

ONA WINS



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

Settlement demonstrates power of collective agreement in setting and maintaining RN staffing levels in LTC

Region 2 Nursing Home

In this case, ONA successfully fought against the erosion of RN hours in a Region 2 nursing home.

Article 2.06 of the nursing homes collective agreement provides that the employer must schedule the same number of RN hours that were scheduled in the week prior to June 30, 2009. RN hours may be decreased only if the average resident care requirements, as measured by the Case Measure Index (CMI) or occupancy rates, are decreased. This provision protects RN staffing levels from being unilaterally decreased by the employer.

In 2013, the employer experienced a 4.76 point decrease in the CMI. In response, the employer gave ONA notice of layoff, announcing that it would be cutting the number of total scheduled RN hours in half, from 317.5 hours weekly to 157.5 hours. This affected five RNs, who subsequently experienced a significant decrease in hours.

ONA filed both union and individual grievances, alleging that the employer had violated the collective agreement by improperly laying off ONA members and reducing RN hours in disproportion to the CMI reduction. The employer agreed to immediately add 120 RN hours every week to the schedule, increasing hours to a total of 277.5 hours weekly, and a further increase by April 2014.

Importantly, the employer confirmed that in the future, adjustments to RN hours would be calculated in proportion to adjustments in the CMI or occupancy rates. The five RNs who had been affected by the layoff received compensation for their lost hours.

Importance to ONA: This is a significant victory in protecting the Bargaining Unit work of our members in the nursing home sector. This settlement demonstrates the power of Article 2.06 in setting and maintaining RN staffing levels in the long-term care sector.

(Front Lines, May 2014 edition)