



**Canadian Media Guild**  
**La Guilde canadienne des médias**  
CWA/SCA CANADA

## **What happens when there are job cuts at VICE?**

Permanent and contract employees at VICE have rights under the CMG collective agreement in the event of job cuts. First off, the employer must consider steps to avoid involuntary layoffs of employees. One of the measures that VICE management must take is to ask if employees want to volunteer for layoff. It's really important to remember that job cuts are not a reflection of employees' work or ability and are generally a response to economic circumstances.

The rules about layoffs are found in Article 15 of the collective agreement, here:

<http://www.cmg.ca/en/wp-content/uploads/2017/12/VICE-CMG-CollectiveAgreement2017-20.pdf> .

### **Why would I volunteer to be laid off?**

Permanent employees who volunteer to be laid off receive severance pay. The company will pay the equivalent of two weeks of the employee's regular pay for each year of their employment at VICE. Severance is pro-rated for part years. For example, if you've worked at VICE for two-and-a-half years, you'd be eligible for the equivalent of five weeks of pay in severance. If you've been planning to make career changes, this might be just the thing to make your plan a reality. You should always discuss the idea with your family and or/trusted friends before making final decision. You may also want to talk to a union representative and a financial planner.

### **How would a voluntary layoff work?**

VICE management will give a deadline for volunteers to register for layoff. If VICE receives more volunteers than the number of jobs that need to be cut, management has the right to choose among the volunteers. Once they've made the decision, management will issue a letter to volunteers accepted for layoff with the information about their last day of work and their severance entitlement. They will receive a Record of Employment and be eligible for Employment Insurance benefits according to EI rules. *If you apply for voluntary layoff, copy*

CMG staff reps Lauren Baert ([lauren@cmg.ca](mailto:lauren@cmg.ca)) and Karen Wirsig ([karen@cmg.ca](mailto:karen@cmg.ca)) on your email to management.

### **What if I am on contract?**

VICE can end a contract with notice, or pay in lieu of notice prior to the contract end date. No notice is needed if the contract ends on the end date. Contract employees who have worked for less than 10 months in a row are entitled to two weeks' notice or pay in lieu if VICE ends their contract ahead of the end date. Contract employees who have worked continuously for ten months or more are entitled to three weeks of notice or pay in lieu if VICE ends their contract ahead of the end date. Contract employees are not eligible for severance pay. Note that there is no break in service if a contract employee starts work on a new contract at VICE within 20 days of finishing a previous VICE contract.

### **What if I don't know whether I'm a contract or a permanent employee?**

To confirm your employment status, you can talk to HR and get in touch with CMG staff representatives Lauren Baert ([lauren@cmg.ca](mailto:lauren@cmg.ca)) and Karen Wirsig ([karen@cmg.ca](mailto:karen@cmg.ca)). If you think your status is wrong, talk to a CMG Staff Representative as soon as possible. You can see the rules on employment status and contract hiring at Article 19 of the collective agreement, here: <http://www.cmg.ca/en/wp-content/uploads/2017/12/VICE-CMG-CollectiveAgreement2017-20.pdf> .

### **What if VICE still needs to go ahead with involuntary layoffs?**

If job cuts still need to be made after all other measures have been taken, VICE will issue layoff notices to affected permanent employees. At that time, these employees will have the following decisions to make:

- i. They will have 5 days to decide whether to displace (or bump) a more junior employee in their own salary grade or a lower one. To exercise this right, the employee must demonstrate that they can do the job without any training.
- ii. They can opt to accept the layoff and take their severance pay right away, thus ending their employment with VICE. They will receive a Record of Employment and can apply for EI benefits.
- iii. They can opt to accept the layoff and have their name placed on the Recall List for 12 months. This delays the payment of severance until either the end of the 12-month period or until the employee decides to take their name off the recall list, whichever happens sooner. If you decide to be placed on the recall list, it's important to keep an eye on job postings from VICE, as they may not always know your full set of qualifications.

### **What happens if someone bumps me out of my job?**

An employee who is displaced by a longer-service employee will receive a layoff notice from VICE. A displaced employee does not have the right to bump another employee. However, they do have the right to decide whether or not to go on the Recall List or accept their severance right away (see ii and iii above).

### **How does recall work?**

If a job becomes available at VICE, any employee laid off at that location and on the recall list whose salary grade at the time of layoff was the same or higher than the job opening will be informed of the available job. The available job can be a permanent or contract job. The employee must respond to VICE within five days of receiving the job notice. To be recalled to the job, the employee must demonstrate that they can do the available job without training. If the employee is not recalled during those 12 months, they will be paid their severance in full at that time. Laid off employees are responsible for ensuring VICE has their current contact information (mailing and/or email address and phone number) during the recall period. VICE is not required to pay the relocation costs of a laid-off employee who bumps or is recalled into a position in a different location.

### **When will I receive my Record of Employment (ROE) so that I can apply for Employment Insurance benefits?**

Generally, a ROE must be issued within five (5) calendar days of a layoff. The government uses the ROE to determine your right to EI benefits and the rate of benefits you can receive. You can find all of the rules about Employment Insurance by visiting:

<https://www.canada.ca/en/services/benefits/ei/ei-regular-benefit.html> .

### **What happens to my health and dental benefits?**

Benefits for laid-off employees end 30 days after the layoff takes effect.

### **What about getting a letter of recommendation?**

We totally urge you to ask your current or former supervisors/managers at VICE for a reference.

### **If I receive a layoff notice, do I have to leave the office immediately?**

VICE does have the right to pay a laid-off employee in lieu of working notice.

### **What can the union do to help me?**

Your union is here with you throughout the whole process. You can talk to a member of your CMG executive and/or a staff representative at any time if you have questions or just want to vent. The union helps make sure your rights are protected. If you have any doubts about how you are being treated, talk to a union rep immediately.

In addition to what VICE owes to laid off employees, CMG members are eligible for Lynda.com training, and laid-off members can also get a \$500 training grant. This grant can be used to help with the costs associated with a personal or professional development program. More information about the grant can be found here: <http://www.cmg.ca/en/2014/03/28/reminder-500-grant-to-cmg-members-affected-by-job-cuts/> .

**How do I get in touch with you?**

You can reach CMG staff representatives Lauren Baert ([lauren@cmg.ca](mailto:lauren@cmg.ca)) at 647-269-2485 and Karen Wirsig ([karen@cmg.ca](mailto:karen@cmg.ca)) at 416-578-1651.

You can reach the national Guild office at 416-591-5333 or 1-800-465-4149.

You can also reach out to your VICE Union Executive:

**Sarah Dayus** ([sdayus5@gmail.com](mailto:sdayus5@gmail.com))

**Lucy Cameron** ([lucybcameron@gmail.com](mailto:lucybcameron@gmail.com))