

ARTICLE 15 – OCCUPATIONAL HEALTH & SAFETY

15.03 Referral of Health and Safety Concerns

An Employee or group of Employees who have a health and safety concern should endeavour to resolve the concern by referring the concern to the immediate supervisor or the OH&S Committee Co-Chairs, who will investigate and take remedial action. Failing resolution of the health and safety concern, the Employee(s) may take their concern to the Local of the Union.

In the interest of patient safety and workplace practice, as per Article 15.03 of the CUPE/SAHO collective agreement, CUPE and the SHA/SAHO have agreed to a proactive process to resolutions to address concerns raised which involve:

- Workplace concerns;
- Safety of patients and CUPE members; and
- Other factors which negatively affect patient care.

Article 15.03 Steps in the Process

Step 1: Violation

Where an individual employee or group of employees have cause to believe that they are being asked to perform more work than is consistent with proper client care or to perform work in violation of their responsibilities, they shall:

Step 2: Provincial Local 5430 Report Filed

Bring the concern to the attention of the Local 5430 Provincial OH&S/Workload Committee Officer in their region. The employee(s) shall fill out the CUPE confidential internal “OH&S/Workload Complaint Form” and give to the Local 5430 Provincial OH&S/Workload Committee Officer.

Step 3: Notification of Manager or Designate

The Local 5430 Provincial OH&S/Workload Committee Officer shall pass information and non-confidential information on to the appropriate CUPE Local 5430 Facility OH&S Committee member. The facility member shall notify the immediate supervisor who will investigate and take remedial action, as provided in Article 15.03.

Step 4: Government of Saskatchewan OH&S Incident Form Completed

If the issue is not resolved:

Failing resolution of the health and safety concern, the employee(s) may take their concern to their Local 5430 Facility OH&S Committee. The employee(s) shall fill out the Government of Saskatchewan form and give the form to the Local 5430 Facility OH&S Committee member and the Local 5430 Provincial OH&S/Workload Committee Officer.

Step 5: Local 5430 Involvement

Failing resolution of the health and safety concern at the Local 5430 Facility OH&S Committee level, the employee(s) shall inform Local 5430 Provincial OH&S/Workload Committee Officer to take their concern to the Local 5430 executive.

ARTICLE 15 – OCCUPATIONAL HEALTH & SAFETY

15.09 Workload

The Joint Occupational Health and Safety Committee shall have as part of its mandate the jurisdiction to receive workload concern(s). This mandate shall include the review of staffing levels, the responsibility to investigate workload concerns, the responsibility to define the workload problem, and the responsibility to make recommendations to rectify the workload concern(s).

This does not preclude the use of a sub-committee as established by the OH&S Committee. The sub-committee shall be comprised of equal representation of CUPE OH&S representatives and Employer representatives.

The Committee, or sub-committee, shall issue a report on their recommendations for solving the workload concern(s) to the Employer and the Local of the Union within thirty (30) days of receiving the concern.

Within thirty (30) days, the Employer shall advise the Joint Occupational Health and Safety Committee, or sub-committee, and the Local of the Union, as to what reasonable steps it has taken or proposes to take to implement the workload recommendations identified by the Committee or sub-committee.

If not resolved to the satisfaction of the Employer or the Local of the Union, the workload concern(s) may be referred by either party to the Provincial Dispute Resolution Committee. The Provincial Dispute Resolution Committee will approach each workload concern by attempting to ascertain the facts and determine a resolution. Failing resolution, the Committee will co-ordinate a mandatory mediation process to assist the Employer and the Local of the Union in reaching a resolve to the workload concern that would be implemented.

The Employer and the Local of the Union will equally share the costs associated with the mediation.

Article 15.09 Steps in the Process

Step 1: Violation

Where an individual employee or group of employees have cause to believe that they are being asked to perform more work than is consistent with proper client care, or are working short, coming in early, leaving late, or missing breaks to perform work in violation of their responsibilities, they shall:

Step 2: Provincial Local 5430 Report Filed

Bring the concern to the attention of the Local 5430 Provincial OH&S/Workload Committee Officer in their region. The employee(s) shall fill out the CUPE confidential internal "OH&S/Workload Complaint Form" and give the form to the Local 5430 Provincial OH&S/Workload Officer.

Step 3: Notification of Manager or Designate

The Local 5430 Provincial OH&S/Workload Committee Officer shall pass information and non-confidential information on to the appropriate Local 5430 Facility OH&S Committee member. The facility member shall notify the immediate supervisor who will have the opportunity to investigate and take remedial action.

Step 4: Notification of Facility OH&S Sub-committee

Failing resolution of the workload complaint by the immediate supervisor, the Local 5430 Facility OH&S Committee member shall notify the Local 5430 Provincial OH&S/Workload Committee Officer and the Local 5430 Facility OH&S Committee the need to form a joint occupational health and safety sub-committee, according to Article 15.09.

Step 5: Local 5430 Sub-committee Timelines

The joint occupational health and safety sub-committee shall comprise equal representation of CUPE OH&S members and employer representatives. The joint occupational health and safety sub-committee shall issue a report on their recommendations for solving the workload concern(s) to the employer and the Local 5430 Provincial OH&S Workload Committee Officer within 30 days of receiving the concern.

Step 6: Employer Resolve of Complaint

Within 30 days the employer shall advise the joint occupational health and safety sub-committee as to what reasonable steps it has taken or proposes to take to implement the workload recommendations identified by the sub-committee, with a copy to the Local 5430 Provincial OH&S/Workload Committee Officer.

Step 7: CUPE Provincial Dispute Resolution Committee (PDRC)

If not resolved to the satisfaction of the Local 5430 Provincial OH&S/Workload Committee Officer, the workload concern(s) may be referred to the Local 5430 Provincial Dispute Resolution Committee (PDRC). The PDRC will approach each workload concern by attempting to ascertain the facts and determine a resolution.

Step 8: CUPE PDRC not Satisfied with Resolve – Mediation

Failing resolution, the PDRC will co-ordinate a mandatory mediation process to assist the employer and Local 5430 in reaching a resolve to the workload concern that would be implemented.