

# LEGISLATIVE RETURN



**SUBMITTED BY:** Hon. Sandy Silver, Minister of the Public Service Commission

1. On [date], [MLA]
  - asked the following question during the Oral Question Period at page(s) [page numbers] of *Hansard*
  - submitted the following written question – WQ No. #
  - gave notice of the following motion for the production of papers – MPP No. #

RE: [subject]

**OR**

2. This legislative return relates to a matter outstanding from discussion with Yvonne Clarke, Member for Porter Creek Centre on October 17, 2023 related to:
  - Bill No. 211  Second Reading  Third Reading
  - Committee of the Whole: Vote 10 Public Service Commission
  - Motion No. #  RE: Interview and Relocation Expense Directive at page(s) 4021 of *Hansard*.

The response is as follows:

**2022-23:**

CS - \$4,889.84  
ECO - \$21,867.74  
EDU - \$43,790.07  
EMR - \$15,102.78  
ENV - \$13,544.62  
FIN - \$27,672.10  
HPW - \$72,056.79  
HSS - \$666,089.64  
JUS - \$28,894.92  
TC - \$22,931.32

**2022-23 TOTAL = \$916,839.82**

New expenses have since been accounted for the previous reported amount of \$894,407.27.

**2021-22**

ECO - \$28,476.85  
EDU - \$65,397.26  
FLSD- \$5,797.33  
HPW - \$6,201.59  
HSS - \$380,618.43  
JUS - \$57,182.44  
TC - \$10,365.58

**2021-22 TOTAL = \$554,039.48**

One expense was found duplicated from the previous reported amount of \$555,904.68.

Oct 23, 2023

Date

Signature

## INTERVIEW AND RELOCATION EXPENSE DIRECTIVE

Management Board Directive#15/84

Date of Issue: July, 1988; Effective Date: June 26, 1984; Amended: April 1, 2009

- 1) This Directive, issued pursuant to sections 24(1), 28(1) and 33(1) of the *Financial Administration Act*, was approved by Management Board (M.B.M. #09-03-14) on February 16, 2009 and can be amended only with the approval of Management Board.
- 2) This Directive may be referred to as the Interview and Relocation Expense Directive.
- 3) This Directive applies to candidates for employment under the *Public Service Act*.
- 4) In this Directive:
  - a) "candidate" for the purposes of this Directive means a person
    - i) who has been authorized to attend an interview for employment; or
    - ii) who has accepted an offer of employment and has been authorized to relocate to a new work location or to proceed on a house-hunting trip.
  - b) "dependent" means spouse, (including a common-law marriage on the basis that the spouse has been publicly represented by the candidate as their spouse and satisfies the Public Service Commission that they have been residing with the candidate for a minimum of one (1) year), dependent child or other dependent relative. Dependent child is further defined as a person who is residing with the candidate and who is:
    - i) a natural child, step child, adopted child, legal ward, foster child or common-law child; and
    - ii) is nineteen (19) years of age or less; or
    - iii) twenty-one (21) years of age or less and in full time attendance at a school or other institution that provides training or instruction of an educational, professional, vocational or technical nature; or
    - iv) who is over the age of nineteen (19) years of age and is wholly dependant on the candidate for support by reason of mental or physical infirmity.
  - c) "distance allowance" means the amount payable for the use of a privately owned car/truck;
  - d) "employee" means a person appointed to a position in the public service and includes an auxiliary employee but does not include a casual;
  - e) "employee initiated transfer" means the transfer at the employee's request by the deputy head of an employee from one work location to another with no change in classification or salary;

- f) "employer" means the Government of Yukon with respect to a candidate for employment under the Public Service Act;
- g) "employer initiated transfer" means the transfer by the deputy head of an employee from one work location to another with no change in classification or salary;
- h) "government" means the Government of Yukon;
- i) "house-hold effects" includes the furniture, house-hold equipment and personal effects used by the candidate and his/her dependents in the candidate's principal residence, excluding any items that by law or tariff restriction may not be moved with house-hold effects or that require climatically controlled conditions.
- j) "house-hunting trip" means travel authorized by the employer to enable a candidate to seek housing accommodation at the new place of residence.
- k) "incidentals" or "incidental expenses" includes dry cleaning, laundry, luggage insurance, and other personal supplies, expenses or services;
- l) "interview or relocation expense" means expenses that are paid in accordance with this Directive by a candidate while traveling to or from an interview or while relocating including expenses incurred for taxi-cabs or distance allowance at the commencement and termination of travel;
- m) "interview or relocation status" means the eligibility of a candidate to have traveling expenses paid while absent from his/her headquarters area with the approval of a public officer for the purpose of attending an interview or for relocating;
- n) "private vehicle" means any leased or privately-owned car, or other vehicle;
- o) "public officer" means a person who is an employee and who has the authority to authorize and approve travel under section 24 of the Financial Administration Act;
- p) "temporary duty status" means an employee who has been authorized by his/her deputy head to work outside of the headquarters area of his/her substantive position for a period greater than one month.

## 5) REIMBURSEMENT OF INTERVIEW & RELOCATION EXPENSES

- a) Interview or relocation expenses, in accordance with this directive, shall be reimbursed:
  - i) for full or part-time indeterminate employees;
  - ii) for candidates who are not employees of the Government of Yukon if relocation assistance has been identified in the job advertisement; or
  - iii) when authorized by the deputy head of the employing department.

- b) For term, casual, contract or auxiliary candidates the deputy head of the employing department may authorize reimbursement of all or a portion of a candidate's interview or relocation expenses subject to the limits set out in this directive.
- c) Pursuant to section (b) above and subject to the deputy head of the employing department certifying that the term, casual, contract or auxiliary assignment has been completed to his/her satisfaction and, providing the candidate certifies his/her intention to relocate to a community other than the one he/she resided in at the time he/she completed his/her assignment, the deputy head shall pay:
  - i) to an approved moving company the cost of removing the goods and effects of the candidate to a maximum of the weight of the goods and effects moved in the initial hire of the candidate – the distance not to exceed the distance between the original point of hire and the place of employment of the candidate, and
  - ii) the cost of removing the candidate and his/her family to a maximum of the corresponding cost incurred by the employer in the initial hire (includes only those expenditures associated with the initial, physical relocation of the candidate and his/her family). The distance shall not exceed the distance between the original point of hire and the place of employment of the candidate.

6) AUTHORIZATION TO TRAVEL:

- a. Before a candidate proceeds on interview or relocation status, the travel shall be authorized by a public officer. The travel authorization shall identify the number of days that the candidate will be on such status including the days, if any, that the candidate will not be on interview or relocation status.
- b) Air Travel:
  - i) Except for short journeys where the use of car is more economical, air travel by scheduled carrier is preferable for interview purposes.
  - ii) First or business class air travel may be authorized only if economy class is not available, itineraries cannot be changed, or it is more economical to fly first or business class than to incur lodging and meal expenses.
  - iii) Lowest available economy airfare shall be used where time of booking and itineraries allow for its use. The length of a journey is not considered justification for authorizing a standard of fare higher than economy class.
  - iv) All arrangements for air travel, whether by charter aircraft or by scheduled carrier, shall be made through the Department of Highways and Public Works except where circumstances make it necessary to change arrangements while enroute.
  - v) Where a journey is interrupted for personal reasons, the additional airfare resulting from the stopover shall be paid by the candidate.

c) Travel by Privately-Owned Vehicle:

Authorization may be provided for use of a private vehicle where the candidate agrees and where this method is economical and practical. Schedule A of this directive describes the distance allowance payable to a candidate in this situation.

d) Travel by Taxi:

Taxis may be used by a candidate on interview or relocation status when the use of such transportation is justifiable and reasonable. Payment for airport bus service and taxis shall be supported by receipts. Airport bus service is to be used wherever possible.

e) Travel by Rental Cars/Trucks:

The use of "drive-yourself" rental cars/trucks may be authorized where this method of transportation is economical and practical. Car/truck rental shall be authorized in writing before travel begins except where circumstances make this impractical in which case oral authorization is acceptable. The cost of insurance paid to car rental agencies for liability coverage shall be authorized as part of the cost of the car/truck rental.

7) DISTANCE ALLOWANCES:

- a) A candidate who agrees to do so and is authorized to use his/her private vehicle for travel in accordance with this directive shall be eligible to be reimbursed at the rate set out in Schedule A for each kilometer traveled (between two or more locations) up to a maximum not to exceed the economy airfare had the travel taken place by air.
- b) The distance (approved by the public officer) will be that shown on an up-to-date map of highways as the shortest and/or the most efficient distance between the two points.
- c) When payment is made for distance allowances no claim shall be paid for any expenditure as a result of accidents or mechanical failure.
- d) Where expenses are authorized for travel by private vehicle, a day's travel shall be defined as a minimum average of 475 kilometers in the Northwest Territories, between Dawson Creek or Prince George, British Columbia and any point in Yukon, and a minimum of 650 kilometers between any other location in Canada and Dawson Creek or Prince George, B.C.

8) ACCOMMODATION:

- a) The Supply Services Division in the Department of Highways and Public Works shall be used to make hotel reservations, whenever possible.
- b) A candidate shall be eligible for reimbursement of actual expenses for lodging at a commercial establishment up to a maximum as specified in Schedule A plus applicable taxes. In situations while in Yukon, N.W.T., or Alaska where lodging expenses exceed the allowable allowance, reimbursement exceeding the

- c) Where a candidate chooses to stay in private accommodation, reimbursement shall be made in accordance with Schedule A.

9) MEALS AND INCIDENTAL EXPENSES:

- a) Subject to section 16(e), for each day that a candidate is on interview status or a candidate and his/her family, are on relocation status, he/she shall be eligible for payment for meals and incidental expenses in accordance with Schedule A.
- b) Where a candidate is required to travel in an area of unusually high costs (e.g., Alaska, N.W.T. and some Yukon localities), and these costs exceed the limits set out in Schedule A, he/she shall be eligible for reimbursement of his/her actual expenses for meals and incidental expenses to the extent that such expenses are reasonable in the circumstances and are supported by receipts. If actual expenses are claimed, receipts must be provided for all meals and incidental expenses for each day such actual expenses are claimed. Approval for reimbursement of actual expenses pursuant to this section must be received prior to the expenses being incurred.

10) DELAYS AND EXTENDED TRAVEL STATUS:

- a) Where a candidate has started the journey and is unable to make connections because his/her aircraft is delayed overnight due to airline error or aircraft unserviceability or if the candidate is bumped from the flight, commercial air carriers are obliged by law to provide overnight accommodation for passengers free of charge. In these circumstances, a candidate will obtain such services from the airline, and no expenses are payable under this directive for such overnight accommodation, meals, or airport transportation.
- b) A stop-over necessitated by delays beyond a candidate's control does not affect the interview or relocation status. However, where a stop-over or side-trip is made for personal reasons, the candidate is not on interview or relocation status during that period and no expenses are payable under this directive.

11) INTERVIEW OR RELOCATION EXPENSE CLAIMS:

The following expenditures claimed by a candidate shall be supported by vouchers, receipts or other documents;

- a) Air and intercity bus transportation;
- b) Overnight accommodation, except for private accommodation, which has not been billed directly to government;
- c) Car rentals, including insurance coverage for liability protection;
- d) Excess luggage;
- e) Taxis, limos, and city buses; and

- f) Claims for child care for each night's absence under the provisions of section 13(f).

## 12) INTERVIEW:

A candidate for employment shall be eligible for the reimbursement of his/her expenses incurred in attending an interview for employment. Eligible expenses shall include meals and incidentals, necessary taxi fares and cost of accommodation and airfare if this cost has not been billed directly to the employer. These expenses shall be reimbursed in accordance with the rates set out for such expenses in Schedule A.

## 13) HOUSE-HUNTING TRIPS:

- a) On initial appointment, a candidate may be authorized to take a house-hunting trip. A house-hunting trip will not be authorized if the candidate is to be provided staff housing upon relocation. Persons authorized to make such a trip are encouraged to contact appropriate real estate representatives to verify market conditions prior to making the house-hunting trip.
- b) A candidate who is authorized to make a house-hunting trip shall be eligible for the reimbursement of his/her expenses and the expenses of his/her spouse in the following manner:
  - i) On initial appointment, expenses for house-hunting trips shall be reimbursed for periods up to a maximum of five days (six nights) in duration at the new work location.
  - ii) On relocation of the employee as a result of employer initiated transfers, expenses for the house-hunting trips shall be reimbursed for periods up to:
    - (1) 2 days (2 x 1/2 days travel, 1 day house-hunting) if the distance of relocation is less than 300 kilometers, or
    - (2) 3 days (2 x 1 day travel, 1 day house-hunting) if the distance of relocation is 300 kilometers or more.
  - iii) the leave referred to in subsection (ii) above will be time from work without loss of regular pay.
- c) Expenses for the candidate for whom the trip is authorized shall be for meals, incidentals, taxi fares, airport bus and mileage as required, in accordance with Schedule A. Compact to mid-size car rental at the new work location will be authorized for a maximum of five days if the car rental is approved in writing in advance by a public officer.
- d) Expenses for the spouse shall be for airfare, hotel and meals only in accordance with Schedule A.
- e) In-Yukon accommodation and airfare expenses shall be billed directly to the employer.

- f) A candidate without live-in child care arrangements who is required to be absent from home overnight, and whose dependents permanently residing in the candidate's principal residence are all under sixteen years of age, shall be eligible to be reimbursed actual and reasonable expenses for each night's absence, to a maximum as outlined in Schedule A.

14) FREIGHT:

- a) A candidate who wishes to move household and personal effects by himself/herself and who intends to seek reimbursement for this arrangement, shall obtain the written approval of the method of movement and costs involved from the employer before such effects are moved. Reimbursement will be made for actual expenses incurred not to exceed the cost of moving these effects had the move taken place by commercial carrier. These expenses include distance allowance, and reasonable expenses for labour and other related costs supported by receipts.
- b) In the event of damage to household and personal effects resulting from the move of these effects by means of a private or rented vehicle as outlined in (a) above, the employer will not provide insurance for or compensation to repair these effects to a serviceable condition. Therefore the employer encourages candidates to purchase their own insurance to cover possible damage to these effects.
- c) Arrangements with moving companies shall be handled by the employer. When the candidate accepts an offer of employment or a relocation of position, the employer shall assign a moving company to move the candidate's household effects. At the commencement of the move the candidate shall obtain from the assigned moving company a signed estimate of the weight of the articles to be moved. The candidate shall also provide the moving company with a date that the goods are to be at their destination keeping in mind the time limit in section 16(a).
- d) The following costs of moving household and personal effects will be paid by the employer provided that they are packed, moved and unpacked by a commercial carrier.
  - i) 100% of the first 4,500 kilograms; and
  - ii) 50% of the remainder, to a maximum total weight of 9,000 kilograms.
- e) It is the responsibility of the candidate to assign the replacement value and condition of his/her effects at the time of the move, when the effects are being packed by the movers.
- f) It is the responsibility of the candidate to receive, check and sign an inventory sheet of all goods on board.
- g) Upon receipt of the unpacked effects from the moving company, it is the responsibility of the candidate to sign for the effects received.



- h) In the event of damage to household and personal effects resulting from the move of these effects by a moving company, the employer's insurance carried through the moving company will provide for compensation to repair these effects to a serviceable condition and in the event that this is not possible, will provide the candidate with the replacement value of the damaged effect. In order to claim reimbursement for damages incurred, a claim must be filed with the Supply Services Division of the department of Highways and Public Works within thirty (30) days of the completion of the move.

15) TRANSPORTATION OF VEHICLE:

- a) Candidates should make every effort to relocate their primary motor vehicle by driving the vehicle to their new work location.
- b) Where the primary motor vehicle cannot reasonably be driven to the new work location, the candidate shall be reimbursed actual and reasonable expenses related to shipping of the primary vehicle to the new work location. Additional vehicles will not be shipped at the employer's expense.
- c) Arrangements for shipping of the candidate's primary motor vehicle will be by auto carrier if available, and made by the employer.
- d) Where shipped, the motor vehicle weight is not included in the 4,500 kilograms maximum specified in section 14.

16) ARRIVAL AT NEW PLACE OF RESIDENCE:

- a) The employer will provide interim accommodation wherever possible to a candidate who, upon arriving at his/her destination, is unable to move into regular, permanent accommodation as follows:
  - i) up to seven (7) nights if a house-hunting trip was provided; or
  - ii) up to twenty-one (21) nights if a house-hunting trip was not provided.
- b) A candidate who makes his/her own arrangements for private accommodation will be reimbursed the number of nights in accordance with (a) above at the rate set out in Schedule A.
- c) In extenuating circumstances the deputy head of the employing department may approve an extension to the time limits set out under sections (a) (i) and (ii) above.
- d) Where interim accommodation does not include cooking facilities, reimbursement of meals will be made for the candidate and immediate family in accordance with Schedule A.
- e) Where interim accommodation includes cooking facilities, or such accommodation has been offered to and refused by the candidate, reimbursement for meals will be paid for two days for the candidate and immediate family in accordance with Schedule A.

- f) An employee who relocates as a result of an employer initiated transfer shall be provided with time from work, without loss of regular pay, to travel to the new work location and organize his/her household effects.
  - i) The time provided when a moving company handles the move shall be:
    - (1) up to 1 1/2 days (1/2 day travel, 1 day unpacking) if the distance of relocation is less than 300 kilometers, or
    - (2) up to 2 days (1 day travel, 1 day unpacking) if the distance of relocation is 300 kilometers or more.
  - ii) The time provided when the employee moves himself/herself shall be:
    - (1) a maximum of 3 1/2 days (1 1/2 days travel, 1 day packing, 1 day unpacking) if required and if the distance of relocation is less than 300 kilometers, or
    - (2) a maximum of 5 days (3 days travel, 1 day packing, 1 day unpacking) if required and if the distance of relocation is 300 kilometers or more.

17) REAL ESTATE AND LEGAL FEES:

- a) A candidate shall be eligible for the reimbursement of real estate fees incurred in the sale of their principal residence, including a mobile home, up to a maximum of \$5,000 provided such fees are incurred within twelve months of their initial appointment.
- b) A candidate shall be eligible for the reimbursement of legal fees incurred in the sale of their principal residence, including a mobile home, up to a maximum of \$1,000 provided such fees are incurred within twelve months of their initial appointment.
- c) The deputy head of the employing department may approve an extension to the time requirements set out under (a) and (b) above.
- d) Expenditures claimed by a candidate pursuant to sections (a) and (b) above shall be supported by receipts or other documents satisfactory to the employer.

18) MISCELLANEOUS EXPENSES:

To assist with miscellaneous moving expenses after a candidate has found suitable accommodation at the new location, the candidate is eligible for a taxable allowance of \$200.

19) OTHER DISCRETIONARY FEES AND EXPENSES:

- a) The deputy head of the employing department may authorize reimbursement to the candidate for all or part of:
  - i) a mortgage penalty fee paid to a mortgagee on an existing mortgage that is discharged before its term;

- ii) an amount required to be paid to a landlord for breaking a tenancy lease before its expiration date;
  - iii) interim financing interest charges and administrative fees on a bridging loan required to provide the down payment on a new residence pending the sale of a former residence; and
  - iv) the mortgage or rental costs incurred at their new work location, where the candidate can satisfactorily justify maintaining their former residence after arrival.
- b) Reimbursement of the above expenses shall be limited to the lesser of the combined total of the actual costs for a period not to exceed three (3) months or \$1,500.

20) STORAGE:

- a) Where a candidate is posted to a position in Old Crow and is provided with fully furnished accommodation, the employer shall pay for the storage and handling costs of household and personal effects in a moving company's warehouse approved by the employer for the duration of the candidate's term of employment in Old Crow.
- b) The weight and insurance expenses for which a candidate may be eligible under subsection (a) shall be limited as follows:
  - i) maximum weight Limit: 4,500 kilograms; and
  - ii) maximum insurance: replacement value.
- c) Where a candidate wishes to store his/her household and personal effects other than in an approved moving company's warehouse, no reimbursement shall be paid for such storage or loss of effects.
- d) Pending availability of permanent accommodation, the employer may arrange for temporary storage of effects in an approved moving company's warehouse, to a maximum of thirty (30) calendar days.
- e) The deputy head of the employing department may extend the time limits under section (d) above.

21) RELOCATION EXPENSES UPON TERMINATION:

- a) If a candidate is paid relocation expenses (including real estate fees, legal fees, miscellaneous expenses and other discretionary fees and expenses) under this directive and fails to complete two years of continuous employment with government at the candidate's new place of employment, an amount equal to the candidate's removal expenses or a portion thereof, pro-rated to the period of his/her service, shall be deducted from any salary, wages, allowance or other payment owed to that person by the employer, or shall be collected through an invoice to the candidate.
- b) Subsection 21 (a) does not apply to a candidate released during probation or whose move was made as a result of an employer initiated transfer.

22) GENERAL:

- a. Notwithstanding any other provisions of this directive, for employee initiated transfers or for employees on temporary duty status, the amount and kind of assistance to be authorized, if any, will be determined by way of consultation between the employee concerned and his/her deputy head.
- b. Under exceptional circumstances, the deputy head of the employing department may approve expenses incurred in the relocation of candidates that are in excess of this directive.
- c. Under exceptional circumstances, the Public Service Commissioner may approve expenses incurred in excess of this directive for deputy head appointments.