



NEWSLETTER

Spring 2018



United Nurses of Alberta



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For the latest updates on Negotiations check out First Class Negs Conference through UNANet!!

What is UNANet?

Benefits include...

Getting your own UNA Email Address!

UNANet provides you with a Union email address, _____@una.ab.ca. UNA email is private, has excellent SPAM and Email Virus protection, and comes with a support person you can actually talk to.

When using a una.ab.ca email address, communications with your Local Executive, LRO, UNA Staff, Executive Officers, and other UNANet users are always secure; they never pass through the Employer's email servers (or Telus' or Shaw's) and remain contained within the UNANet service.

Discussion

Join in (current) discussions using UNANet's Conferences of the latest News and Negotiations with other Nurses (only Nurses, as UNANet is Members only access). Discuss developments in PRC and OH&S. Ask questions and have them discussed and answered in the Contract Issues Conference.

Education

Read and Download UNA Education Material, such as:

- Know Your Rights
- PRC toolkit
- How to Run a Local
- Disability Rights
- Unit/Office Rep
- Grievances
- View the UNA Workshop Calendar and a calendar of major non-UNA Education Opportunities

At Hand

In DMS, access your on-file personal information. File Expense Claims, view Union pay stubs and T4s, see upcoming Workshops and register directly.

Activate your account today: <http://una.ab.ca/unanet>

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Local 115 Executive

President: Kevin Champagne
Vice-President: Wayne Stopa
Secretary: Sheldon Vogt
Treasurer: Wanda Deadman

Local 115 Committees

CDLC Committee: Local 115 Executive
Communications Committee: Local 115 Executive,
Kris Lim, Al Perreault (on leave)
Grievance Committee: Local 115 Executive,
Lucy Anderson, Martin d'Entremont
OH&S Committee: Local 115 Executive,
Kathleen Hamnett, Laura Muenchrath
PRC Committee: Local 115 Executive, Nicole Bajada,
James Cooke, Andrew Lafreniere, James Zachary (on leave),
Cyrena Quinn (temporary)

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Editors

Local 115 Executive
& Communications Committee

Together: For a stronger future

By Kevin Champagne,
Local 115 Executive President,
United Nurses of Alberta



On 15th February 2018, almost 90 per cent of UNA members and 98 per cent of UNA's locals voted in favor of ratifying the collective agreement and ratified the new contract with AHS. As part of your UNA local executive team, I would like to thank all those members who came out and voted.

Measuring the true value of any collective agreement can be difficult. Prior to this round of bargaining, registered nurses in Alberta ranked among the top across Canada for pay and benefits. UNA's negotiating team balanced the demand of the membership with the reality facing the employer in these challenging economic times.

This round of negotiation unfolded like most. The employer and the union shared their perspective desires and tried to meet somewhere in the middle. During negotiations, it became apparent both parties were unable to reach a consensus without external support. Both agreed to voluntary mediation to support meaningful bargaining to bridge the gap in CBA negotiations.

From the beginning of contract negotiations, it was clear the employer had little in wage concessions to offer. With this in mind, UNA's strategy centered on protecting member's existing wage levels while seeking to strengthen language surrounding key issues in the CBA. Highlights of the changes to language in the CBA are below and have significant and profound implications for UNA's membership:

Article 23: Discipline, Dismissal and Resignation. Upon request, the employer will now disclose the particulars of the concern or complaint, sharing the identity of the complainants if safe to do so. Furthermore, the employer is now obligated to disclose this information prior to imposing a disciplinary decision, whenever possible. This

additional language in the CBA allows for greater transparency for the member in understanding the nature and origin of the complaint.

Article 36: Professional Responsibility. New language has been added to provide clear direction during the problem solving discussion. Both the employer and the union will now collaborate on defining and identifying the root cause of patient safety concerns and the employer and union will gather and share relevant information with the goal to generate potential resolutions. Should an issue remain unresolved once escalated to the appropriate channels and following the CEO's written response, either party may refer the issue to an Independent Assessment Committee (IAC). This clarification in language allows for subject matter experts to assist with discussions aiming to resolve the issue and helps the employer work collaboratively with the union to resolve an issue.

Letter of Understanding #20: Job Security. Both the employer and the union have agreed in principle that no employee shall experience an involuntary reduction in FTE following notification of position elimination or workforce reduction in accordance with Article 15. Furthermore, job security strategies have been established to restore members who have been impacted and minimize involuntary reductions in FTE for regular employees.

Together, at your side, UNA is proud to represent its members across the province. It is UNA's aim to protect the rights of workers and advocate for safe working environments for its members that enable the best delivery of healthcare to the citizens of Alberta.

In Solidarity,

Kevin Champagne

Local 115 President

Using Personal Leave Days

Under Article 22.08 of the UNA Provincial Collective Agreement signed in 2014, full-time and part-time employees are entitled to three Personal Leave days annually from April 1 to March 31.

These days are for the purpose of attending to personal matters and family responsibilities, including attending appointments with family members.

Employees planning personal leave requests must do so as far in advance as possible. Because of the nature of the request, the ability to give advance notice is sometimes limited. This could mean an employee could request personal leave 8 months in advance or even one hour in advance depending on the circumstances.

The employer must not unreasonably deny requests for personal leave and the requirement to pay replacement overtime is not a reason to deny leave.

Unlike previous collective agreements, an employee does not need to provide their employer with a reason for requesting personal leave and the employer is not to ask. The employer is entitled to ask about the amount of time the employee expects to be away as employers must be able to plan for an employee's absence.

Because personal leave days are paid at 7.75 hours, if employees work an extended workday, they are able use the additional hours from accumulated vacation or overtime banks.

Personal leave can be used for up to three consecutive days each fiscal year.

If employment commences on or after August 1st of the year, personal leave days will be prorated for the remainder of the year as follows:

- ♦ August 1st to November 30th: 2 personal leave days
- ♦ December 1st to March 31st: 1 personal leave day.

For questions or concerns, contact your UNA local executive or UNA Labour Relations Officer at 1-800-252-9394.



United Nurses of Alberta

By James Cooke,
Local 115 PRC Committee,
United Nurses of Alberta



Professional Responsibility Concerns



What is a PRC?

Reporting *Professional Responsibility Concerns* is a UNA contract protected method to advocate for patient safety. CARNA expects RNs to act on recognized unsafe health care practices and workplace safety and advocate for patient safety. PRCs support AHS's values of accountability, excellence and safety.

When Should I File a PRC?

You should file a PRC when your ability to deliver safe, competent or ethical nursing care is impacted. It is recommended that you first speak with your manager or immediate supervisor to give them an opportunity to resolve the issue or for it to be investigated in real-time. Filing an RLS at the same time is also a good idea.

How Do I File a PRC?

There are many ways to file a PRC:

1. Paper – Find a form on the unit or print it from the UNA website. Fax it to the UNA local office (403-263-2908), scan and email it to 115prc@una.ab.ca, OR drop it in the UNA box by the cafeteria.
2. UNA Website or the UNA App – file the PRC on-line.
3. Send an email to 115prc@una.ab.ca or call the Local 115 office at 403-670-9960 and a UNA PRC rep will follow up and file the PRC for you.

What happens with my PRC?

The PRC co-chair reviews all PRCs and assigns them to a UNA PRC Rep. The Rep will call you to verify the information on our PRC and discuss the issues further with you to tease out the full impact of the situation.

Once that follow-up is complete, the PRC Rep submits the final PRC to your manager. Your manager has 14-21 days to investigate and respond to the PRC.

Once UNA has received the PRC response, it is sent to the member submitting the PRC for feedback. The PRC and the manager's response is reviewed at the FMC PRC Joint Committee.

How the FMC PRC Joint Committee Works

The Joint Committee is a collaborative group consisting of an equal number of AHS FMC managers and UNA Local 115 members. The goal of the Joint Committee is to review all PRCs, discuss any trends, and follow up on issues that arise from the PRCs. There are two co-chairs, one each from AHS and UNA.

We meet monthly, although the committee may take a break over the summer. The committee reviews an average of 200 PRCs each year and discusses a wide range of patient safety issues.

The committee's overarching goal is to find ways to improve and enhance patient safety at the Foothills Medical Centre.

Stats and Stuff

We are in the process of transitioning processes to improve data collection and trending. Next newsletter we'll have details, but for now, here is a brief overview :

of PRCs: 246 (2016), 181 (2017), 22 (2018 ytd)

Current Issues Under Review: *Overcapacity beds, workplace violence, understaffing, patient & staff security, and a variety of unit-specific patient safety issues.*

Your PRC UNA Committee Members

Nicole Bajada, U47B Apheresis
Kevin Champagne, Local 115 President
James Cooke, U27 Dialysis (Co-chair)
Andrew Lafreniere, U94 CVICU
Cyrena Quinn, U103A CICU
James Zachary, Operating Room

Our Email: 115prc@una.ab.ca

S M T **W** T F S

OUR profession  OUR jobs

WWW

wear
white
Wednesdays



 *United Nurses of Alberta*

RN

RPN

Member Spotlight: Lance Schill

By Sheldon Vogt,
Local 115 Executive Secretary,
United Nurses of Alberta



Lance Schill is the dayshift Nurse Clinician on Unit 32 at Foothills. He has worked in a variety of areas over his 27-year career and his knowledge and experience are invaluable to staff and the patients and families he serves. He routinely demonstrates strong clinical decision making and manages an incredible pace with relative ease. An assertive personality and calm demeanor accompanies his tireless work ethic, while his good nature and sense of humor brightens a demanding environment. He is a consistent voice of reason, a well-respected clinician and embodies the definition of a clinical nursing leader. He is happily married to his wife Chris of 30 years, a dedicated father of 2 and an avid outdoorsman.

Q: Where are you from?

A: I was born in Edmonton. I was adopted when I was 6 months old and moved around quite a bit as a kid. I lived in Medicine Hat and Regina. I lived in B.C. for a while. Kind of hopped around the country for a little while before settling in Calgary when I was 15 years old and I've been here ever since.

Q: Where do you work and what has been your nursing journey that has led you to where you are now?

A: I currently work on Unit 32 at the Foothills Hospital which is a General Medical unit. We do get some off-service as well but primarily we are looking after Hospitalist patients. My nursing journey started back in 1991 when I graduated. I've worked a few different areas in my career. I've worked acute respiratory med-

icine, orthopedics and acute medicine. I jumped into the Renal program and did hemodialysis for about 9 years part of which was a one-year stint as a Unit Manager. I worked at the Rockyview in Urology and General Surgery for about 6 years. While at the Rockyview I was Site Manager for a year. My wife works on site at Foothills and to be closer to her I made the move back to Foothills Hospital and found myself on Unit 32 as a Nurse Clinician.

Q: What do you like most about where you work?

A: I like the patient coordination piece of the work I do. Discharge planning and patient flow in and out of the units. I like the complexity of some cases and being a resource to the staff and to the patients as well. Whenever I'm doing a task I look for an opportunity to be a mentor.

Member Spotlight: Lance Schill

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Photography by Lance Schill

I try and facilitate someone else learning that skill or what the rationale is behind what we're talking about, so they can take pieces of that forward and learn from that. Mentoring is a big piece of my practice.

Q: What does a typical workday on Unit 32 look like?

A: The four areas of focus of my job are patient flow, staff coordination, project facilitation and being available as a clinical resource. When I arrive in the morning I receive handover report from the nightshift Nurse Clinician or Charge Nurse where I begin developing a sense of the unit's needs for the day. Pending discharges, family meetings and unstable patients are things I prioritize and look to address when I hit the floor. Next, I look to go over staffing and nursing assignments for the day making sure the teams are well balanced to meet the needs of the patients. I review the Emergency Bed Report to gain a sense of the needs of the site for the day and communicate with Site Management what our likely unit turnover and needs are. I make a round on all patients addressing any concerns they may have and touch base with the team leaders to gain a sense of the temperature of the unit. I attend bed huddle which is a site wide gathering of representatives from each unit whether they be clinicians, managers or charge nurses and we talk about each unit site wide to identify an inpatient location for patients waiting admission in the emergency department. I facilitate RAPID rounds on the unit which is a daily discharge discussion on each patient including members of the interdisciplinary team. The team leaders lead the discussion and speak for the patients on their teams. I aim to keep the

conversation flowing, update written RAPID notes and identify next steps in each patient's plan to discharge. Sometimes the team leaders have a new assignment and are less familiar with the patients and I help by filling in gaps and directing conversation. Throughout the day I round on each patient addressing questions or concerns, review lab work, maintain communication with doctors and staff, and answer phone calls and call bells. I look for opportunities to tag off with nursing staff in terms of doing things at the bedside and provide mentorship and education where is needed. Nearing the end of each day I'm taking reports from the team leaders and making notes of areas of concern to communicate to the oncoming Nurse Clinician.



Photography by Lance Schill

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Member Spotlight: Lance Schill

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Photography by Lance Schill

Q: With your extensive experience I can see why you would be an excellent resource to patients and staff. Your unit sounds busy. What are the most challenging days as Nurse Clinician on Unit 32 and how do you keep it all together?

A: The most taxing days are when I have a lot of different people coming at me from all sides pulling me in all directions while engaging in all of those things I talked about. Before you know it is 2:30 and 7 and 3/4 hours have gone by. I really enjoy my job and all of what we do as nurses. That makes the biggest difference. It can be physically draining but I work hard to maintain a healthy work life balance with activities outside of work that sustain my physical and mental health.

Q: Speaking of work life balance, what's your favorite thing to do in Calgary or the surrounding area?

A: I spend most of my time back country camping, hiking and taking landscape photography.

Q: What kind of adventures are you looking forward to this year?

A: My 4 camping trips this summer. I take a week long or more for each one. I'm buying a new camera lens and going on a grizzly tour this summer in August in B.C. There's all sorts of grizzlies in that corner of the province and I'll be looking to get more into animal photography.

Q: What is your favorite place to shop/book/restaurant/TV show?

A: I'm not much a shopper and buy most of my stuff online through Amazon. I don't read as much as I used to but I like books on Sci-Fi and fantasy. My family eats out way too much and we used to have a tradition

of going to a restaurant called the Bear's Den, but I think it's closed now. I would say Thai food is probably my favorite. When I watch T.V. I Watch Netflix. I like murder mysteries shows.

Q: Where do you see yourself in 5 years?

A: Getting pretty close to retirement. I plan on spending retirement travelling North America winter tripping down the U.S. every year spending time camping, hiking and focusing on my photography.

Q: Why is the union important to you?

A: I think the union has done a lot of good for not only nursing but other professions where unions are involved. They advocate for better working conditions and fair wages which allows us the ability to better care for our patients and live full lives with our families. They are a supporting voice for members and ensure maintenance of process. I know people who have taken positions out of scope and regret it because they've distanced themselves from union support.

Q: Looking back, if you could give yourself a piece of advice as a new nurse what would it be?

A: Be introspective and a student of our craft. Continue to look for ways of becoming a better person and better nurse.



Photography by Lance Schill

ALBERTA'S PENSION PROMISE

Our government must live up to the promise they made to protect the pensions of 300,000 public-sector workers.

Tell Premier Rachel Notley and Finance Minister Joe Ceci to live up to their promise.

Tell them it's time for joint governance, now!





CANADIAN
FEDERATION
OF NURSES
UNIONS

WHERE KNOWLEDGE
MEETS KNOW-HOW

June 6-8, 2018 CANMORE, ALBERTA

Coast Canmore Hotel & Conference Centre



MySafetyNet


By Laura Muenchrath,
Local 115 OH&S Committee,
United Nurses of Alberta



Have you slipped at work or performed a task that left you feeling sore or injured? Have you been in a verbal or physical confrontation with a patient, family or another staff member? Have you been kicked, slapped, spat at or saw something that could injure yourself or a co-worker? These are all examples of situations that should be reported in MySafetyNet.

MySafetyNet (MSN) is Alberta Health Services' online worker safety reporting system. Filing reports in the MSN system includes the Workplace Health and Safety department in planning an appropriate response. The MSN icon can be found on the left-hand side of the InSite home page underneath where RLS' are submitted. The login information for MSN is the same login information when accessing your AHS email or E-people.



 After logging in, look for and click on the Incidents logo. Complete all required fields and submit your report. It's that easy!

Any incident reported in MSN should also be reported to UNA's OH&S Committee at una.ab.ca and clicking on the Occupational Health and Safety icon on the right-hand side of the page.



In the event of an incident at work:

- Complete first aid/emergency response
- Notify your supervisor/manager immediately of any incident or near miss that has occurred.
- Report the incident in MySafetyNet before end of shift. This is a requirement of the Occupational Health & Safety Code of Alberta.
- Complete the UNA OH&S Form.

Things you may report in MySafetyNet include but are not limited to:

- Injury
- Illness
- Hazard or near miss

- Property damage
- Patient-to-Staff or Staff-to-Staff aggression/violence/verbal abuse
- An injury or illness outside of work

In the event you have Blood Body Fluid Exposure (BBFE) or Communicable Disease Exposure (CDE):

- First complete first aid
- Next call 1-855-450-3619 ext.4 (Calgary Zone) or email calgarybbfe@onpage.com (for BBFE) or calgarycde@onpage.com (for CDE) leaving only a callback number in the email.
- An Occupational Health Nurse will confirm an exposure has occurred and provide further direction
- Report the incident in MySafetyNet before the end of the day.
- Complete the UNA OH&S Form.

Any reporting of worker safety concerns is an opportunity to engage in a meaningful conversation with your supervisor/manager to explore not only the concern but Hazard Identification, Assessment and Control (HIAC).

The HIAC Process outlines how to:

- identify workplace hazards
- assess worker risk
- list and use appropriate controls to reduce workplace incidents

You can reinforce health and safety in the workplace by reporting hazards to your frontline or mid-level leader.

Frontline and mid-levels leaders are responsible for creating HIAC worksheets with frontline workers. They also need to ensure that the worksheets are readily available so workers are aware of hazards and how to safely reduce and respond to risks using available controls.

Everyone must review HIAC worksheets annually or after new hazards have been identified in your workplace. HIAC worksheets need to be updated at least every 3 years as per Provincial OH&S Legislation.

Your Local 115 Occupational Health and Safety (OH&S) Committee supports all efforts by employees and employer to create a safe workplace. Reporting your safety concerns at work is the first step in creating a safe workplace. Unfortunately, MySafetyNet reports are not shared with your OH&S Committee. If you experience a safety concern at work, follow the employer's process, then connect with your OH&S Committee by submitting a UNA OH&S form, email your concern to 115ohs@una.ab.ca or call the office (403)670-9960 and speak to a Local Executive team member. We are here to work with you and the employer to resolve safety concerns in the workplace.

Work Stress — Burnt Out and Fed Up!

Stress has been called the plague of modern civilization. Workers are facing increasing pressures at work, at home and in the community. This has led to an increase of physical and mental disease and disability.

What is work stress?

Stress is not a diagnosis it is a workplace hazard. The Canadian Centre for Occupational Health and Safety describes stress as: "The harmful physical and emotional responses that can happen when there is a conflict between job demands and the control an employee has over meeting these demands.

What are the health effects?

Our bodies react to stress by preparing for defensive action. Hormones are released to quicken our pulse, increase respiration, and increase blood sugar, cholesterol and fatty acid production and tense muscles. Other body functions such as protein synthesis, immune and allergic response systems slow down. This is called the general stress response or the "fight or flight" response.

In workplaces where we experience constant or repetitive stressors, the repeated, prolonged responses of the body leads to various illnesses.

Early symptoms:

- poor memory, indecision
- irritability
- reduced or increase appetite
- headache
- skin rashes
- insomnia

Chronic effects:

- ulcers
- migranes
- ulcerative colitis
- coronary heart disease
- stroke
- trigger diabetes
- anxiety, anger, self-blame, hostility, depression, withdrawal
- increased suseptability to infectious disease

What are the causes?

Stressors in the workplace fall into three categories.

Physical conditions

- noise (60 db and up)
- temperature
- poor ventilation
- inadequate equipment

Work organization — how a job is done:

- work overload (too much work)
- overly demanding work
- management styles
- repetitive and boring work
- incentive or quota systems
- role uncertainty and role conflict
- shift work
- technology
- violence and abuse

Social and Economic Conditions:

- layoff and unemployment
- discrimination
- job mobility

What can you do?

▲ **Take care of yourself** — seek medical attention and take sick leave if you are not fit to work

▲ **Support your fellow workers who take sick leave** as a result of the mental and physical effects of stress

▲ **Report sources of stress** to your local OH&S representatives — fill out a UNA OH&S form

▲ **Assist your local OH&S representatives** to identify, assess and eliminate or control workplace stressors



**A
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United Nurses of Alberta

Pharmacare

A PLAN FOR EVERYONE

PHARMACARE

TOWN HALL – CALGARY

TUESDAY, MAY 1, 6:30 - 8:00 PM

3.5 million Canadians can't afford to fill their prescriptions. Nobody should have to choose between paying for groceries or the medication they need. Help us win a universal prescription drug plan for everyone.

Join us for a Town Hall on how together we can win prescription drug coverage for everyone in Canada.

REGISTER AT APLANFOREVERYONE.CA/CALGARY

CALGARY SCANDINAVIAN CENTRE CO-OP - 739 - 20th Ave NW

A Crash Course in Workplace Accommodation

By Sheldon Vogt,
Local 115 Executive Secretary,
United Nurses of Alberta



There are times when situations occur that interfere with a Registered Nurse's ability to perform the essential duties and responsibilities required of them in their position as determined by their employer and it is in these situations where the employer is required by law, a duty to accommodate to the point of undue hardship.

The topic of Duty to Accommodate can seem menacing. The purpose of this article is to provide gentle education on prima facie discrimination, bona fide occupational requirements, undue hardship, family status, accommodation with Alberta Health Services, and factors affecting disability accommodation.

An employer's Duty to Accommodate arises out of the Alberta Human Rights Act (AHR Act) with the Canadian Supreme Court having reviewed Human Rights legislation defining it to supersede all other legislation, Collective Agreements and contracts. Section 7 of the AHR Act states:

7 (1) No Employer shall

- (a) refuse to employ or refuse to continue to employ a person, or
- (b) discriminate against any person with regard to employment or any term of condition of employment, because of the race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or of any other person."

- (2) Subsection (1) as it relates to age and marital status does not affect the operation of any bona fide retirement or pension plan or the terms or conditions of any bona fide group or employee insurance plan.

- (3) Subsection (1) does not apply with respect to a refusal, limitation, specification or preference based on a bona fide occupational requirement.

Kris Farkas, a former UNA Labour Relations Officer defines discrimination as, "Prima facie discrimination exists if a standard treats individuals or groups differently based on any of the protected grounds in the Human Rights Commission Act" (2008), prima facie simply meaning accepted as truth until proven otherwise. This definition expands on an explanation of discrimination provided by the Alberta Human Rights and Citizenship Commission.

Discrimination generally carries a negative connotation however the law recognizes that discrimination may be acceptable when an employer can demonstrate the standard, policy or rule is a job requirement. The Alberta Human Rights Commission provides the example of acceptable vision and having an appropriate driver's license to qualify for a position as a bus driver. This example demonstrates discrimination against the visually impaired however is deemed appropriate as having a driver's license and being able to see are bona fide occupational requirements. This example also helps establish an understanding of a bona fide occupational requirement as an attribute that constitutes discrimination which employers can use when considering the hiring or retention of employees.



To evaluate the reasonableness and justifiableness of occupational requirements, the Canadian Supreme Court established a 3-part test known as the Meiorin test based on a decision from a ruling between the Government of British Columbia vs the British Columbia Government Service Employees' Union. When considering an occupational requirement, the employer must prove:

1. There is rational connection between the occupational requirement and job performance.
2. The requirement was developed out of honesty and in good faith that it is necessary.

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A Crash Course in Workplace Accommodation

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3. The requirement is reasonably necessary, and that accommodation would be impossible without causing undue hardship.

Undue hardship references arduous and unsustainable conditions not viable with routine business health. To determine if undue hardship would occur, employers consider such things as financial implications, size and resources, operational disruption, morale problems due to the accommodation, interference with the rights of other individual groups, ability to transfer employees and facilities, and health and safety concerns. Employers must make every effort to accommodate an employee and they may incur some hardship by doing so, but it must be undue hardship to result in a decision not to accommodate. Inconveniences such as financial costs associated with leave, modifications to work environment, condensed work hours or reasonable overtime pay are widely regarded not as appropriate grounds for refusal of accommodation. AHS acknowledges the challenge of making an undue hardship argument due to the organization's large budget and thousands of various types of positions while also acknowledging its legislated obligation to accommodate without delay.

To summarize, each case of accommodation should be reviewed independently with three questions:

1. Does prima facie discrimination exist?
2. Are the bona fide occupational requirements leading to discrimination reasonable and justifiable?
3. Can the employee be accommodated without causing undue hardship?

As with all cases of workplace accommodation, challenges exist when arguing discrimination under any of the protected grounds of the AHR Act. None may be more apparent than the complexity of arguing accommodations from prima facie discrimination on the basis of family status. Across all provinces, some arbitrators have ruled in favor of accommodation on the basis of family status and others have not. In a case involving hours of scheduled work impacting the employee's ability to care for a child with complex care needs, the arbitrator ruled, "I conclude that these differing circumstances, many of which may result in individuals trying to balance work and child-care arrangement, are not the kind of circumstances that raise an issue of discrimina-

tion based on the prohibited ground of "family status." The court of appeal in this same case is quoted saying, "...in the vast majority of situations in which there is a conflict between a work requirement and a family obligation it would be difficult to make out a prima facie case".

In the case of another employee who was expected to obtain child care on short notice, the court ruled the employer's decision not to accommodate the employee by allowing shift start times to begin after child care had been obtained was unreasonable.

The challenge is that the criteria for family status is not well defined. If too broad or too rigid, family status could cause disruption and mischief in the workplace or fail to address serious negative impacts on parental and family obligations. The definition sits somewhere between these two extremes. What is also evident is that determining factors in one case may not be entirely prevalent to another. What is consistent and widely accepted is the need to treat each case individually; to determine the facts, circumstances and unique nature of each situation. Previous arbitrator decisions can provide some guidance but cannot alone determine outcome. This should not discourage someone from pursuing an accommodation on the basis of family status. The United Nurses of Alberta strongly recommends that if you have any questions at all involving a potential case of family status, call your Local office and speak with a Labour Relations Officer. UNA has been successful in arguing cases of family status and will be your best source of information and support.

AHS has a Level 1 policy (document # 1156) titled, "Workplace Accommodation" which outlines managerial and employee responsibilities for the accommodation process. While cases of accommodation can be challenging, as evidenced by the above discussion on family status, the majority of workplace accommodations stem from cases of physical and mental disability and is a tripartite process involving the Employee, the Union and the Employer. Sufficient medical evidence is required for such an accommodation. Once an employee completes the Employee Request for Accommodation form, AHS assigns an Ability Advisor to each case who is the point of contact between the Employee, Manager and Human Resources. They are the person who is to receive all relevant medical documentation and to assist with development of a return to work plan. It is important to note that your



A Crash Course in Workplace Accommodation

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assigned Ability Advisor is not necessarily entitled to a specific diagnosis however medical information including physical/mental restrictions provided by your doctor is of the utmost importance to assist in the accommodation process. UNA encourages its members to discuss medical information with the union to ensure only relevant information pertinent to the accommodation process is provided to your AHS Ability Advisor.

AHS aims to minimize the impact of accommodation on the employee and the organization. One way in which this is done is by utilizing a concentric model. Depending on physical/mental restrictions identified by your doctor, AHS will first look to provide accommodation in the employee's home work environment at the same job classification and FTE. If an appropriate accommodation cannot be found, the search extends outside their home workplace within the department, the zone/division, the portfolio, then with another bargaining unit or geographic area as agreed upon by all parties. Appropriate accommodations may include but are not limited to modified work schedule, modified duties, training/orientation, assistive device implementation, ergonomic modifications, and modifications to policy/procedure. In situations requiring permanent accommodation, temporary modified work is often utilized until a permanent solution is identified. The duty to accommodate is considered satisfied with the offer of reasonable accommodation.

A qualitative field study published in the Journal of Industrial Relations titled "Impediments to Disability Accommodation" (Williams-Whit, 2007), highlights 4 key categories contributing to difficult accommodations which are managerial attitude, employee involvement, ineffective investigation and union-management climate. To briefly summarize each category, managerial attitude highlights how bias and trust issues impact the accommodation process. Questioning of disability credibility and co-worker contempt leave many accommodated employees feeling unwelcome. Employee involvement demonstrated a higher incidence of accommodation success when the employee is included in accommodation discussion and planning. Ineffective investigation highlights the fine balance between sufficient investigation and employee harassment. Union-Management climate discusses the impact the relationship between the union and management can have on workplace accommodation.

What can be done to improve the chances of a successful workplace accommodation? Trust may arguably be the most crucial factor. It is vital that individuals experiencing discrimination on any of the protected grounds by the AHR Act feel safe to share and discuss the details of their situation with people that are there to listen and support them fully in their time of vulnerability. Affected employees must be supported, included and personally participate in return to work discussion, planning, implementation and evaluation wherever possible. Fellow Registered Nurses can help each other by being welcoming and supportive to their accommodated colleagues to ensure excellence in the delivery of patient and family centered care.

The United Nurses of Alberta is here to assist you throughout the entire accommodation process and it cannot be over-emphasized to contact your Local before taking any steps in the process to ensure you are fully supported from the time accommodation discussion begins with AHS. We have professionals with extensive experience in workplace accommodation and return to work situations. We value a healthy working relationship with Alberta Health Services and strive to ensure you're represented and accommodated in an environment that meets your individual needs. We are committed and care about you. Call us today!

In Solidarity,

Sheldon Vogt

UNA Local 115
Executive Secretary



References:

- Farkas, K. (2008). Accommodating Family Status in the Workplace: New Rights and Obligations, A Union's Perspective. 26th Annual Labour Arbitration and Policy Conference. Pp. 211-218.
- Williams-Whitt, K. (2007). Impediments to Disability Accommodation. Journal of Industrial Relations, 62 (n 3), pp. 405-432.

Resources:

- <http://www.qp.alberta.ca/documents/Acts/A25P5.pdf>
- https://www.albertahumanrights.ab.ca/publications/bulletins_sheets_booklets/bulletins/Pages/duty_to_accommodate.aspx
- https://www.albertahumanrights.ab.ca/Documents/Bull_DutytoAccom_web.pdf
- <https://myahs.ca/insite/assets/hr/tms-hr-whs-workplace-accommodation-process-guide.pdf>
- <https://extranet.ahsnet.ca/teams/policydocuments/1/clp-ahs-pol-workplace-accommodation.pdf>



Asked to work for free?

It is not uncommon for an Employer to ask an Employee to work overtime at straight rates by asking her to “volunteer” or “help out.”

An Employee working beyond regular hours will be less safe in her workplace. Facing fatigue by working unexpected hours can pose safety risk to both the Employee, her co-workers, and their patients.

Employers must be encouraged to schedule adequate staffing and be prepared for reasonably predictable absences.

UNA collective agreements prohibit special arrangements between Employer and Employees. Article 3.03 ensures that terms of employment must be negotiated through the union. This protects individual Employees from being pressured to work beyond regular hours, a situation that can create a less safe work environment.

If you have any concerns, contact your Local Executive or your UNA Labour Relations Officer for assistance.



United Nurses of Alberta



United Nurses of Alberta

Local 115 Delegate Nomination Form Provincial Annual General Meeting 2018

Nomination for Voting Delegate at the United Nurses of Alberta Provincial General Annual Meeting on October 23, 24, and 25, 2018. (Nominations are open to anyone who is a Local 115 Member in good standing of the UNA)

Nominee Information:

Name (please print):	
Personal Email Address:	
Home Telephone:	Cell Phone Number:
Site/Unit:	UNA ID Number:

If Elected, I Am Willing To Serve:

Nominee Signature: _____

Name And Address of Two (2) Local 115 Members In Good Standing Nominating The Nominee:

Name (please print):	UNA ID:
Signature:	

Name (please print):	UNA ID:
Signature:	

APRIL
28 **National Day**
of Mourning

FOR THOSE INJURED OR KILLED ON THE JOB

Saturday, April 28th, 2018 at Noon | Wreath Laying Ceremony and Memorial Service
At the City of Calgary Workers Memorial, Edward Place Park, SE corner of City Hall, 9th Ave. & Macleod Trail SE

Join the Calgary & District Labour Council as we gather to REMEMBER



CDLC #321, 3132-26 St. NE Calgary, AB T1Y 6Z1 | 403-262-2390 | www.thecdcl.ca





JOINT COMMUNICATION

Multi-Employer/UNA Collective Agreement

Professional Development Days

September 2015

Professional Development (PD) days are an opportunity for the Employee to participate in professional development opportunities of interest that are not required by the Employer, including voluntary in-services on unscheduled days. PD days are not considered work scheduled or required by the Employer.

Approval Criteria

- The Collective Agreement says “Upon request, each Employee shall be granted at least three (3) professional development days annually”. These days are not automatically granted.
- Employees must request approval from their manager for PD days with as much notice as possible.
- The PD days must be demonstrably related to professional development, but need not be related to the Employees current position. Managers may make enquiries to ensure the day(s) are being used appropriately, including making a request to view the course curriculum or pamphlet. Employees are encouraged to share their learning with their colleagues.
- PD days are not only for formal courses. PD days can also be requested for studying or research on their own or at a library.

Payment

- PD days do not attract overtime, shift differentials or weekend premiums.
- Employees who work the standard workday are paid their basic rate of pay exclusive of premiums, for 7.75 hours for a PD day. This is the case if it is a regular workday, a “blank” day, or a Designated Day of Rest.
- Employees who work the extended workday are paid their basic rate of pay exclusive of premiums for 11.08 hours (or other appropriate length) for a PD day if the day is a regular workday, and for 7.75 hours on a “blank” day or Designated Day of Rest.
- Should the activities of the day(s) go beyond the regular work day, there is no additional pay. Should the activities take less time than the regular work day, no reduction in pay takes place, nor can the Employee be required to return to work.
- The Employer may, at its discretion, pay transportation, registration fees, subsistence or other expenses for a PD day activity, and shall advise an Employee in advance what will be paid.

If you have any questions, please contact your representative identified below:

For the Union:

David Harrigan
Director of Labour
Relations
United Nurses of Alberta
780-425-1025
dharrigan@una.ab.ca

For the Employer:

Kim LeBlanc
Lead Negotiator
Negotiations and Labour Relations
Alberta Health Services
403-943-1410
kim.leblanc@albertahealthservices.ca

Pemme Cunliffe
Director, Labour Relations
and Total Compensation
Covenant Health
780-735-9165
Pemme.Cunliffe@covenanthealth.ca



***Want to get more involved with your Union?
Wait no more! 2018 is bringing with it a number of exciting
upcoming events for UNA Local 115 members.***

The Canadian Labour Congress Pharmacare Town Hall – A Plan for Everyone: May 1st. The Canadian Labour Congress is hosting town hall meetings in more than 25 communities across the country to address the need for a universal prescription drug plan that covers all Canadians, regardless of their age, income, or where they work or live. For more information and to reserve your seat, visit <http://www.aplanforeveryone.ca/calgary>.

The Alberta Federation of Labour Midterm Forum - Forward, Not Back: May 4th – 5th. The Alberta Federation of Labour is a voluntary association of unions and employee organizations that have banded together to achieve common goals. AFL continues its tradition of speaking out on the issues that matter most to working people. Often these issues relate directly to the workplace, but the AFL is also active on a wide range of broader social issues — like the need for public education and public health care.

Attend AFL's midterm forum to learn about how you can be part of AFL's pre-election campaign! See http://www.afl.org/afl_midterm_2018 for more information.

Canadian Federation of Nurses Unions Prairie Labour School: June 6th – 8th. Nurses from Manitoba, Saskatchewan and Alberta gather every two years to learn about issues affecting their working environment. The CFNU Prairie Labour School offers educational workshops, guest speakers, panel discussions and is an excellent opportunity to network with nurses from other provinces. This year's workshops are titled "Truth and Reconciliation: Building Understanding and Solidarity", "Political Savvy

Translated to Action" and, "The Opioid Crisis: Effects on Nurses, and the Role of the Union". Watch for additional information on this year's event at <http://nursesunions.ca> or contact the Local for a digital copy of the event brochure.

South Central District Meetings: June 21st, September 20th & December 13th. UNA Locals are grouped into five geographically based districts – North, North Central, Central, South Central and South. Presidents of UNA locals attend regular District Meetings where they share information, compare challenges and develop strategies. Please contact us at local115exec@una.ab.ca for more information.

Know Your Rights Workshop: April 17th, May 8th, June 26th, September 18th, October 30th & December 14th. The "Know Your Rights" workshop offers new members, or members who are considering becoming active in their Local, a chance to learn about their union and their rights in the workplace. During the day, participants will explore UNA's relevance to their own lives and understand the goals, philosophy, and functioning of UNA. It provides participants with the tools to protect their rights and opportunities to engage more effectively with UNA. See <http://una.ab.ca/events> for more information and register through DMS or contact us at local115exec@una.ab.ca.

Dealing with Abuse Workshop: September 26th. The "Dealing with Abuse" workshop is designed to provide participants with an understanding of the various types of workplace abuse and that abuse in any form is unacceptable. It will also encourage participants to take appropriate action if they are the targets of abuse, to provide support to co-workers who have been abused, and to provide participants with the tools to advocate for the prevention of workplace abuse. See <http://una.ab.ca/events> for more information and register through DMS or contact us at local115exec@una.ab.ca.

Local 115 Annual General Meeting: November 14th (tentative date). Local 115 serves UNA members at FMC Hospital, UofC (Faculty of Medicine), GWHC, Fanning & NW Dialysis, SCHC Dialysis / Urgent Care / Mental Health. UNA provides a great number of services to all members. The most important role is negotiating Collective Agreements which regulate salaries, benefits, schedules and other working conditions. For more information visit our Facebook page <https://www.facebook.com/UnitedNursesofAlbertaLocal115/> or contact us at local115exec@una.ab.ca.

Local 115 Meetings: Second Wednesday of every month. All meetings are held at Foothills Medical Centre from 1600 – 1800 and all members are welcome. Come and voice your work-related concerns! See reverse cover, Local 115's Facebook page <https://www.facebook.com/UnitedNursesofAlbertaLocal115/> or contact us at local115exec@una.ab.ca for more information.

Please
Post



United Nurses of Alberta



LOCAL 115

UNA

Annual General Meeting

Tentative Date

Wednesday, November 14, 2018

Time and location to be determined.

Notice of Monthly Meetings:

April 11 / May 9 / June 13 - 2018

16:00 - 18:00

FMC AGW4A-B

403-670-9960

local115exec@una.ab.ca

www.local115.wordpress.com



UnitedNursesofAlbertaLocal115



@UNALocal115

