



British Columbia Forest Service Operating Guidelines for Industry to Suppress Wildfires

PURPOSE:

This operating guideline is intended to establish fair rates of compensation when local forest industry employees are used for wildfire suppression.

SCOPE:

This operating guideline includes all wildfire suppression activity involving the use of forest industry personnel and equipment in fighting wildfires on behalf of the province either as a statutory obligation or based on the request of an Official under the *Wildfire Act*.

POLICY:

All wildfire suppression activities that use local forest industry representatives will be consistently administered and fairly compensated in accordance with current legislation, regulations and policy.

BACKGROUND:

The rates set out in this operating guideline will be used to compensate industry under Section 17 of the *Wildfire Act* for taking action under Section 6(3) of the *Wildfire Act* and Section 13 of the *Wildfire Regulation*.

The *Wildfire Act*, Section 6(3), and *Wildfire Regulation*, Section 13, requires persons carrying out an industrial activity to undertake suppression action on any forest fire regardless of cause within one (1) kilometre of the site of the industrial activity.

This operating guideline is also intended to compensate industry when hired by an Official to suppress wildfire anywhere in the Province. The process used to compensate industry would involve the same contracting procedures used to hire any piece of equipment or fire fighting personnel outside a forest industry company. It is intended that this Operating guideline be used to compensate Industry for all circumstances involving the use of forest industry equipment and personnel to fight wildfire, except for legislated wildfire suppression obligations.

PROCEDURES:

1. Wages:

A list of the wage rates and benefits schedules for employees utilized in fire suppression are to be attached to invoices to facilitate processing of wages.

All staff is to be advised that at least a ½ hour unpaid meal break is required for any period in excess of 5 hours.

Employee benefits include Employer's share of medical, dental, pension, CPP, EI; extended health; wage indemnity; life insurance; disability; accidental death and dismemberment, holiday pay; statutory holiday pay and WCB. They may be established by Collective Agreements or constitute terms of employment in effect for workers in the forest industry where the fire occurs.

1.1 Wages – Basic Labour or Union Agreement Staff

- Basic fire fighting will be positions to be compensated at the rates for similar work established by Collective Agreements or terms of employment in effect in the area for works in the forest industry where the fire occurs. Office staff will only be recognized if they are totally dedicated to the fire. On the first day of fire deployment if regular shift has begun than any overtime worked will be at overtime rates. Every day thereafter, straight time rates will apply to all hours worked for all employees throughout the period during which they are engaged in fire fighting.
- A minimum call out is 4 hours.
- Travel time is paid at straight time rates from designated marshalling point to and from fire.

1.2 Wages – Salaried Staff

- Salary positions are usually paid a flat daily rate, based on an average 8.0 hours per day worked, will be paid for all hours worked in accordance with the following calculation:



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- monthly salary divided by the average days worked per month (21.75) divided by the regular hours worked (based upon 8 hours per day) determines the hourly rate
- hours worked each day up to 8 hours will be paid at straight time
- all travel time will be paid at straight time rates.
- 8 to 12 hours worked will be paid at one and one half time rate (i.e. 1.5 X rate)
- hours worked after 12 hours will be paid at two times rate (i.e. 2.0 X rate)
- one ½ hour unpaid meal break must be taken during the first 8 hour period and one ½ hour unpaid meal break must be taken during the 8 to 12 hour period.

2. Employee Standby

- Standby conditions must be pre-authorized by an Official of the Ministry of Forests and Range (MoFR) representing the Protection Branch.
- Standby rates will be reimbursed at 30% of the hourly rate (excluding employee benefits). Standby will be a maximum of 6 hours per weekday (6 hr stby = 1.8 hrs reimbursement) and 12 hours (12 hr stby = 3.6 hrs reimbursement) for weekends and statutory holidays unless otherwise agreed.

3. Equipment

- Any heavy equipment (crawler tractors, excavators & skidders) used on a fire is to be hired by the Forest Service using a FS 101 – Forest Service Equipment Rental Agreement with applicable deductions for limited indemnity as stated in the *B.C. Road Builders and Heavy Construction Association, Equipment Rental Rate Guide* (i.e. the Blue Book). Pre-authorization approval by a MoFR official is required to hire such equipment. It will suffice for industry to bill for equipment at a rate reduced as per the Blue Book to allow for insurance indemnification without completing the FS 101. The FS 101 should be used where ever possible.
- All equipment claims to be compensated as per the Blue Book.
- Private vehicles designated by the MoFR for forest fire patrol, fire suppression or related duties will be compensated at a km rate based on the vehicle GVW.
- Pumps, hose and power saws requested by an Official will be compensated as per the Blue Book. Normal maintenance charges such as hose cleaning and pump tune up/checks will also be compensated.
- Claims for “lost equipment” will be evaluated on an individual basis and documentation will be required to support such claims. Immediate contact is required to the applicable Fire Centre to ensure appropriate investigation, documentation and pertinent forms are completed.
- Industry must provide documentation to Protection Branch for any equipment that is being directed by their staff but paid directly by Protection.
- All equipment owners and operators are to be advised that at least a ½ hour unpaid meal break is required for any workday in excess of 5 hours.

4. Equipment Standby

- Standby must be pre-authorized by an Official of the MoFR representing the Protection Branch.
- Equipment Standby will be calculated using the Blue Book rates.

5. Aircraft

- Costs for aircraft used to suppress wildfires will follow the procedures outlined in Policy 9.1 – *Wildfire Control Responsibilities and Costs*. The person responsible for directing the aircraft to undertake fire suppression action will normally be responsible for paying the fee for service.
- Protection Branch will normally pay aircraft costs only when the use of the aircraft has been pre-authorized by an Official representing the Protection Branch. Protection Branch will normally hire the air carrier directly and the aircraft costs will not be part of the industry cost claim unless otherwise approved by an Official.



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6. Food & Lodging

- It is expected that employees would carry a lunch as in a normal workday. We recognize that charges can be expected “over and above” due to the nature of fire fighting work and maintaining employee wellness on the fireline during extended operations. Reasonable costs for additional expenses, provided receipts are attached, will be reimbursed.

7. Incidental Items

- Radios, first aid services, mapping, foam additive, pump fuel, and any consumable items may be reimbursed at cost, provided receipts or other documentation of costs agreed to by an Official are attached.
- Additional resources over and above the “on site” resources required to successfully suppress a fire must be pre-authorized by an Official representing the Protection Branch. Without authorization, a claim will not be recognized for those resources (authorization can be verbal, supported by written confirmation from the Official of the MoFR).

8. Overhead

- If industry does not identify full time office staff as dedicated to the fire, then an 8.3% administrative overhead charge on wages only, plus the respective employee benefits of the administrative overhead identified in the industry/union agreement will be applied to each invoice submitted for reimbursement. When contractors of the licensee decide to bill through the licensee for costs, this same principle will apply. The overhead allowance will only apply to the wage component of the invoice the contractor submits to the licensee when the contractor does not claim for office staff time spent administering fire suppression expenses.

9. Daily Costs

- Industry will be required to submit all daily costs to the fire complex or the applicable Fire Centre for inclusion in the daily fire situation report for estimated total cost management. (FS 60 sample form attached.)

10. Payment

- Payments will be processed at the applicable Fire Centre. No interest will be paid unless and until an account is overdue by at least 61 days.

11. Required Invoicing Backup:

- Table of wages, rates of pay and employee benefit schedules. – It is incumbent on the licensee to provide verifiable salary information so that monthly salary figures can be confirmed
- Description of Services (Company proposal)
- List of Contractors.

SIGNED on behalf of the Province by an Authorized representative of the Province

ORIGINAL SIGNED BY Peter Fuglem
(Authorized Ministry Contract Officer/Spending Authority)

Dated: ____ April 1, 2006 _____