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## **Unit clinical supervisor Bargaining Unit position, arbitrator rules**

Hospital

*(Arbitrator Slotnick, June 28, 2017)*

ONA has successfully argued that unit clinical supervisors were in the Bargaining Unit at a large hospital.

The employer created the new position of unit clinical supervisor (UCS) in 2014 and posted the position outside of the Bargaining Unit. The UCS was responsible for numerous tasks previously performed by the manager, including assigning and reassigning staff, investigating and resolving patient complaints, ensuring resources were aligned with the delivery of safe patient care and that employees were working to their full scope of practice. The UCS was also responsible for working with the manager on budgetary and human resource issues.

ONA argued that the UCS should have been posted as a Bargaining Unit position. The incumbents were engaged in a nursing capacity in that they were expected to rely on their nursing skill and judgment to carry out the duties of the role. Furthermore, the duties of the UCS were essentially identical to those performed by charge nurses.

The employer argued that the role of the UCS could be performed by any registered health professional and that, as such, they were not engaged in a nursing capacity.

The arbitrator determined the position of UCS was a Bargaining Unit position, finding that the incumbents were engaged in a nursing capacity and were expected to apply nursing knowledge, skill and judgment in carrying out their duties.

*(Front Lines, September/October 2017 edition)*

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