



## **Information About Government's \$24 Million Ex Gratia Payment**

### **Who will receive how much of the \$24 million and when?**

The Allied Association of Health Professionals, Canadian Union of Public Employees, International Brotherhood of Electrical Workers, Newfoundland and Labrador Association of Public and Private Employees and Newfoundland and Labrador Nurses' Union will jointly receive the \$24 million payment.

The \$24 million will be disbursed among certain public employees who worked in female dominated health care and hydro classifications during the 1988 to 1991 period. The current estimate is that there are close to 20,000 potentially eligible recipients.

At this point, a timeframe and process for disbursement of any monies relating to this payment has not yet been finalized. The unions are seeking legal, financial and tax advice on how to appropriately distribute the money and this period of assessment will take considerable time. Jointly, the unions will reach a common and fair method for distributing individual shares.

### **How much of the \$24 million will each of the 5 unions receive?**

We have agreed to a method of distribution based on the number of members affected during the 1988 to 1991 period within each union. The final figures will be dependent upon the actual numbers of affected members, which have not yet been determined.

### **How many members are included in the 1988-1991?**

The actual numbers for each union have not been confirmed, though the global estimate of those potentially eligible is close to 20,000 members.

### **Why the 1988-1991 period?**

Though the Supreme Court of Canada extinguished all legal rights of those entitled to pay equity retroactivity for 1988 to 1991, the unions have agreed that the sacrifices made by public employees during this time should be recognized and valued.

## **How was the \$24 million figure reached?**

\$24 million was the amount we were able to successfully negotiate with government. Of course we would have preferred more; but we acknowledge that government was under no legal obligation to provide any amount, and \$24 million was the amount we were able to negotiate.

## **Is this pay equity money? What is an ex gratia payment? Why ex gratia?**

This \$24 million payment is not pay equity money or compensation for any loss. It is an ex gratia payment, which is a payment that is not required. Recognizing that government was not legally required to do anything on this issue, we believed that an ex gratia payment provided a reasonable opportunity for government to act morally on this matter and recognize the sacrifices made by public employees during 1988 to 1991.

## **Why the joint union request?**

Individually, each union has been advocating for a resolution to an issue that has affected members within each group. We agreed that working together was the most successful means to achieving a reasonable solution to a moral issue.

## **The issue of pay equity retroactivity happened in 1991 under the Wells' government. The Wells government also rolled back wages. Will the unions now consider going after those wages as well?**

No, we approached Premier Williams for an ex gratia payment. We have no legal standing for seeking retribution for rolled back wages.

## **Will members have to apply to receive a portion of the ex gratia payment?**

While the details of the disbursement have yet to be determined, it is quite likely the answer will be yes. Watch for further updates as we will provide notice of the required procedure once details are finalized.

**Will the amount received be determined by the hours worked, job classifications, or the permanent, temporary, casual, full-time or part-time status of employment?**

We do not yet have an answer for this question. The 5 unions involved have jointly commissioned legal and accounting opinions addressing some of these issues. The administration of these funds is extremely complex and the anticipated lack of detailed records contributes to the complexity.

**Will payment be made to the estates of deceased nurses?**

Again, we do not yet have an answer to this question. The legal and accounting opinions being sought by the unions will assist us in addressing this issue.

**Will the monies be taxable?**

Jointly, the unions have authorized an application to the federal government to seek guidance on this issue. Discussions with the provincial government are also ongoing on this point.

**What if a member has since retired from the Union?**

Retired employees will be eligible to participate.