

# FAQS - FREQUENTLY ASKED QUESTIONS

## about the School Bus Driver Retention Program (DRP)

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**General Information**

**1. What is the DRP?**

*Answer:* The DRP is the School Bus Driver Retention Program. It is a pilot project initiated by the Ontario Ministry of Education and being administered by the School Bus Association of Ontario (through its division the Ontario School Bus Association) (“OSBA”). It was initially comprised of a series of three separate bonus payments (referred to as “Payment Periods” or “Periods”) made directly to eligible Ontario school bus drivers (for continuous employment in Period #1 - January to June 2018, Period #2 - September to December 2018 and Period #3 - January to June 2019). The DRP has been extended for an additional two Payment Periods (Period #4 - September to December 2019 and Period #5 - January to June 2020).

The purpose of the DRP is to enhance school bus driver recruitment and retention rates by providing a financial incentive for school bus drivers to stay on the job throughout the school year.

**2. What are the bonus payments based on?**

*Answer:* Drivers must meet all of the eligibility criteria in order to receive a bonus - certain exceptions will be granted for criteria #6 (95% attendance). As a summary only, DRP eligibility involves the following major requirements:

- (a) **“Continuous Employment”** – this is the period of time during a Payment Period that a school bus driver must be continuously working for a school bus operator or driving substantially the same route. The eligibility criteria require “continuous employment” from the last school calendar day of the first month of the Payment Period through to and including the last school calendar day of the final month of the Payment Period. See criteria #5. For Period #5, this is the last school calendar day in January 2020 through to the last school calendar day in June 2020 (e.g. June 25, 2020 - drivers not employed/laid off prior to June 25, 2020 are ineligible). **See questions #6-#9.**
- (b) **“Attendance”** – this is the minimum number of days that a school bus driver must work during an employment period (95%). See criteria #6. For Period #5, the attendance requirement applies from the date that the driver began work in January 2020 to March 13, 2020, when schools were closed as a result of the COVID-19 pandemic. If a school bus driver does not meet criteria #6, the school

bus driver may apply for an exception using the [Exception Application Form](#). Only absences above the school bus driver's allowable 5% of days off should be recorded on the Exception Application Form. The school bus driver must meet all the other eligibility requirements to receive a bonus, including continuous employment from the last school calendar day in January to the last school calendar day in June.

- (c) **“Primary Employment Responsibility”** – individuals receiving a bonus must either have an agreement with a school bus operator that states that they are employed as a school bus driver, or work in the capacity of a school bus driver for the majority of their working time for the school bus operator each week. See criteria #2.

**3. What does a school bus driver need to do to receive a bonus?**

*Answer:* A school bus driver is required to sign a [consent form](#) and provide it to their employer, prior to the employer's claims submission deadline (for Period #5, the employer's deadline is August 14, 2020). The signed consent will allow personal information to be shared with OSBA, the Service Provider (Deloitte) and the Ontario Ministry of Education. If the driver does not meet criteria #6 (95% attendance requirement) the driver must also complete an [Exception Application Form](#) and submit it to their employer in order to be considered for a bonus payment (Exception Application Forms for Period #5 are due to employers by July 31, 2020 or the deadline set by the employer).

**4. How much is the DRP bonus payment?**

*Answer:* The bonus for each Payment Period is up to \$1000 per driver. The \$1,000 bonus payment is subject to \$100 of personal income tax withholdings and therefore the net amount of the bonus is \$900 per driver.

**5. Is the DRP an “entitlement” program for all school bus drivers in Ontario?**

*Answer:* The bonus payments are not an entitlement based on employment as a school bus driver. The purpose and intent of the DRP is to enhance school bus driver recruitment and retention rates by providing a financial incentive for school bus drivers to stay on the job throughout the school year. It is a reward for meeting specific eligibility criteria, including continuous employment, during the DRP Payment Periods and not an entitlement based on historical work as a school bus driver.

**Questions Specific to Period #5**

**6. How will the eligibility criteria be applied for Period #5 (January 2020 to June 2020), in light of school closures due to COVID-19?**

*Answer:* With the exception of a change to criteria #6 to clarify the 95% attendance requirement during COVID-19 school closures, the eligibility criteria for Period #5 is the same as was used for Period #4.

The eligibility criteria #5 requires continuous employment from the last school calendar day of the first month of the Payment Period (January 2020) through to and including the last school calendar day of the final month of the Payment Period (June 2020). This means that if a driver was laid off or resigned from his or her employment prior to the last school calendar day in June 2020 (e.g. June 25, 2020 for most schools in the province), and therefore was not continuously employed as a school bus driver at the end of the school year, the driver would not qualify for the Period #5 bonus payment. **Drivers not employed/laid off prior to June 25, 2020 are ineligible for a Period #5 bonus and should not fill out or submit an Exception Application Form.**

Due to school closures as a result of COVID-19, the 95% attendance requirement (criteria #6) will apply from a school bus driver's first day of work in January 2020 to March 13, 2020. Drivers who were absent for more than 5% of their scheduled work days between their first day of work in January 2020 and March 13, 2020 must submit an Exception Application Form to be considered for a bonus payment. Example: If a full-time school bus driver began employment in Period #5 on January 6, 2020, there were 49 school calendar days on which he or she would have been scheduled to work (95% of those days is 47 days). As a result, the driver could have missed up to 2 days and still meet the 95% attendance requirement in criteria #6. If the driver was absent for more than 2 days before March 13, 2020 the driver would not be eligible to receive a bonus payment unless he or she submits an Exception Application Form, and that Exception Application Form is subsequently approved by the DRP. **Drivers should only complete an Exception form if they do not meet the 95% requirement for the period up to March 13, 2020.**

**7. The Period #5 eligibility criteria requires continuous employment to the last school calendar day in June 2020. When is that?**

*Answer:* This is the last day of the 2019/2020 school year. This is not the day that schools closed for COVID-19. For many schools, this was June 25, 2020. School calendar days may vary between Eligible Education Organizations/school boards in a given Payment Period.

**8. If a school bus operator employer provides student transportation services to education organizations with school calendar years that end earlier than the dates set out in the DRP Guide (i.e. earlier than June 25, 2020), will school bus drivers on those routes still qualify?**

*Answer:* Yes. The DRP recognizes that the last school calendar day may vary between education organizations/school boards and regions of the province. Eligibility is based on employment until the last school calendar day for the applicable education organization.

**9. A school bus driver was laid off or quit after schools closed due to COVID-19. Assuming that the school bus driver meets the other eligibility criteria, can the driver receive a bonus for Period #5?**

*Answer:* No. School bus drivers must meet the continuous employment requirement (criteria #5) until the last school calendar day in June 2020 in order to be eligible to

receive a bonus payment in Period #5. If a driver was laid off or resigned from his or her employment prior to the last school calendar day in June 2020, the driver will not meet this requirement. Exceptions are not available for criteria #5.

**10. When will drivers get a bonus cheque for Payment Period #5?**

*Answer:* In previous Payment Periods, the DRP has endeavored to issue cheques within three months of the end of the Period. After the end of the Period, operators need time to compile their claims submissions, and the DRP needs time to review submissions for over 16,000 drivers, including all Exception Application Forms.

Due to delays finalizing the continuation of the DRP for Period #4 and #5, as well as the COVID-19 pandemic, the Period #5 claims submission process was delayed. It is anticipated that the cheques for Period #5 will be mailed directly to eligible school bus drivers by November 2020, sooner if possible. A communication will be issued once the cheques have been mailed.

**Questions About Driver Eligibility and Receiving Bonus Payments**

**11. How should school bus operators count snow days when determining if a school bus driver meets the 95% attendance requirement?**

*Answer:* Snow days do not impact a school bus driver's ability to meet criteria #6. School bus operators should not count snow days as absences, but they should count them towards the total days in the period. In other words, the 95% attendance requirement, and 5% allowable absences, will still be calculated based on the total number of the days in the period, and snow days will not be taken into account as absences. If the day that was a snow day was a normal workday for a school bus driver, then the snow day will be counted as if the driver worked.

**12. If a school bus driver thinks he or she was eligible to receive a bonus for Period #4 but did not receive a cheque, what should the driver do?**

*Answer:* Contact their school bus operator employer. School bus operator employers received confirmation of their eligible school bus drivers for Payment Period #4 in July 2020 based on the claims submission and the Exception Application Forms submitted for Period #4. All questions about eligibility should go to employers. The DRP Call Centre cannot answer questions about school bus operator employer claims submissions. If a driver does not receive a cheque by August 1, 2020, and the employer has advised that the driver was eligible to receive a bonus, the employer should follow up with the DRP. The DRP Call Centre cannot accept address or name changes directly from drivers.

**13. Do drivers need to report bonus payments as income for income tax purposes?**

*Answer:* Yes. A T4A slip will be issued to each school bus driver from OSBA by the end of February in the year following the payment of the bonus.

- 14. Cheques for Period #4 were mailed in July 2020. Will the receipt of the Period #4 DRP Bonus in July 2020 affect a school bus driver's ability to obtain employment insurance (EI) in the month it is received?**

*Answer:* Since the Payment Period #4 DRP bonus arises from services provided by school bus drivers between September and December, 2019, its payment in July 2020 should not affect the ability of school bus drivers to obtain employment insurance in the month of July 2020. Furthermore, based on a Canada Revenue Agency (CRA) ruling received by the DRP in 2018 with respect to payments made in the first three payment periods, the DRP bonus payments represent income derived from government financial assistance and, therefore, arguably should not be income arising out of any employment for employment insurance purposes. Nonetheless, drivers concerned about this issue are encouraged to obtain their own tax and legal advice.

- 15. Will the receipt of the DRP bonus in July disqualify a driver from receiving CERB?**

*Answer:* Based on advice provided to the DRP by Canada Revenue Agency (CRA) in respect prior payment periods, the payment of the Payment Period #4 DRP bonus in July 2020 should not affect the ability of school bus drivers to obtain the Canada Emergency Response Benefit (CERB). A person is not eligible to claim CERB payments if they have earned more than \$1000 in employment income or self-employment income during the four week benefit period. However, the DRP bonus does not constitute employment income (rather it is a form of government financial assistance). Nonetheless, drivers concerned about this issue are encouraged to obtain their own tax and legal advice.

- 16. Can a driver who did not receive a bonus for one of the previous Payment Periods due to failure to submit a consent form or Exception Application Form, or other error, apply now to receive a bonus for a previous Payment Period?**

*Answer:* No. Unfortunately Periods #1-#4 are closed. Claims submissions for Period #5 are due on August 14, 2020, so there is still time to submit a consent form and Exception Application Form (if required) for Period #5.

It is a mandatory requirement of the DRP that a school bus driver complete a consent form in order to receive a bonus payment. A consent form is required in order for a school bus operator employer to share the driver's personal information with the DRP. This information is required to enable the DRP to pay a bonus directly to the driver. An Exception Application Form is required for any driver that does not meet criteria #6 (95% attendance requirement).

Unfortunately, the DRP cannot accept late submissions for a school bus driver who did not complete a consent form or submit their Exception Application Form prior to the deadline for claims submissions (August 14, 2020).

- 17. How will drivers who submit an Exception Application Form know if their exception has been approved?**

*Answer:* School bus operator employers who have submitted Exception Application Forms on behalf of their drivers will be notified in advance of cheque mailing as to whether the Exception Application Forms were approved or not. The employers are required to notify applicable drivers of the outcome of the review process. Drivers who have not been notified by their operator about the outcome of their Exception Application Form should contact their employer.

**18. Do drivers who participated in previous Payment Periods need to complete a consent form for Period #5?**

*Answer:* All drivers participating in DRP are required to have signed and returned the consent form to their respective operator/employer. All forms are to be kept in the operator's file and not sent to DRP. The consent form was updated for Periods #4 and #5 – Period #1-#3 consent forms will not be accepted. If a driver completed the new consent form for Period #4, they do not need to do so again for Period #5.

As a reminder to operators, consent forms are requested during DRP audits.

**19. For Payment Period #5, if a school bus driver became employed in February 2020 or later and did not miss a single day of work through to March 13, 2020, will the driver qualify to receive a bonus payment?**

*Answer:* No. In order to qualify for a bonus payment, a driver must be employed as a school bus driver on or before the last school calendar day of the first month of the Payment Period. For the Payment Period ending in June 2020, this means the driver must be an employee with a school bus operator employer on or before January 31, 2020.

**20. If a driver was participating in unpaid training on February 1, 2020 or later, will the driver be eligible to receive the bonus?**

*Answer:* No. In order to be eligible a driver needs to have been a paid employee of a school bus operator (not an unpaid trainee) on or before January 31, 2020.

**21. Are part time drivers, who have other employment, eligible receive a bonus?**

*Answer:* Yes. The eligibility criteria is concerned with the period of time the driver works for the school bus operator, not the time the driver works for other employers.

**22. If a driver changes employers during a Payment Period, will the driver be eligible to receive the bonus?**

*Answer:* Maybe. A driver may still be eligible as long as the driver continues driving substantially the same route(s) throughout the Payment Period. See criteria #5(b). If a driver transfers from one school bus operator employer to another due to the first employer losing routes in an RFP process or the employer returning routes to a consortia or education organization, but the driver continues driving substantially the same route(s), the driver will be eligible to receive a bonus payment (assuming the driver meets the other eligibility criteria).

However, if a driver changed employers due to personal choice or circumstances or otherwise, the driver will not be eligible to receive the bonus.

**23. If a driver works every day as a school bus driver but also works in the employer's office doing other jobs, will the driver be eligible to receive the bonus?**

*Answer:* Yes, if the time the driver spends each week driving to Eligible Education Organizations, listed [here](#), constitutes the majority of the time the driver works for the school bus operator, and the driver meets the other eligibility requirements, then the driver would be eligible to receive the bonus.

**24. Are spare or on-call drivers eligible to receive the bonus?**

*Answer:* Yes. As long as they meet all other eligibility criteria. If the majority of the driver's working time for the school bus operator employer is driving students to and from schools under one or more of the Eligible Education Organizations listed here: [http://www.osba.on.ca/files/DRP-list-of-educational-organizations-2018\\_3.pdf](http://www.osba.on.ca/files/DRP-list-of-educational-organizations-2018_3.pdf), then the driver will qualify to receive the bonus.

In order to meet the 95% attendance requirement (criteria #6), spare or on-call drivers must work 95% of their scheduled or requested shifts.

**25. Can drivers who are not employed by a school bus operator under a contract with an Eligible Education Organization still be eligible to receive a bonus if they drive students to schools under one or more of the Eligible Education Organizations?**

*Answer:* Yes. A driver will be deemed to meet criteria #1 if the driver drives a school bus covered by an Ontario Ministry of Transportation Commercial Vehicle Operator's Registration (CVOR) that transports students to schools under one or more of the prescribed Eligible Education Organizations - see: [http://www.osba.on.ca/files/DRP-list-of-educational-organizations-2018\\_3.pdf](http://www.osba.on.ca/files/DRP-list-of-educational-organizations-2018_3.pdf). Drivers who meet this requirement should ask their school bus operator employer to email OSBA at [info@schoolbusontario.ca](mailto:info@schoolbusontario.ca) in order to receive a participation agreement.

**26. If a driver misses a morning or afternoon shift, does it count as a half or full day off?**

*Answer:* If a driver regularly drives an am **and** pm shift (e.g. 5 days per week) for a school bus operator employer, but cannot drive either the am or pm shift on one day, it will count as half a day off. However, if the driver's employment agreement or regular work week schedule is to ONLY drive the am shifts, for example, and the driver misses one am shift, then it will count as a full day off since that am shift is the driver's full day of work.

**27. Why are monitors excluded from the DRP?**

*Answer:* The DRP is subject to conditions established by the Province of Ontario, through the Ministry of Education in order to achieve the goal of improved school bus driver recruitment and retention. Monitors are not within the scope of this program.

**28. Are van or mini bus drivers eligible to receive a bonus?**

*Answer:* Yes. Drivers who hold a valid Class G licence and meet all other eligibility criteria, will be eligible to receive a bonus. See criteria #4.

**29. Are drivers who cover private school routes eligible to receive the bonus?**

*Answer:* No. Only those school bus drivers who drive students to and from schools under the Eligible Education Organizations, listed [here](#), qualify to receive a bonus. Private schools are not eligible as they do not receive student transportation funding from the government to operate their institution, which is a requirement of the DRP.

**30. Are drivers who cover both private and public school routes eligible to receive the bonus?**

*Answer:* Maybe. In order to qualify for the bonus, a driver must spend the majority of his or her working time for a school bus operator employer driving students to and from schools under the Eligible Education Organizations, listed [here](#).

If a driver covers both private school routes and routes for one or more of the Eligible Education Organizations and, for example, spends 90% of his or her working time for the school bus operator employer driving to and from schools under the Eligible Education Organizations, and 10% of his or her working time for the school bus operator employer driving to and from private schools, then the driver will be eligible to receive a bonus (assuming the driver meets the other eligibility criteria).

**31. Are charter school bus drivers, who transport students to and from field trips, eligible to receive the bonus?**

*Answer:* No. Only those school bus drivers who spend the majority of their working time driving students to and from schools under the Eligible Education Organizations, listed [here](#), qualify to receive a bonus.

However, a charter driver who is assigned a route or routes to drive students to and from schools under one or more of the Eligible Education Organizations, who spends the majority of his or her working time for the school bus operator employer on the route or routes, may be eligible.

## FAQs for School Bus Operators

- 32. How will school bus operator employers know if their employees meet the eligibility criteria?**

*Answer:* Operators must review the eligibility criteria, available [here](#), and these FAQs. Further information is also provided in the DRP Guide.

- 33. Should a school bus operator put a driver on Appendix C if they do not agree the driver should be paid a bonus?**

*Answer:* Appendix C is to be used only for Exception Application Forms that operators do not believe to be factually correct. For example, if a school bus driver has indicated on the Exception Application Form that they were away for pre-approved vacation, but the operator is specifically aware that the vacation was not previously approved, the operator must first discuss with the school bus driver so that the Exception Application Form can be corrected. If the disagreement cannot be resolved, the operator should put the school bus driver on Appendix C, and indicate in Part 4 of the Exception Application Form the reason that the Form is not factually correct, including the basis on which the operator does not believe it to be true and the reason that the operator believes the driver was absent.

- 34. The Claims Submission Form requests the total number of school bus drivers that an operator employs in Ontario. Does this include only the drivers that are listed in the operator's Claims Submission Form Appendices, or all of the drivers that the operator employs?**

*Answer:* Operators should state the total number of school bus drivers that they employ in Ontario, including drivers who are not listed on their Claims Submission Form and Appendices (e.g. including drivers who do not meet the eligibility requirements and/or have not provided an Exception Application Form). This information is to assist the DRP in understanding what percentage of drivers will be receiving a bonus.

- 35. What date does a school bus driver need to be 70 years of age for the purpose of completing the Appendices to the Claims Submission Form?**

*Answer:* A school bus driver needs to be 70 years of age or older by the claims submission form deadline.

- 36. When will school bus operators receive the administration fee payments?**

*Answer:* It is anticipated that cheques for the Period #4 administration fee payments will be issued in September or October 2020 and the cheques for the Period #5 administration fee payments will be issued in December 2020. Please note that these dates are anticipated only and could change.

**37. How do school bus operator employers participate in the DRP?**

*Answer:* Operators must complete and return the Participation Agreement to [info@schoolbusontario.ca](mailto:info@schoolbusontario.ca). Operators who provide to and from school student transportation services under the Eligible Education Organizations listed [here](#), and who did not receive a copy of the Participation Agreement, should email [info@schoolbusontario.ca](mailto:info@schoolbusontario.ca).

**38. Can school bus operator employers change their contact person to someone other than the person who signed the Participation Agreement or who is listed as the responsible person in the Participation Agreement?**

*Answer:* Yes. Operators should provide written notice including the name, title, phone number and email of a new contact person by email to [info@schoolbusontario.ca](mailto:info@schoolbusontario.ca).

**Further Information**

**39. Who do operators or drivers contact if they have more questions about the DRP?**

**If you are a school bus driver:**

Email Address – [schoolbusdriver@deloitte.ca](mailto:schoolbusdriver@deloitte.ca); Toll-free Number – 1-833-346-6177

**If you are a school bus operator:**

Email Address – [schoolbusoperator@deloitte.ca](mailto:schoolbusoperator@deloitte.ca); Toll-free Number - 1-833-715-7360