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For a free CHR Trust Settlement Information & Registration Booklet, call 1-866-644-2476



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CHR Trust Settlement Annual Report

The Trustees will be attending NIICHRO's Annual General Meeting in Saskatoon, Saskatchewan taking place on June 14, 2002 at 4:00 pm – 6:00 pm. At the AGM, the Trustees will be presenting the Annual Report of the CHR Trust Settlement to the membership. The Annual Report will outline the activities undertaken by the Trust Settlement from June 2001 to June 2002.



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The 1st Capital Payment

The Compensation Office is gathering, calculating and verifying salary information in preparation for the first capital compensation payment to over 1200 claimants. Each claimant must have confirmation that they were employed in the capacity of a CHR before salary calculations can begin. Salary calculations must be validated with T4s. For the next payment, the deadline to submit documents to support your claim is JUNE 14, 2002.

It is important to know that the compensation calculations will only be based on validated information in the file. The goal of the Compensation Office is to identify: 1) Rate per hour; and 2) # of hours worked per year or the employment period of the claim. Sources of salary information are T4s, Contribution Agreements, Records of Employment, band letters, pay stubs, payroll ledgers and employment contracts.

For the 1st capital payment, the deadline to submit documents to support your claim is JUNE 14, 2002.

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Compensation calculations will only be based on validated information in the file.

The Compensation Office is presently working on validating the salary information used for compensation calculations. This means cross-referencing the band letters, Contribution Agreements and claims from the same community to confirm that the number of CHRs allocated to a community matches the number of claims. Only when the Trustees are confident that compensation is being made to eligible individuals will the next payment be made. The 1st capital payment is expected to be at the end of July or the beginning of August 2002. However, processing of conflicting information may delay the 1st capital payment to a later date.

Individual CHR Reprts

When the 1st capital payment is made, each CHR will receive an Individual CHR Report detailing the amounts used for calculating their compensation, the underpayment and the indexed underpayment for a given year or employment period. The Compensation Office is presently working on the content and presentation of the report so that the information will be easily understood. For a CHR that was employed full-time in 1986, the following is an example of how the information could be presented:

Year	Hours Per week	Hours Annual	Earnings	CHR Rate/hr	Federal CHR Rate/hr	Under-payment	Indexed Under-payment
1986	37.5	1950	\$18,525	9.50	10.00	\$ 975	\$ 1,200 *

*The CHR will receive only a percentage of the \$1,200 – i.e their share of the settlement.

Contribution Agreements

For many CHR claims, the best and only source of salary information was found in the Contribution Agreements. At the end of February 2002, the Compensation Office sent out letters to the band and tribal councils requesting authorization for Health Canada to release Appendix B of their Contribution Agreements for the CHR position to NIICHR0. The Contribution Agreement identifies the community, the funding period, the number of CHRs allocated for that community, the number of hours allocated, the CHRs rate per hour and if Isolation Post Allowance or Northern Allowance was allocated. The decision to authorize release of this information to the NIICHR0 Compensation Office is at the discretion of each band and tribal council.

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Appendix B Contribution Agreement			
Between	_____		First Nation
And	Her Majesty		
For the period: <u>April 1, 1988 – March 31, 1989</u>			
1 CHR Salary	1950 Hours	@ \$10.00/hour	19,500
Northern Allowance	1950 Hours	@ \$ 2.00/hour	<u>3,900</u>
		\$ 12.00/hour	23,400

Isolation Post Allowance



Some CHRs received an Isolation Post Allowance (IPA) or Northern Allowance. On the T4s the salary and IPA is combined into one figure while on the contribution agreement they are identified as separate items. IPA will be excluded from salary calculations only if the breakdown is available in the file.

Case Scenarios: CHR earned \$10/hour and received \$2/hour as an IPA.

Case 1

Using only T4 information of \$23,400 the Compensation Office would conclude that the CHR earned \$12/hour.

Case 2

With the Contribution Agreement and the T4 of \$23,400, the Compensation Office would conclude that the CHR earned \$10/hour.

If the rate for federal CHRs were \$11.50/hour then Case 1 would be considered as “not underpaid” while Case 2 would be considered as “underpaid” by \$1.50/hour. The more information there is in the file permits the Compensation Office to make more accurate compensation calculations.

Conflicting Information

In gathering the salary information for the purpose of calculating compensation, there often is conflicting information in a claim. These conflicts can be in the following areas:

- a) Hours worked
- b) CHR Position
- c) Salary earned
- d) Dates of employment

When there is conflicting information, the CHR or the employer will be contacted to clarify the issue in question. If no evidence or proof can be provided to clarify conflicting information, no salary calculations will be done for that specific period. Compensation payments will be based on salary information that can be validated.

CHRs per Community

The Compensation Office is reviewing the number of CHRs allocated per community. This is to make sure that the number of CHRs that apply for compensation does not exceed the number of CHR positions allocated for each community. The number of CHR positions per community will come from the Contribution Agreements and Health Canada's Community Workload Increase Systems (CWIS) report.

The CHR allocation is based on person years (PYs) or on hours:

CHR	PYs	Hours/year	Hours/week
Full-time	1	1950	37.5
¾ time	.75	1560	30
½ time	.5	1040	20
¼ time	.25	520	10

If no evidence or proof can be provided to clarify conflicting information, no salary calculations will be done for that specific period.

If the number of CHRs outnumbers the CHR allocation per community, clarification will be required to resolve the conflicting information. Possible explanation is that applicants job shared i.e two of the applicants were ½ time CHRs and not full-time as indicated in their application form. In this case, if the CHR was calculated as a full-time CHR for the Good Faith payment but was actually only ½ time, the hours would be revised for the 1st capital payment. This revision would change the amount of their compensation.

Estimated Compensation vs. Good Faith Payment

CHRs that received a Good Faith Payment were informed of their Estimated Compensation. The term "estimated" is used because only when all claims have been finalized will the actual amount of compensation be known.

The Good Faith payment amount appears on the Release forms and is the amount of the cheque that was issued to the CHR. A portion of the Good faith payment comes from interest income and is subject to tax.

If you received a Good Faith Payment, you should expect a 3-payment schedule:

1. Good Faith Payment \$ X amount
2. 1st payment from Capital \$ Y amount
3. Balance of Compensation \$ Z amount

If you did **not** receive a Good Faith Payment, you should expect a 2-payment schedule:

1. Portion of 1st payment from Capital \$ Y amount
2. Balance of Compensation \$ Z amount



T3 and the Good Faith Payment

As was stated in previous newsletters and also in the Trust Settlement Agreement – “*Year 1 payments will be made from trust income*”. The Good Faith Payment is from trust income and therefore subject to tax. The portion of your compensation that comes from the Trust fund capital will not be taxable. The Royal Trust issues a T3 to everyone that has been issued a cheque from interest income. All CHRs who were approved a payment from 2001 interest income will receive a T3 for an amount not more than \$2,043.30. It should be noted that if you have not signed the release forms and not received your Good Faith Payment cheque, you will still receive a T3.

CHR Estates

Only a legally recognized executor or administrator can make a claim to the CHR Trust Settlement on a deceased CHR's estate. Only the legally recognized executor or administrator can sign the release required to access the funds.

To address all possibilities, it is advised that CHRs eligible for compensation have a will that indicates the recipient any monies that may be forthcoming.



CHRS that have not yet applied

Do you know CHRs who may be entitled to compensation but have not yet applied? Provide the Compensation Office their name and phone number and we will contact them to encourage them to apply to the CHR Trust Settlement for compensation. The deadline to apply for compensation is June 30, 2003.

The NIICHRO Compensation Office
Toll-free phone number: 1-866-644-2476
Toll-free fax number: 1-866-635-3135
e-mail: kimn@niichro.com

Trust Settlement on Internet

To review the CHR Trust Settlement Agreement go to the NIICHRO website at www.niichro.com. Call the Compensation Office at extension 223 before going to the website to get your username and receive your password.

Questions & Answers

Q & A

1. How is it being determined how much a person is getting. What is the formula?

A: The difference of what you earned and what you should have earned is indexed to the value of the dollar on June 30, 2000. This means that if you earned \$8.00 an hour and the GS rate was \$10.00, the actuary would take the difference of the \$2.00 / hour and multiply that by the number of hour you worked for that year. A full-time CHR is employed 1950 hours per year: $1950 \times \$2.00 = \$3,900$. The figure \$3,900 is the amount a person was underpaid for that specific year. However, the question now is what is the value of that underpayment on June 30, 2000. If the money was invested into Canada Savings Bonds and upon maturity re-invested until June 30, 2000, that \$3,900 could be equal to \$5000. However, this is a settlement, so a CHR will receive a portion of the \$5000 that will be equal to their share or percentage of the settlement.

2. What wage scale is used and is it different for each province.

A: The federal government wage scale rates for General Services was used as a comparison for the calculation of the Good Faith payments. These rates vary across the country by region and agreement dates. The number of regions or zones went from 22 in the 1980s down to 7 in 2000. During the same period, there have been 16 Public Service Alliance of Canada (PSAC) agreements. For the rates applicable in your region for a given year, contact your Regional Office of Health Canada.

3. The signing of the Settlement was June 30, 2000. How come the good Faith payment was not six months after the signing and then the next payment a year after that?

A: Setting-up the Compensation Office and distribution of the Information & Registration was only completed in October 2000 and applications only began to come in by November 2000. Upon receipt of an application, the claim must to be assessed and the CHR and/or band were contacted regarding supporting documents. All of this took time therefore, to issue a Good faith Payment six-months after the signing was unrealistic.

4. I have a CHR Certificate in my file. Why is that not enough evidence to confirm my eligibility for compensation as a CHR.

A: The CHR certificate confirms that you completed CHR training. It does not confirm that you were employed by a First Nation entity as a CHR.

5. I was working “on-call after regular working hours, including weekends” for emergencies. Why can’t this be considered in my compensation?

A: You will not receive compensation if you were not paid for overtime and if being on-call was part of your duties.

6. The difference between my estimated compensation and my Good faith payment was \$500. Did NIICHR0 withhold this amount to cover taxes?

A: No, the NIICHR0 Compensation Office does not deduct taxes from the compensation payment. NIICHR0 has no authority to withhold compensation money from a CHR for the purpose of giving this money back to the government as taxable income. This difference between the two figures will be paid to the CHR.

A & Q

Healing Hearts

SIDS, Tobacco & FAS/E



Interactive, hands-on training has been designed to enhance Community Health Representatives and other health workers' capabilities with their communities in the areas of Sudden Infant Death Syndrome, Tobacco Misuse During Pregnancy and Fetal Alcohol Syndrome/Effects.

Schedule:

Thursday, June 13, 2002

Early Registration
Welcome Reception

Friday, June 14, 2002

Registration
Opening Plenary Speakers
Training – Sudden Infant Death Syndrome

Annual General Meeting

Saturday, June 15, 2002

Training
AM – Tobacco Use During Pregnancy
PM – Fetal Alcohol Syndrome/Effects

Banquet – CHR Award

Special Guest: **Ray Villebrun** of *Red Blaze*

Winner of 2001 Canadian Aboriginal Music Awards – Best Song of the Year and Best Country Album

Sunday, June 16, 2002

Training – Fetal Alcohol Syndrome/Effects

All documents translated into French. Training provided for francophone participants.

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HOTEL ACCOMMODATION

Radisson Hotel Saskatoon
405 – Twentieth Street East
Saskatoon, SK S7K 6X6
Tel: (306) 665-3322
Reservations: 800-333-3333
Fax: (306) 665-5531
Website: www.radisson.com/saskatoonca

\$88.00 (single or double) + tax.
Rooms guaranteed only until **May 13, 2002**
TO RECEIVE THIS SPECIAL RATE
– you must request NIICHRO Conference Rate

TRANSPORTATION

Limo or Taxi service available from Airport to
Radisson Saskatoon Hotel, Downtown.

Official Conference Airline: Please quote
Air Canada Event Number CV145178
Call Air Canada's North America toll free number at
1-800-361-7585 or your travel agent.

Avis Rent A Car

Avis Worldwide Discount (AWD) # J993277
Call 1-800-331-1600 or your travel agent

REGISTRATION FEES

CHR: \$325 All others: \$375

Each registrant will receive: (in either English or French)

- a 17-minute video *Reducing the Risk in the Circle of Life*
- a 21-minute video *When Babies Leave the Circle*
- a 40-page teaching guide on Sudden Infant Death Syndrome
- a 28-minute video *Holding Our Own – Strategies During Pregnancy and Motherhood to Stop Smoking*
- a 40-page teaching guide on tobacco misuse and pregnancy
- a 40-page teaching guide on Fetal Alcohol Syndrome / Effects
- 3 full days of training on SIDS, tobacco use during pregnancy and FAS/E
- reception and banquet tickets

FOR INFORMATION

National Indian & Inuit Community Health Representatives Organization
P.O. Box 1019, Kahnawake, Quebec J0L 1B0
Email: judij@niichro.com
Website: www.niichro.com
Tel: 1-800-632-0892, ext. 22,
Attention: Training Session Coordinator
Fax: 450-632-2111