

Hospital Professionals At The Table



Bargaining news for OPSEU members in the Hospital Professionals Division

Issue 4

September 9, 2016

Wage increase awarded

The arbitration award for the Ontario Nurses' Association (ONA) was finally released on September 7, 2016. The wage increase of 1.4 per cent for ONA in the first year completes the settlement we agreed upon on May 30, 2016. Our wage increases are now as follows:

- Effective April 1, 2016 *1.4 per cent wage increase*
- Effective April 1, 2017 *1.4 per cent wage increase*
- Effective April 1, 2018 *1.4 per cent wage increase*

Click [here](#) for the new wage grids.

Retroactivity

Current employees on staff from the date of the settlement will be paid retroactively within four pay periods from September 7, 2016. Retroactivity will be paid on

wage increases, including any payments based on wage rates (e.g. per cent in lieu, vacation pay and SUB).

More details on short shifts, central classifications and vacation entitlements

As a follow-up to our last [bargaining bulletin](#) which summarized the settlement for our central provisions, we are providing more details on the changes to Innovative/Flexible Scheduling specifically

regarding “short shifts” (Article 29.02), the new process for central classifications (Article 25.01 b), and the vacation improvements in the settlement.

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Short shifts

In our 2014 round of bargaining, some significant award improvements were made to Article 29.02 in response to the fact that the hospitals had been trying to win the unilateral right to schedule short shifts. The hospitals' rationale to arbitration boards over the past three bargaining rounds has been that they need changes to this article because locals are not cooperative in discussing their proposals.

We felt that the changes imposed in the last round provided ample opportunity for meaningful and open dialogue to satisfy this new process. The participating hospitals did not agree and were able to bring forward again, during this round, examples of why this process was not successful. Your team argued that the language was still new and the opportunity to determine success had not been tested.

The bargaining team was concerned that if this issue was brought to arbitration once again, the outcome would not have been desirable for our locals. We were unable to predict how much longer we could stave off unilateral imposition of these short shifts. This led the team – in the interest of reaching an agreement – to accept the language changes you will see in bold text.

Article 29.02 Innovative/Flexible Scheduling

Where the hospital and the union agree, arrangements regarding Innovative/Flexible Scheduling, including shifts of less than 7.5 hours, but not less than 4 hours, may be entered into between the parties on a local level. **Such agreement will not be unreasonably withheld.**

Whenever a shift schedule of less than 7.5 hours but not less than 4 hours is proposed by either party, the following will apply:

- The party proposing the change will provide the details of its proposal, including the rationale, in writing, to the other party.
- The proposal must be department/area/employee specific.
- Unless they agree otherwise, the parties will then schedule a meeting to discuss the proposal [which] **will occur within seven (7) calendar days of providing details of the proposal**
- If the **Union** does not agree to the proposal, it must provide its reasons in writing **within twenty-one (21) calendar days of the Hospital's written request.**

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If we aren't judicious in our approach and if we don't adhere to the new language, we risk giving the hospitals evidence of lack of meaningful discussion by the union in future rounds of bargaining. We can't allow this to happen.

Even with the changes, bargaining units should feel no pressure to agree to unreasonable employer proposals where they see no benefit to their members. However, we do need to be able to demonstrate that our decision to deny a request is not unreasonable.

Hospitals still need to be aware that this process is in no way a "blank cheque" for them to get all that they ever wanted in respect to short shifts. The need should be operational, not merely budgetary. The bargaining team will need to have copies of any new short shift requests and responses sent to the HPD central

negotiator. This will guarantee that the bargaining team has the information it needs for the next round, should the hospitals try once again to make a claim that the language still doesn't work for them.

Included in the Memorandum of Settlement was a commitment from the union to ensure that we informed and discussed the new process with participating locals. We would like to take this opportunity to reach out to locals to have a discussion on how to best utilize this new language. Our sense is that this may be our last opportunity to prove that this modified language can be effective, before the next round of bargaining.

We will be contacting locals to arrange times for discussion.

New article for central classifications

Article 25.01 (b) was developed to give our members in central classifications the ability to challenge a substantial change to their jobs by filing a grievance. Previously the only venue for a central reclassification was through the bargaining process. This resulted in frustration by our members and our central bargaining teams as the participating hospitals were reluctant to have meaningful discussion on any reclassifications.

In order for this process to be engaged, it requires more than one local to be experiencing the change. Any agreement or award shall be binding on all participating hospitals and bargaining units.

Any previously-filed grievances can still be resolved at the local level pending the initiation of this process.

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In the near future, a working group will be tasked with establishing terms of

reference for this new process to support a speedy implementation.

Vacation improvements

For clarification purposes, the improvements to the vacation entitlements will be unique for each hospital depending on the local language or practice which determines the date for movement to the next milestone.

[Download](#) ONA award

[Download](#) new wage grids

[Download](#) Memorandum of Settlement



Questions?

If you have any questions please contact the Chair of the OPSEU Central Bargaining team, **Sandi Blancher**, at sblancher@gmail.com



This bulletin is authorized for distribution by:

A handwritten signature in black ink, appearing to read "Warren Thomas".

Warren (Smokey) Thomas, President

Your 2016 HPD Bargaining Team

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