

# OPSEU / SEFPO Local 464 Newsletter

ISSUE #02  
February 2024

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## Call To Action

Editor: M. Flowers

As Health Care Professionals, we all put our patients' needs first. We have all skipped breaks or meals and stayed late because a patient required our services. We have all allowed our managers leniency when enforcing the Collective Agreement (CA) because in the end, it was best for the patient.

But here's the thing - we can't effectively care for our patients if we are stretched to our own breaking points. We all need rest periods. We all need time to eat. And we all need vacation and time away from work to recharge. All of which is outlined in the CA.

*The only tool in the staff toolbox is enforcing the CA. Our managers need to make decisions which follow the CA - not what is best for them or their department budget.*

Historically, OPSEU 464 members have not been keen to submit grievances but submitting a grievance is not a complaint. It is holding the Employer accountable to something **they already agreed to**.

I know for many, the Collective Agreement (CA) is a boring, wordy, confusing document but it is incredibly important that everyone take the time to read it to understand your rights as an employee.

If you have questions, reach out to your union steward. If you don't know who your steward is, and/or would like to become a steward, please contact Heather Allen ([returntowork@opseu464.org](mailto:returntowork@opseu464.org))

## Lunch and Learn Opportunity

OPSEU 464 Communications Committee is offering to host Lunch and Learn Events to help members build a better understanding of your rights under the CA.

Please contact [communications@opseu464.org](mailto:communications@opseu464.org) to set up a time and place for a short presentation about commonly misunderstood articles in the collective agreement. Questions specific to your work area will also be answered.

Lunch and Learn opportunities will be limited to the six (6) groups for the 2024 year, will be booked as a first come, first served, and will be open to OPSEU 464 members only. Confidentiality of discussion and anonymity with the employer is assured.

## Bargaining Explained

### What happens during bargaining?

The OPSEU 464 Bargaining Team has met with the Employer on several occasions and bargaining is officially underway.

Because the bargaining process is confidential, many people may not have a good understanding of the

process of negotiating a contract and many have questions about what happens.

While oversimplified, here is a summary of the process:

1. Both the employer and the employee(s) choose their respective bargaining teams. The union bargaining team consists of an OPSEU staff representative or negotiator and the remaining positions are elected by the membership at a GMM. The employer bargaining team typically consists of staff from HR and senior management. Relevant parties are brought in throughout the process to speak to specific issues of a specialized nature.
2. The Union Bargaining Team surveys the membership about priorities and problems with the current CA and a **Demand Set Meeting** is held where the membership votes on which priorities the Bargaining Team should focus on.
3. Proposals are submitted by both the Union and the Employer, and these proposals are typically broken down in non-monetary and monetary categories.

***Non-monetary proposals may not be the most exciting topic when it comes to the CA, but having strong language is what helps members have security and consistency in their work. Things like layoff or scheduling language ensure members are being treated fairly and equitably.***

4. If the Employer and the Union are able to reach an agreement, the contract is taken to the members for **Ratification** - meaning members must vote on the proposed contract. For the proposed contract to

become ratified, 50% plus one of those voting would have to vote *in favor*.

If no agreement can be reached, a conciliator must be brought in and will work with both parties to attempt to find a compromise.

5. If an agreement still cannot be reached, the next step is going to **Interest Arbitration** for outstanding issues. An arbitrator is chosen and agreed to by both parties and will make a formal legal ruling. This ruling is binding and cannot be appealed. Typically a ruling would also state the timelines any financial compensation must be paid by, if applicable.

## Understanding Our CA

**Tips to better understand the collective agreement and how to solve common issues.**

### **Follow up from last month's Payroll Question:**

If an employee suffers a financial penalty as the result of incorrect payment (ex. credit card interest, missed mortgage payment) a grievance can be filed. The grievor can request a settlement such as, "the employer will pay the financial damages incurred by the member".

### **Problem: Vacation Carry Over**

Your manager says you are required to use up your vacation bank before the end of fiscal year. Can the hospital force a member to take vacation at a time of management's choosing?

**Answer:** It depends. The fiscal year is defined in our CA as April 1st - March 31st and our CA allows the carry-over of one (1) week vacation per year by mutual consent (*Article 20.03 f*). The hospital also has

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a policy not to pay out vacation banks (exceptions were made during peak Covid). The hospital doesn't want staff carrying huge banks because it is an unfunded liability for them as fiscal calendars change.

Vacation could potentially be forced on a member if a department is facing layoffs (Article 12) or service reductions (Article 20.03 g).

If layoff and reduction is not being discussed, then the answer is a bit more complex. Managers may, and do, ask members if they have a plan to use the excess vacation within a six (6) month timeframe. If there is no plan, managers may tell a member to come up with a plan to use their vacation bank within a specific time frame.

**Solution:** However, the unions' stance is that members should be allowed to carry over more vacation than outlined in the CA if the manager has denied their vacation requests throughout the year. The union would encourage members to keep emails or other documentation to demonstrate an attempt to take vacation was made. If the manager is not receptive to this argument, members are encouraged to email the Chief Steward to file a grievance.

Collective Agreement (CA) Articles that applies:

## **Article 12 - Layoff and Recall**

**20.03 (a) The Hospital will endeavor to accommodate the wishes of the employees with respect to the choice of vacation dates subject to the right of the Hospital to operate the Hospital in an efficient manner and subject to the following clauses.**

**Article 20.03 (g) - In the event of reduction of service temporary closures the affected staff will be granted vacation and/or other**

***accumulated time off with pay. It is understood that during a reduction of service, employees who have not utilized their entire vacation carry over entitlement shall schedule their outstanding vacation during this time***

### **Don't forget!**

Article 20.03 (e) Allows individual departments to come up with their own creative vacation guidelines as long as they don't violate the CA.

***Article 20.03 (e) - A group of employees (as defined by the employees who are affected in conjunction with their manager) may develop rules for ensuring that employees receive some vacation in prime time and/or what to do with cancellations provided that any such rules are established and applied in accordance with union principles and are operationally feasible***

## **Did you Know?**

Microsoft Outlook, Authenticator, Citrix, UKG Dimensions, SPOK mobile - the list goes on and on.

As the number of apps being used by the employer continues to increase, members are asking if they are required to install them on personal devices and/or whether the employer should be compensating them for data usage.

***YOU ARE NOT REQUIRED TO DOWNLOAD APPLICATIONS TO YOUR PERSONAL DEVICES.***

The employer is required to provide alternate means of using the electronic applications if they are not providing a work phone or pager which is why each one of these apps is available on a TOH desktop.

Be aware that by downloading these apps and doing work on your personal devices, you are giving the employer access to your device and allowing them to make changes to it - including wiping the device clean if lost or stolen. Some of these apps may also use geo-locating which means the employer is able to track your physical location.

## Change to Benefit Plan

The Employer has advised the Union that they will begin enforcing the Generic drug payment schedule for all members using the Coughlin Benefit Plan.



This means if a Generic medication has been approved by Health Canada, the Generic drug will be substituted for the brand name OR the employee must pay

the difference between the Brand name medication and the least expensive Generic option.

If a doctor writes “No substitution” on your prescription, the pharmacy should not be substituting for Generic and the Union’s stance is that the Brand name medication should be covered in full.

If anyone has had a generic medication substituted, or made to pay the difference between Brand and Generic, please email our Chief Steward ([chiefsteward@opseu464.org](mailto:chiefsteward@opseu464.org)) so a grievance can be filed regarding this change in the benefit package policy.

## Featured Biography

Introducing our Chief Steward: **Sophie Roy**

My TOH story begins in 2014 in the Neonatal ICU where I worked as a clerk for six years while completing my schooling in ultrasound (u/s). I began working as a Diagnostic Medical Sonographer in 2020 and quickly fell in love with the obstetrics and gynecology specialty.

I developed an appetite for union business soon after starting in u/s after seeing the effects of the staffing crisis, watching colleagues suffer in silence and dealing with several workplace injuries. I wanted to be a good leader and advocate for our rights so I became a steward in my department, took a temp union book-off position, and was recently elected Chief Steward for Local 464. I continue taking courses through OPSEU, Lancaster House, and look forward to continuing my education in this field. Honestly, I learn something every day!

My biggest challenge has been taking over from my predecessor and building my own rapport with the membership. Significant knowledge was lost when the handoff took place; it’s been a lot of work to understand the history and develop my own style of work and collaboration with the membership. We are a large local and workload is always an issue (a recurring theme in healthcare).

While I take my responsibility and work seriously, my personality is quite bubbly and I try to show that in my 1:1 interactions with members, where possible. Our roles in healthcare are mentally and physically exhausting so I try to listen attentively to people’s concerns and equip them with tools needed so we can all become our own advocates. I’m a French speaking extroverted introvert who drops my phone at least 3 times a day while staying active w my velco German Shorthaired Pointer. Finally, I’ll read and thoroughly enjoy anything ranging from a research

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paper to a fantasy novel or a policy and procedure manual!

## Professional Awareness

OPSEU 464 Represents all Allied Health Professionals at TOH who provide essential services patients require while seeking care. These services are distinct from those offered by doctors and nurses and range from diagnostic, technical, therapeutic, and support services.

Many of our members belong to professional colleges or associations who have annual awareness campaigns to bring attention to the importance of their work.

This month, the focus is **Psychology Month** and **Therapeutic Recreation Awareness Month**.

OPSEU 464 would like to highlight some of the members whose work falls within the scope of these fields:

- Psychologists and Psychologist Associates
- Recreation Therapists

## Executive Positions

President: Alain Trudel

Chief Steward: Sophie Roy

Return to Work Officer & Secretary: Heather Allen

Treasurer: Vanessa Lawlor

VP Civic: Jordan Elliott

VP General: Melanie Flowers

VP Rehab: Una Wallace

VP Riverside: Lisa Hadley

## Upcoming Dates

**February 15, 2024**    **General Membership Meeting**

April 6, 2024            OPSEU Regional Meeting

April 24-27, 2024      OPSEU Annual Convention

Spring/Summer        General Membership Meeting  
(bylaws)

Fall                        General Membership Meeting  
(Elections)

## We Want to Hear from You!

**We would love to hear your ideas**

Have a question you'd like answered? Suggestions on information you'd like to see? Looking for ways to get involved in the union? Want to feature your profession for our members to learn about? Email us at [communications@opseu464.org](mailto:communications@opseu464.org)

### Respectful Communication Only

Please keep in mind the communication committee is a group of *volunteers* who are interested in keeping members informed as much as possible. Please be patient with email response times and keep all communication respectful. Aggressive, rude, or harassing behavior will not be tolerated.