

TOPIC Reciprocal Agreements: Recognition of Calendar and Accumulated Service With a Previous Employer For Benefits Calculations In The Civil Service

POLICY: Upon recruitment, calendar service and accumulated service may be recognized for benefit purposes where a reciprocal agreement exists. Under specified circumstances accumulated sick leave and/or vacation credits may also be recognized.

For more information about this policy or specific reciprocal agreements, contact the Labour Relations Division.

AUTHORITY:

- Management Committee Minute MC 17/72/-3(e)
- Specific reciprocal agreements as authorized by the Labour Relations Division, Treasury Board Secretariat.
- Reviewed April 11, 2007

QUESTIONS:

1. **What is a reciprocal agreement?**
2. **Who is responsible for negotiating reciprocal agreements?**
3. **Do reciprocal agreements apply to all new employees?**
4. **Under what circumstances would a new employee's accumulated service or accumulated sick leave be considered?**
5. **If there is a reciprocal agreement in place is a new employee automatically covered?**
6. **How does a reciprocal agreement apply to an employee's benefits?**
7. **Can a new employee who has received a sick leave or severance payment from their previous employer prior to commencing employment with the Province of Manitoba receive credit for service with their previous employer for the purpose of those benefits?**
8. **Can an employee be credited with benefits which exceed the existing maximum rates provided by the Province of Manitoba?**
9. **What is not included in a reciprocal agreement?**

QUESTIONS AND ANSWERS

1. What is a reciprocal agreement?

A reciprocal agreement is a written agreement between employers which allows employees to have their calendar service and accumulated service with their previous employer recognized for the purpose of calculating the earning rates for vacation, sick leave and in some instances severance pay. An employee must have commenced

employment with the civil service with no break in service between jobs. A reciprocal agreement also allows an employee to have their calendar service with their previous employer applied to any waiting periods attached to specific health benefits plans such as dental, health spending account, etc. In some instances sick leave and/or vacation credits may also be transferred.

2. Who is responsible for negotiating reciprocal agreements on behalf of the Province of Manitoba?

The Labour Relations Division, Treasury Board Secretariat is responsible for negotiating reciprocal agreements on behalf of the Province of Manitoba.

3. Do reciprocal agreements apply to all new employees?

No. Reciprocal agreements are in place with certain but not all public sector employers. The Labour Relations Division, Treasury Board Secretariat should be contacted for a list of existing reciprocal agreements.

4. Under what circumstances can a new employee's calendar and accumulated service be recognized?

An employee's calendar and accumulated service with their previous employer can be recognized when the employee commences employment with no break in service between jobs.

5. If there is a reciprocal agreement in place is a new employee automatically covered?

Where there is a reciprocal agreement in place, an employee must apply to have their service with their previous employer recognized by contacting the Human Resource Services Branch in their department.

6. How does a reciprocal agreement apply to an employee's benefits?

- Calendar service with the employee's previous employer is recognized for the purposes of calculating vacation and sick leave earning rates.
- Accumulated service with a previous employer is recognized for the purpose of calculating severance pay accrual rate.
- In certain instances sick leave and/or vacation credits may be recognized and transferred.
- Calendar service with the employee's previous employer may be applied to any waiting periods attached to specific health benefit plans.

7. Can a new employee who has received a sick leave or severance payment from their previous employer prior to commencing employment with the Province of Manitoba receive credit for service with their previous employer for the purpose of those benefits?

There can be no duplication of a benefit. An employee who has received a “cash-out” of vested sick leave or severance pay from their previous employer cannot be credited with service with their previous employer for the purpose of those benefits on commencing employment with the Province. (e.g. sick leave credits or vacation credits which have been converted into a “cash-out” cannot be recognized. Similarly, accumulated service with the employee’s previous employer that has been recognized in order to calculate a severance cash-out cannot be considered for severance purposes by the Province of Manitoba.)

8. Can an employee be credited with benefits which exceed the existing maximum rates provided by the Province of Manitoba?

Benefit earning rates and benefit entitlements must be consistent with the established rates for all Province of Manitoba employees. An employee who commences employment with the Province cannot be credited with benefits that exceed the existing maximum earning rates and entitlements applicable to all employees of the Province.

9. What is not included in a reciprocal agreement?

- Accrued vacation credits with an employee’s previous employer are normally used by the employee or cashed out prior to commencing employment with the Province of Manitoba and therefore are not included.
- Service for the purpose of seniority calculations unless specifically agreed to by the employee’s union are not included.
- Pension credits and group insurance coverage are not included. Employees should contact the Civil Service Superannuation Board for information with respect to pension and group insurance coverage.