



IAC recommendations do not make grievance moot

Hospital

An arbitrator has ruled that a grievance alleging improper use of RPNs in an endoscopy unit may proceed to arbitration.

ONA filed a grievance alleging a violation of Article 10.12 of the hospital collective agreement. Our position was that the current staffing model in endoscopy was not consistent with quality patient care. An Independent Assessment Committee (IAC) had previously made non-binding recommendations regarding the staffing model, but only some of those recommendations had been implemented by the employer.

The employer argued that because the IAC panel had already issued recommendations, the grievance should be dismissed as moot. ONA argued that the IAC panel did not consider whether the staffing model violated the collective agreement and that a dispute between the parties remained.

The arbitrator agreed with ONA and found that the grievance was not moot. While the IAC report was a valuable tool, the recommendations were non-binding and did not provide a final resolution to the issues.

Importance to ONA: ONA is able to challenge staffing models through both the grievance/arbitration process and the professional responsibility provisions in the collective agreement.

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