

BC Care Aide & Community Health Worker Registry

Frequently Asked Questions

I: Background, Purpose and Role of the Registry

In 2009, the Ministry of Health Services announced plans to create a provincial Care Aide & Community Health Worker Registry.

The stated goal of the registry was to prevent care aides (CAs) and community health workers (CHWs), who had been terminated for resident abuse, from being hired by other publicly funded employers in the future.

Initially, the Hospital Employees' Union and other unions in the sector opposed the government-introduced registry on the grounds that it seemed like an easy way for employers to target and get rid of staff – accused of resident abuse – without due process.

Health unions were concerned that not all employers followed a fair process when investigating allegations, often giving more weight to what the resident/client says than what the worker says. The government's original registry proposal also set a higher test for CAs and CHWs than for other health care professionals.

In addition, research shows that low-staffing and inadequate training are primary causes of resident abuse and neglect. The government's plan focused solely on individual workers, and did not address underlying issues like inadequate staffing levels and the poor training provided by many private post-secondary institutions.

Over several months, the Ministry, health employers and health unions worked together to broaden the mandate of the registry to include: the implementation of provincial training standards for all public and private education programs for care aides and community health workers; and a standardized, transparent process for investigating abuse allegations.

This broader mandate provides greater protection for CAs and CHWs, recognizes the value of high-quality training, and acknowledges the important contribution these workers make in supporting many of B.C.'s most vulnerable citizens.

What is the registry's mandate?

The current mandate covers two main areas: “to protect vulnerable patients, residents and clients... and to improve standards of care in the Care Aide and Community Health Worker occupations.”

This includes: “a database of credentialed” CAs and CHWs eligible to work for publicly funded employers, an investigation process for complaints of resident abuse; and a system to suspend, remove or reinstate CAs or CHWs who have been terminated for incidents of resident abuse through a grievance/appeal process.

The registry will also establish provincially mandated training standards to ensure future CAs and CHWs graduate with appropriate skills, and that their practice and role is fully recognized by supervisors and team leaders.

Why does British Columbia need provincially mandated training standards for Care Aide and Community Health Worker educational programs?

For years, HEU has been concerned about the substandard education provided by many private training programs in B.C.

Some private colleges actually have “no fail” policies. In other words, as long as students pay the tuition/registration fees, they will graduate from the program. Many of these colleges graduate students with very limited English skills and/or those who have not acquired the tools to adequately work with the province’s most vulnerable citizens, including the frail elderly.

During the 2006 round of bargaining, HEU (with the Facilities Bargaining Association and Community Bargaining Association) negotiated a policy agreement to establish training standards for all care aides and community health workers – such as course length and curriculum content – that would be mandatory for all public and private post-secondary institutions.

Over the last four years, the unions worked with educators, health authority representatives and government in developing the new competencies, a new curriculum, and training standards. At the conclusion of this work, the parties realized there was a need for a provincial registry to monitor all training programs to ensure they met this province-wide standard.

The government agreed to include the education standards as part of their registry proposal.

These training standards will contribute to quality care, improved employee training, and greater recognition of the work of CAs and CHWs.

What are the improvements to the new standardized process for investigating abuse allegations?

Employees accused of neglect or abuse – including financial, verbal, emotional, physical or sexual – may be suspended pending the investigation results. Any suspension must be reported to the registry within seven (7) calendar days – and the name of the worker and nature of alleged abuse must be provided.

The employer has the right to suspend a worker – under investigation – with or without pay, but if the investigation takes longer than 21 calendar days, then the employer must pay the employee until the investigation has concluded. During the suspension, the worker will be removed from the registry. This means that they cannot apply for a new job in a publicly funded facility/agency.

Workers will be reinstated to the registry if they are either cleared of the allegation or the remedy sought by the employer does not include termination of employment.

If the union is not satisfied with the employer's proposed resolution, they can request that a special investigator be brought in to help resolve the dispute. The special investigator's findings are non-binding. If either party is still not satisfied with the investigator's recommendations, then the matter can be referred to full arbitration, as per the collective agreement.

This new process also introduces intermediary steps, such as education rather than termination, whereby the accused member may enter into an anger management course or work in non-direct care, similar to the process currently in place for doctors and registered nurses.

The registry will **not** keep a record of abuse allegations:

- if they do not result in a termination, or
- where a special investigator, or arbitrator, determines that the accused individual should not be removed temporarily or permanently from the registry.

Is the registry a positive development?

Yes. The registry recognizes CAs and CHWs as a critical part of the health care team, and will help to secure standardized and high-quality training across all public and private CA and CHW educational programs. It will also address the unfair termination of workers accused of abusing residents by implementing a standardized investigations process. Currently, many employers terminate first, and then investigate. And the long-range goal of the registry also includes professional development opportunities for CAs and CHWs.

Where is the registry located, and will the unions be involved on an ongoing basis?

The registry will be located at Health Match BC, an organization that currently recruits health professionals to B.C. The registry will have its own registrar, staff, and an advisory committee, including four union representatives and four employer representatives. For more information on the registry, contact <www.cachwr.bc.ca>.

II: Registration Process, Important Deadlines

How do I register?

It's easy to register. And it's free.

You'll need to complete an *Application and Consent Form*. You can do that online at <www.cachwr.bc.ca>, or you can fill out the form and fax it to **1-877-494-3222**, or mail it to BC Care Aide & Community Health Worker Registry, Suite 200-1333 West Broadway, Vancouver, B.C. V6H 4C6.

Who should apply to be on the registry?

All CAs and CHWs working for publicly funded employers – with or without a certificate – need to apply. Any health care worker who is employed as a CA or CHW (or is off on WCB, LTD, or any other leave), and/or has a care aide/community health worker certificate should register.

You should also register if you are:

- working at another job (i.e. as a patient porter) that requires a care aide certificate,
- a licensed practical nurse who may want to work as a CA in the future, or
- not currently working, but have a certificate.

Those working for private employers, but may choose to work in the public system down the road, should also apply now.

The deadline for “grandfathering” is April 28.

Is it important to register before the April 28 deadline?

Yes. It’s very important to register by April 28 because workers who trained on the job and do not have a certificate or the equivalent educational requirements will be “grandfathered”. After that time, CAs and CHWs will be required to have a care aide or community health worker certificate to register.

What happens if I choose not to register, or if I miss the deadline?

If you don’t register by April 28 and you do not have a CA or CHW certificate, you will only be able to work for your current employer. You will not be eligible to work for other publicly funded employers until you provide proof of completing a CA and/or CHW training program in B.C., or an equivalent course from elsewhere in Canada.

I took an in-house care aide course and work as a porter. My benchmark is paid as a care aide. Am I eligible to apply for the registry?

Yes. All health care workers are eligible to register if they have completed a care aide course or are performing care aide duties as part of their current job. But if you do not have formal training, you must apply before April 28 to be included on the registry. If you apply after April 28, you must have proof that you have a care aide or community health worker certificate.

I have a care aide certificate, but also work in another position, should I still apply?

Yes. Anyone with a care aide certificate or who has care aide duties incorporated into their job(s) should register.

If my job gets deleted and I am not on the registry, can I still bump into a job at another work site?

No. You must be on the registry to work as a CA or CHW in British Columbia’s publicly funded health care facilities.

Can my employer force me to register or is it my choice?

Your employer cannot force you, but you will not be able to apply for jobs at other work sites that are publicly funded. The union strongly encourages all members to apply before the April 28 deadline.

Can I register if I'm a care aide employed by a facility that is not publicly funded?

Yes. All care aides are encouraged to apply before April 28 to be added to the provincial registry. If you apply for a job in the future with a publicly funded employer, you are required to be on the registry. You will not be hired if you are not on the registry.

Do I need to sign the consent form to register? What am I consenting to?

You are consenting to have your name, address, work location and employee number maintained on the registry. You are also consenting to have your employer provide the registry with a report if you are being investigated for patient abuse. Once the investigation is completed – and if you are either cleared of the allegation or the remedy does not include termination – then the report of the allegation will be removed, and you will be reinstated on the registry.

If you are terminated for patient abuse – and it's determined that you should be removed from the registry on a temporary or permanent basis – the registry will maintain this information.

The consent form prohibits the registry from maintaining a record of allegations of abuse and/or providing any information to employers other than your registration status.

On what grounds could I be removed from the registry?

You may be removed from the registry if you are terminated on the grounds of resident or client abuse. The removal could be for a limited time period or it could be permanent depending on the findings of the special investigator and/or arbitrator. You could, for example, be asked to take an anger management course and then reapply to the registry, or you may be restricted to working in a non-direct care position.

A process has been put in place to ensure a fair investigation occurs and that options – other than removal from the registry – must be given serious consideration.

I was suspended for three days for verbal abuse last year. Will this information be on the registry?

No. Information on your personnel file is confidential.

The registry will **not** keep a record of abuse allegations:

- if they do not result in a termination, or
- where a special investigator, or arbitrator, determines that you should not be removed temporarily or permanently from the registry.

Because of the registry, I no longer want to be alone with a patient or client whom I feel may complain or accuse me of abuse. What can I do?

It's best to talk to your supervisor or shop steward for guidance.

*** Please direct all questions to your servicing representative through your local executive.*