

# ONA WINS



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

## **Nurses can displace other nurses with less seniority in higher classifications**

Region 3 Hospital

ONA has successfully argued that nurses who have been provided with notice of layoff are permitted to bump “upwards” into higher rated classifications, as long as they are otherwise qualified for the position.

In this case, the hospital eliminated a full-time position in Diagnostic Imaging. The most junior nurse was provided with layoff notice in accordance with the collective agreement. She attempted to exercise her bumping rights to displace the resource nurse, who had less seniority than her. The hospital refused her request, indicating that nurses could not bump into higher-rated classifications.

Article 10.09 provides that nurses may “displace another nurse in any classification.” The arbitrator found that this meant that nurses could bump into other classifications within the Bargaining Unit, including those that were higher rated.

**Importance to ONA:** This decision confirms that the options available to nurses who have been provided with layoff notice are extensive, and include the option to displace nurses with less seniority in other classifications.

*(Front Lines, September 2014 edition)*