

# ONA WINS



SUMMARY OF ANOTHER SUCCESS AS YOUR UNION STRIVES TO IMPROVE YOUR WORKING CONDITIONS

## **Employer cannot reassign members on daily basis without declaring layoff**

Region 2 Long-term Care Home

ONA has once again successfully resisted attacks on the reassignment/layoff language of the collective agreement.

The employer, a long-term care home with the central hospital layoff language, advised ONA that it intended to change its job-posting practice. New positions were advertised as having “no fixed unit” and identified only an initial work assignment, shift and rotation. The posting indicated that the area of assignment was subject to change in accordance with operational needs. The employer’s explicit rationale for this change in practice was to avoid the reassignment and layoff language in the collective agreement.

The arbitrator found that while the employer could post “no fixed unit” positions, it could not avoid the layoff language. Any reassignment from the initial area of assignment for more than a single day would constitute a layoff.

**Importance to ONA:** This decision reinforces ONA’s layoff language, ensuring that the employer cannot reassign members on a daily basis without declaring a layoff.

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