



HOSPITAL EMPLOYEES' UNION

NEWSLETTER

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New orders set out process for moving long-term care and assisted living workers to single sites

Transition framework secured by HEU and its union partners ensures that wage rates are increased to provincial standards, and that workers' have access to equivalent hours in move to single sites

Two orders published Friday by the Provincial Health Office outline a plan to protect seniors and support workers through the transition to single site employment throughout the long-term care and assisted living sector.

The goal of the orders is to help stop the spread of COVID-19 by limiting workers, volunteers, students and others from moving between seniors' care facilities. Long-term care homes have been at the centre of major COVID-19 outbreaks and account for the majority of deaths attributed to the virus.

A huge challenge in moving to single site staffing in this sector is that wages paid by some operators are as much as \$7 an hour less than those paid under the provincial standard in the Facilities Bargaining Association (FBA) collective agreement.

To ensure that workers with multiple jobs are not faced with economic hardship by being limited to a single site with lower wage rates, the orders provide for wages to be raised to levels in the FBA agreement, or in the cases of nurses, the Nurses Bargaining Association (NBA) collective agreement.

The orders also set out a process that will give workers access to hours comparable to those worked at multiple sites, when they are restricted to a single site. Combined seniority hours will also be recognized in shift scheduling.

"The labour adjustment provisions contained in the orders published Friday are in part the product of intense discussions between health employers and health unions," says HEU secretary-business manager Jennifer Whiteside.

"I want to express my deep gratitude to our union partners for their efforts in helping secure a transition framework during this public health emergency.

"It is important to note that despite the extraordinary powers available to government under a provincial health emergency, the representations of health unions on behalf of their unions are reflected in the orders published today. That has not been the case in other Canadian provinces."

There are two orders.

The Health Care Staff Designation Order of the Provincial Health Officer is issued under the Public Health Act and provides for the implementation of single site staffing at the health authority level. Regional medical health officers will implement single site staffing based on a set of principles contained in Appendix A (the final page in the order).

This order establishes working groups at the health authority level that will make recommendations to the health authority medical health officer about the staff allocation plan. The unions are not on this working group but will be consulted about the process and timelines.

Workers who have previously been directed to work at one site may have the opportunity to be reallocated to a different site under this order.

Worker preferences that were collected late last month through an online survey will also be considered, along with ensuring that there are sufficient numbers of staff assigned to facilities.

The Health Care Labour Adjustment (COVID-19) Order has been issued by the Solicitor General under the Emergency Program Act. It instructs all long-term care and assisted living employers, including independent operators and subcontractors, to follow a framework that levels up wages, sets out a process for determining schedules that respects combined seniority, and protects benefits for workers limited to employment at one site.

“There are many details in these orders that we will outline for members in the days ahead,” says Whiteside. “This sector is complex – with many collective agreements and employers, a number of unions, and thousands of workers who have multiple jobs.

“There will be bumps in the road, but we can also be very proud of what we have done to respond to the pandemic in the interests of our residents and of our members.

“In 2001, most workers in funded long-term care were paid equivalent wages in a standard agreement that also covered hospital workers. That changed as a result of legislation and policies of the previous provincial government.

“This pandemic emergency has demonstrated the failure of these policies and we will be working hard to ensure that workers in this sector are covered by standard wages and conditions going forward.”

The orders apply to staff in long-term care, assisted living, private hospitals (these are a type of long-term care), and provincial mental health facilities.

Workers can’t work in more than one of these facilities under these orders, but they can hold an additional job in community health or community social services, a hospital or in another sector.

There are a number of exceptions set out in the Health Care Staff Designation Order, including Lab Assistants who may visit multiple sites in the course of their work.

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