



**BRITISH COLUMBIA
REVIEW BOARD**

**PART-TIME BOARD MEMBERS'
COMPENSATION
AND EXPENSE REIMBURSEMENT:**

RATES AND PROCEDURES

Effective April 1, 2016

I. PER DIEM REMUNERATION POLICIES: PART-TIME MEMBERS

1. The **British Columbia Review Board (BCRB)** is classified as a **Group 1** Tribunal.
2. Remuneration is **paid** to the **individual appointee/member**, not to a professional corporation or business entity (TBD 2/11, p.3.4).
3. Part-time members **are not** considered **employees** of the Public Service (TBD 2/11, p.6.2) and are classified as Category 'D' under the definition of "Order in Council Appointees" (TBD 2/11, p.6.1; and BCPSA Manual, Policy 5.5 - "Terms and Conditions of Excluded Employees/Appointees").
4. Part-time members may claim, and be paid, the **full per diem rate** for attending hearings or other meetings of the Tribunal that last **more than 4 hours, including travel time to and from the hearings or meetings** (TBD 2/11, p.6.6 (c) and (h)).
5. Part-time members may claim, and be paid, **one half of the per diem** rate for attending hearings or other meetings of the Tribunal that last **4 hours or less, including travel time to and from the hearing or meeting** (TBD 2/11, p.6.6(b) and (h)) .
6. Part-time members are only entitled to be paid or to claim the **maximum of one per diem** allowance in **any 24 hour day** while working for the Tribunal (TBD 2/11, p.6.6(a)).
7. **Additional remuneration** (such as legal research, writing reasons for disposition in unusually complex matters, production of policy documents, or other duties from time to time assigned) **may be** paid or claimed with **prior discussion/approval of the Chair** . (TBD 2/11, p.6.6(e)).
8. Remuneration may be claimed in relation to hearing **days** which are **cancelled, or collapse, on short notice. Short notice is defined as less than 36 hours before the commencement** of the scheduled hearing day (TBD 2/11, p.6.6(f)).

9. An appointee is **not entitled** to be paid for time spent **attending social events**, including meals and receptions, and/or including when **attending conferences** or **speaking engagements** as part of their **additional duties** (TBD 2/11, p.6.6(i)). However, **required educational programs, conference fees and associated travel expenses may be paid or claimed with prior discussion/approval of the Chair.**
10. Part-time members are **not entitled to be reimbursed** for any **professional dues, membership fees, insurance or other costs** (TBD 2/11, p.6.8).
11. Part-time members are to be **indemnified** by the Minister of Finance in accordance with the procedures for indemnification set out in the **Guarantees and Indemnities Regulation 258/87** of the *Financial Administration Act* (TBD 2/11, p.6.9) .
12. Remuneration paid to part-time members
 - a) is **not to be subject to deductions** for the Canada Pension Plan or for Employment Insurance, and
 - b) is to be **reported annually** to the Canada Customs and Revenue Agency on a **T4A Supplementary Slip.**

PER DIEM REMUNERATION RATES (Effective April 1, 2016)
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1.0 LAWYERS/ALTERNATE CHAIRS

- 1.1 Pursuant to TBD 2/11, p.7.1, part-time **legal members** and members designated by the Chair as “**Alternate Chairperson(s)**” (S.672.1), are paid a **per diem rate of \$650.**
- 1.2 In **addition** to the **per diem** rate payable, **legal members/alternate chairs may claim** the equivalent of **one full per diem (\$650)** in relation to hearing preparation and production of reasons for disposition, where the hearing day lasts **more than 4 hours** (see Par.4).
- 1.3 For hearing days which last **4 hours or less, one half of the per diem rate (\$325) may be claimed** in relation to preparation/writing (see Par. 5).

2.0 PSYCHIATRISTS (“MEDICAL SPECIALISTS”)

- 2.1** Part-time members who are **psychiatrists** are paid a **per diem rate** equal to **two sessional rates** applicable to a “Medical Specialist” as established by agreement between the BCMA, the Government of BC and the Medical Services Commission. Effective April 1, 2015, the Specialist sessional rate is **\$488.31** (the **per diem** is therefore **\$976.62**) (TBD 2/11, p.6.4).
- 2.2** In **addition** to the **per diem** rate payable, psychiatric members **may claim** the equivalent of **one additional specialist sessional rate (\$488.31)** in relation to hearing preparation and production of reasons for disposition (when assigned by the panel chair), where the hearing day lasts **more than 4 hours** (see Par.4).
- 2.3** For hearing days which **last 4 hours or less, one half of the sessional rate (\$244.16) may be claimed** in relation to preparation/writing (see Par. 5).

3.0 “OTHER” PART-TIME MEMBERS

- 3.1** **Other** part-time members are paid at a **per diem rate of \$400** (TBD 2/11, p.6.3).
- 3.2** In **addition** to the **per diem** rate payable, “other” part-time members **may claim** the equivalent of **one half of the per diem rate (\$200)** in relation to hearing preparation and production of reasons for disposition (when assigned by the panel chair), where the hearing day lasts **more than 4 hours** (see Par.4).
- 3.3** For hearing days which last **4 hours or less, one quarter of the per diem rate (\$100) may be claimed** in relation to preparation/writing (see Par. 5).
- 3.4** Other part-time **professional members**, whose **qualifications** are **deemed by the Chair** to be specifically **relevant** to the Tribunal’s mandate, may be paid **up to the maximum per diem rate (\$650)** paid to a designated Alternate Chairperson under 1, above.

4.0 “GENERAL PRACTITIONER” MEDICAL MEMBERS

- 4.1** Other (non-psychiatric) medical members are paid a **per diem rate** equal to **two sessional rates** applicable to a “general practitioner” as established by agreement between the BCMA, the Government of BC and the Medical Services Commission. Effective April 1, 2013, the **general practitioner sessional rate** is **\$411.90** (the **per diem** is therefore be **\$823.80**) (TBD 2/11, p.6.4).
- 4.2** In **addition** to the **per diem** rate payable, (non-psychiatric) medical members **may claim** the **equivalent of one additional general practitioner sessional rate (\$411.90)** in relation to hearing preparation and production of reasons for disposition (when assigned by the panel chair), where the hearing day lasts **more than 4 hours** (see Par.4).
- 4.3** For hearing days which last **4 hours or less, one half of the general practitioner sessional rate (\$205.95) may be claimed** in relation to preparation/writing (see Par. 5).

III. EXPENSES AND ALLOWANCES

Part-time members (OIC, Category D) are **entitled** to be **reimbursed** for **transportation, accommodation, meal and out of pocket expenses** incurred in the course of their duties, as a member of the tribunal, in accordance with **Group 2** rates, policies, and procedures. These rates are subject to change.

Meal Allowances

Meal allowances are paid only while on “**travel status**” defined as any meeting or hearing **more than 32 km from the member’s home/office base**, and

- if travel starts **after 7 am**, breakfast cannot be claimed;
- if travel starts **after 12 pm**, lunch cannot be claimed;
- if travel starts **before 7 am** and return home is **after 6 pm**, a full day expense per diem can be claimed.

Group 2 meal allowances are:

Full Day \$	Half Day \$	Breakfast Only \$	Lunch Only \$	Dinner Only \$	B&L Only \$	L&D Only \$	B&D Only \$	Incidental Only \$
49.00	N/A	22.00	22.00	28.50	30.00	36.50	36.50	14.00

- (Unless otherwise provided for in this appendix) The reimbursement rates **cover meal and other out-of-pocket travel expenses**.
- Where travel is for a **partial day**, **only meals** that are applicable to that **portion of the day** spent on travel status are claimed.
- Where a **meal is provided without charge** or is paid for from public funds, **no claim** for that meal can be made.
- The **meal/per diem** allowances **cover expenses** arising from absences away from headquarters or geographic location over a meal period(s).

No receipts are required for meal or incidental allowances.

Private Vehicle Allowance

Where a private vehicle is used on **BCRB** business, reimbursement shall be:

\$0.53 per km

- the distance allowance does not apply when using leased, rental or government vehicles;
- actual transportation toll charges may also be claimed (**receipts provided**).

Acceptable Parking Charges

When a private, Government, or leased/rental vehicle is used for **BCRB** business, parking charges will be reimbursed (**receipts must be provided**).

Vehicle Damage Reimbursement

Where an appointee's private vehicle is damaged while in use on **BCRB** business, the Provincial Government shall reimburse the lesser of actual vehicle damage repair cost or the appointee's vehicle insurance deductible to a maximum of \$500 per occurrence, for:

- a) damage caused to the vehicle by vandalism that results from employment; and/or
- b) damage as a result of an accident while on **BCRB** business.

This section will not apply where a court holds that the appointee or driver of the vehicle is guilty of willful, wanton or gross negligence.

Air Transportation

Board members are **requested** to use the **BCRB's Business Travel Account (BTA)** number when **booking** commercial **air transportation** rather than charging costs to personal credit cards. Contact the **Executive Administrative Assistant (EAA)** at the **BCRB** to make arrangements to utilize the **BTA** number. Board members may use a travel agent of their choosing; however, agent booking fees should be reviewed with the EAA for reasonableness.

Board members **paying for their own flight** arrangements must **provide receipts** with their expense claim.

The **most economic airfare** for air travel is **required**. This restriction may be waived in exceptional circumstances, with the **prior** approval of the **Chair**.

The Review Board **reserves the right to designate** a Board member's **mode of transportation**. Other considerations must include:

- the **cost and efficiency** of **alternative transportation** modes (i.e., time required to reach the destination and lost productivity), and
- additional **travel costs** (accommodation, meals, taxi, vehicle rentals, per diem fees) associated with each alternative.

Travel loyalty program benefits, such as airline frequent flyer points that are accumulated by members while travelling at **public expense must not be used for personal benefit**. Such benefits or discounts should be applied only against future business travel or donated to charities associated with the program. Benefits accumulated while travelling at public expense should not be used beyond the term of appointment.

No meal, accommodation, travel time or any other expense(s) will be reimbursed beyond the transportation costs that would have occurred had the appointee taken the designated commercial transportation.

Where personal and business travel are combined, reimbursement is to be based upon the lesser of actual transportation expenses or the most economical transportation expenses that would have been incurred had personal travel not taken place. Per diem allowances and other expenses will not be reimbursed beyond the costs that would have been incurred had personal travel not taken place.

Board members are **not authorized to fly private or personally rented aircraft** on the employer's business (travel expenses, air travel insurance, Workers' Compensation Board coverage, etc. would not apply during this or any unauthorized travel).

Car Rentals

Receipts/copies of receipts are required. The government has Corporate Supply Arrangements (CSA) with numerous rental agencies. CSA listings change every year, please review the link below for new information regarding car rentals while on Review Board business, and quote the Corporate Identification Number to ensure you are charged the negotiated rate and for insurance coverage. A list of CSA rental agencies and their government rates is published on the Internet at the following URL (Note - not all locations are covered under a CSA):

<http://www2.gov.bc.ca/gov/content/governments/services-for-government/bc-bid-resources/goods-and-services-catalogue/daily-vehicle-rentals> (Open Daily Vehicle Rentals by Community spreadsheet available at the above link)

Contractors should ask for the government rate and use the Corporate Identification Number for that supplier. Other rental agencies are to be used only when rental agencies with CSAs cannot supply vehicles. Note the following:

- **PAI** (personal accident insurance) will not be reimbursed.
- **CDW/LDW** (collision/loss damage waiver) will be reimbursed only when renting outside BC or when renting from rental agencies without a CSA (both in and outside BC).

Accommodation Charges

When you are **traveling for hearings** or other approved **BCRB** meetings or business, you must review the **available options for the city** you are traveling to, located on the following website:

<http://csa.pss.gov.bc.ca/businesstravel/>

There are listings of acceptable hotel accommodations, for each city. Rates may vary by summer, winter and shoulder season (Mar 1 - Apr 30, Sept 1 - Oct 31), but rates offered to government staff and contractors are clearly listed on this site.

When making your **reservation**, please **ensure the price** you are charged is **at or below the rates** quoted in this hotel guide for the room (there may be specials or promotional prices that are below the rates quoted in the guide). If a hotel states a rate higher than listed in the Guide, please inform the Review Board EAA.

Only in exceptional or emergency circumstances should a hotel be used that is **not in the guide** – i.e., all the hotels in the guide are full). Except in emergency situations (hearings ran late; unexpected lay-over or flight delays in communities where an overnight stay was not anticipated), you must seek the **BCRB** Chair's approval **PRIOR** to making your reservation, if the hotel is an unlisted one.

Receipts for accommodation must be provided.

Where private lodging is used in lieu of commercial accommodation, reimbursement of \$30 maximum per day may be claimed.

Miscellaneous Expenses

Panel Members are entitled to claim miscellaneous travel expenses for:

- ferry tolls, ferry reservation fees and highway tolls
- airport improvement and security fees, Nav. Canada fees and applicable fuel charges
- bus/taxi/limousine services
- parking charges
- business phone calls
- The per diem rate includes allowances for incidentals, such as gratuities, portage, personal phone calls, laundry or dry cleaning.

Receipts must be provided for all miscellaneous expenses.

IV. SUBMISSION OF PER DIEM AND EXPENSE CLAIMS

Personalized forms of the **BCRB acceptable format** for claiming **per diem rates** and **expenses** are provided to each Board member (sample forms attached).

These **forms** are available **electronically** in **WORD** or **PDF** format, for your convenience.

Original receipts for any **expenses** (refer to **section III** above for information on which expenses **require receipts**) incurred while on Tribunal business must be **submitted** at the **time of the claim** to be considered for reimbursement.

Any receipts **smaller** than 8.5" x 11" are to be attached to a piece of paper 8.5" x 11": multiple small receipts maybe attached to the same piece of paper.

To facilitate timely payment of per diems and expenses, Board members must submit the forms for claims **no later** than the **11th day of month** following the applicable billing period. There is no requirement to **wait** until this date to submit monthly invoices.

Annually, before the fiscal year end of the Government (March 31), Board members will be sent instructions from the EAA regarding submission of billings for payment.

**APPENDIX 1:
BCRB OIC APPOINTEE REMUNERATION
(CALENDAR YEAR 2015)**

MEMBER NAME	TITLE	TOTAL REMUNERATION RECEIVED
Long, B.	Alternate Chair /Lawyer	\$ 72,800
Pollak, A.	Alternate Chair /Lawyer	\$ 3,900
Holmes, T.	Alternate Chair /Lawyer	\$ 14,625
Berge, K.	Alternate Chair /Lawyer	\$ 1,300
Boorne, S.	Alternate Chair /Lawyer	\$ 57,850
Renwick, D	Alternate Chair /Lawyer	\$ 25,350
Hansford, F.	Alternate Chair /Lawyer	\$ 62,850
MacPhail, A.	Alternate Chair /Lawyer	\$ 27,925
Friesen, I	Lawyer	\$ 33,150
Laws, G.	Psychiatrist	\$ 60,674
Constance, P.	Psychiatrist	\$ 79,981
Stevenson, R.	Psychiatrist	\$ 28,527
Grasswick, L.	Psychiatrist	\$ 26,572
Pankratz, W.	Psychiatrist	\$ 48,782
Rasmusen, L.	Psychiatrist	\$ 16,520
Smith, J.	Psychiatrist	\$ 30,224
Avison, N.	Lay Member/Criminologist	\$ 18,300
Polowek, K.	Lay Member/Criminologist	\$ 14,800
Chow, L.	Lay Member/Social Worker	\$ 19,200
Cayley, P.	Lay Member/Consultant	\$ 18,100
Markwart, A.	Lay Member/Criminologist	\$ 14,400
Walter, B.	Chair/Lawyer (NOTE: compensation set at Tribunal Group 2 rate – currently appointed Chair of BC Human Rights Tribunal and BC Review Board)	\$180,000