furniture and effects, if required.
3. Where an employee/appointee not covered in subsection (1) above, is living in a mobile home and chooses to move the mobile home to the new headquarters area, the employee/appointee is entitled to reimbursement for costs covered in subsection (2) above up to a maximum of \$2,500 upon production of receipts.
4. Where the employee/appointee opts under this section to have a mobile home moved, sections 5 and 7 do not apply.

## **5. Moving furniture and effects**

1. The employer shall pay the cost of moving an employee/appointee's furniture and effects to the new location under the following conditions:
  1. The employer approves the mover;
  2. The total weight of the furniture and effects moved at the employer's expense does not exceed 8,165 kilograms;
  3. Boats, outboard motors, and other hobby items are included within the weight limitations; and,
  4. Non-admissible items and services as specified in the British Columbia Government Conditions For Moving Household Goods and Effects will not be moved or performed at government expense.
2. The employer shall pay the cost of comprehensive insurance to adequately protect the employee/appointee's household goods and effects being moved at the employer's expense to a maximum coverage of \$75,000. An employee/appointee with items of extraordinary value or requiring coverage in excess of the above, should contact the Risk Management Branch, Ministry of Finance.
3. Where it is necessary to store furniture or effects while suitable accommodation is found at the new location, the employer shall pay the storage charges for a period not exceeding three months.

4. The employer shall pay for the packing and unpacking of an employee/appointee's household effects should it be required.
5. Where an employee/appointee is being relocated and opts to move their own household goods and effects the employee/appointee shall receive one of the following allowances:
  1. \$600 for a move not exceeding a distance of 240 kilometers; OR
  2. \$1,100 for a move, which exceeds a distance of 240 kilometers
6. When an employee/appointee exercises an option pursuant to subsection (5) then the provisions of subsections (1) and (4) above shall not apply.

## **6. Transporting a motor vehicle**

1. One motor vehicle and one trailer towed by the motor vehicle shall be transported at the employer's expense. The motor vehicle and trailer, where applicable, may be driven at distance rates established in the [Travel Policy](#), or shipped, whichever is the most practical and least total cost. If driven, the distance rates apply to the motor vehicle only. Where shipped, the motor vehicle and trailer weights are not included in the 8,165 kilograms maximum specified in section 5.
2. The employer shall pay the cost of insuring a motor vehicle being shipped and the amount of insurance to be placed on the motor vehicle shall be determined in consultation with the employee/appointee but shall be included in the maximum coverage specified in section 5. The employee/appointee may place additional insurance coverage at personal cost.

## **7. Notice to employee upon relocation**

It is understood and agreed that the employer will provide employees with reasonable notice of the relocation effective date, and wherever possible, at least one month's notice shall be given. Where less than one month's notice is given, or the relocation date is altered either earlier or later than the relocation effective date given which directly results in duplication of rent costs to the employee, then the employer agrees to reimburse the employee, upon production of receipts, for the duplicate rent payments at the new location.

## **8. Real estate and legal fees**

1. On relocation, or within one year of the effective date of relocation, an employee/appointee who purchases or sells his/her private dwelling house is entitled to claim for the following expenses upon production of receipts:

- a. Where an employee/appointee sells the private dwelling house in which they resided immediately prior to relocating, real estate fees charged by a real estate agency will be reimbursed up to a maximum of \$8,500; effective April 1, 2016 - \$8,700; and effective April 1, 2018 - \$8,900.

b. An employee/appointee, who has sold their private dwelling house in which they resided immediately prior to relocating, without the aid of a realtor, shall be entitled to claim \$2,000.

c. An allowance for legal fees will be paid to an employee who purchases a private dwelling house in which they live after relocation in accordance with the following:

1. one percent of the first \$50,000 of the purchase price;
2. one-half percent of any amount of the purchase price above \$50,000;
3. the total cost to the employer under paragraph (c) shall not exceed \$1,000; effective April 1, 2016 - \$1,025; and effective April 1, 2018 - \$1,050.

d. Where an employee/appointee purchases a reasonable amount of property, secures a joint mortgage (land and private dwelling house) and begins construction (i.e. foundation poured) within six months of relocation, they shall be entitled to reimbursement of legal fees not to exceed the amount specified in paragraph (c) above with respect to one transaction only.

e. The employee/appointee may only claim legal fee reimbursement in either paragraph (c) or (d) above, not both.

f. Upon written application, the deputy minister may approve extension(s) to the one year time limit in this section in accordance with the following:

1. extension(s) for claiming real estate fees may be granted to an employee/appointee who has not yet sold their private dwelling house but has made a reasonable attempt to do so. Extension(s) for claiming legal fees may be granted to an employee/appointee delayed in purchasing a new private dwelling house by the late sale of the existing home.
2. a reasonable attempt may include such aspects as: - the property being listed for at least the last six months of the original one year period; - the asking price being reasonable considering the appraised value of the property; - no reasonable offers having been refused; or - the delay in claiming legal fees from the purchase of the new home arise from the late sale of the existing home, in spite of a reasonable attempt to sell the existing home.
3. the employee/appointee is responsible for providing any information or documentation required to support the request for extension and for any costs so incurred.

### **Part III: Relocation at time of retirement**

1. Where a retiring employee/appointee has been relocated by the employer or through a competition to an isolated location, and gives at least six months written notice prior to retirement to relocate elsewhere in the province, the employer shall pay the cost of moving the employee/appointee's household goods and effects in accordance with that part of the relocation provisions in effect at the time of the employee/appointee's retirement providing:
  1. the employee/appointee is living in an isolated location specified in the isolation provisions and was relocated to the isolated location by the employer;
  2. the employee/appointee has served a minimum of three years in the isolated location;
  3. the employee/appointee moves within three months of the month in which they cease active employment with the Province (i.e. within three months of the month in which the employee/appointee is last at work)
2. For purposes of this section, "retiring employee" means an employee/appointee scheduled to retire and to receive a superannuation allowance under the Public Service Pension Plan or who has reached mandatory retiring age.

### **Part IV: Relocation required by employer movement of operation**

1. Where a regular employee is required by the employer to relocate as a result of the employer moving its operation from one geographic location to another and which has been approved by Treasury Board, the employee will be entitled to the following reimbursements in addition to the provisions in Part II above, upon production of receipts:
  1. Real estate commission fees not to exceed \$15,000. Where a claim is made under this section, there shall be no entitlement to reimbursement under Section 7 of Part II above;
  2. Mortgage discharge fee not to exceed \$200 and mortgage pre-payment penalty, if any;
  3. Survey certificate fee as required for the acquisition of a mortgage/purchase of a private dwelling at the new location;
  4. Interim financing fees and/or interest charges incurred for the purchase of the private dwelling house in the new location for a maximum period of 60 days. The employee shall provide the necessary documentation to demonstrate that such interim financing arrangements were incurred and/or duplicate mortgage payments have been made.
2. Part IV does not apply where the employee's private dwelling in which they resided immediately prior to relocation is not sold.