



Letter of Understanding #01-2017/2020

Between

Efficiency Manitoba Inc.

and

The Canadian Union of Public Employees (CUPE), Local 998

RE: Efficiency Manitoba commencement arrangements

This letter will set forth the understanding reached between the Canadian Union of Public Employees (CUPE), Local 998 and Efficiency Manitoba with respect to specific provisions in the collective agreement between Manitoba Hydro and CUPE 998 (January 1, 2017 - December 31, 2020) along with specific Efficiency Manitoba commencement arrangements agreed to between the parties.

Efficiency Manitoba recognizes this collective agreement and certificate MLB-6389 applying to a portion of its energy efficiency workforce as a successor employer under the Labour Relations Act of Manitoba. The parties acknowledge that a certificate under the Manitoba Labour Board appropriately documenting the portion of the Efficiency Manitoba workforce the certificate applies to will be pursued at an appropriate time in the future.


The parties acknowledge and agree to the following:

1. Consistent with employee offers of employment with Efficiency Manitoba and with an aim of providing vacation for use during the first year of employment with Efficiency Manitoba, 2020/21 vacation entitlement (2019/20 vacation accruals through Manitoba Hydro, less any accruals usage) will not be paid out upon resignation/termination from Manitoba Hydro. Rather, Efficiency Manitoba has worked with Manitoba Hydro to ensure those days are recognized and made available for use at Efficiency Manitoba.
2. In addition to item 1 above, recognizing Efficiency Manitoba effective dates and with an aim of providing vacation for use during the second year of employment with Efficiency Manitoba, 2020/21 vacation and benefit credit accruals through Manitoba Hydro, less any accruals usage, will not be paid out upon resignation/termination from Manitoba Hydro. Rather, Efficiency Manitoba has worked with Manitoba Hydro to ensure those days are recognized and made available for use at Efficiency Manitoba. Consistent

with MOA #1 between CUPE and EM regarding Unpaid Time Off, "In cases where quota balances eligible for payout are not sufficient to offset the final UPTO deduction, sufficient vacation and/or benefit credit accruals will be paid out to offset the final UPTO deduction, with the balance of vacation and/or benefit credit accruals held back from final payouts/recognized for use at Efficiency Manitoba."

3. Aside from items 1 and 2 immediately above, all other balances eligible for payout upon termination from Manitoba Hydro will be paid out in accordance with Manitoba Hydro's normal termination processes.
4. Long service recognition as noted in Section F - Article 12 will be treated as a 29 or more years of service vacation threshold in accordance with vacation collective agreement provisions at Efficiency Manitoba.
5. The parties recognize that Section F - Article 2.7 has origins prior to electronic direct pay deposits and as such there no longer is a continuing need for this article or its application.
6. Consistent with employee offers of employment with Efficiency Manitoba, individual employee sick leave balances as of the last day of employment at Manitoba Hydro will be recognized and made available for use at Efficiency Manitoba in accordance with Section F - Article 3.
7. Those who elected to allocate additional dollars to their Health Spending Account during the 2020 decision window at Manitoba Hydro will see the additional HSA dollars they elected to allocate to their HSA, less dollars used, continue to be available in their 2020 HSA account upon commencement of their employment with Efficiency Manitoba. The normal requirements of use or lose of HSA dollars within a calendar year continue to apply.
8. Manitoba Hydro has confirmed that while CUPE LOU 13 "Successor and Bidding Rights" indicates employees successfully bidding back to Manitoba Hydro within 12 months of their resignation from Manitoba Hydro will resume employment as a new hire, since signing the document Manitoba Hydro and CUPE have agreed to recognize formerly accrued corporate service and CUPE seniority under such scenarios.

Agreed this 14 day of July, 2020.



Dori Chudobiak
VP Corporate Performance and Engagement
Efficiency Manitoba



Michelle Bergen
President - CUPE Local 998