



HOSPITAL EMPLOYEES' UNION

NEWSLETTER

PLEASE POST

Union successfully negotiates payment options for employee-paid criminal records check

HEU successfully resolved the outstanding issue of how its members are expected to pay the \$20 fee for a criminal records check, a condition of employment for those working with, or having unsupervised access to, children.

As a result, health authorities must provide an option for an alternate method of payment – that may include cash, cheque, credit card or pre-authorized payroll deduction (or a combination). Members should consult with their employer to review available options.

In a December 9 decision, an arbitrator ruled that the \$20 criminal records check fee – previously paid by employers until this past spring – was now the responsibility of each employee, and not their employer. The union had filed a grievance, based on past practice, arguing the fee was a business cost, and should continue being covered by health authorities.

The union also maintained that the *Employment Standards Act* prohibits an employer from requiring that these types of fees be paid through payroll authorization – something health authorities were trying to make mandatory, and some even threatened to discipline employees who refused to sign payroll deduction consent forms.

Changes to the *Criminal Records Review Act*, which go into effect on December 30, include an expanded list of offences to be checked, and an increased frequency of checks to every five years.

December 16, 2010

