

CONTRACT INTERPRETATION

It's your right: questions and answers about your collective agreement rights

In the event of flooding

Q: I work at a hospital that is subject to flooding if the river rises too high. My manager has told me that in the event of a flood, I may be relocated for my job. Can my employer do that?



In the event of an emergency, your employer has the right to reassign you to a different location, cancel your vacation, change your hours, and even reassign you to a different job, provided you are qualified and physically able to do that job.

A: The River Forecast Centre of British Columbia has predicted that spring runoff could be higher than normal this year, and that there is potential for flooding in some communities. Health authorities, among others organizations, are putting disaster management plans in place to be ready in the event that health delivery services are affected.

Your employer has an obligation to deliver services to the community, and in an emergency the demands will increase. If your facility is evacuated, patients will need to be relocated, and staff will have to be redeployed to ensure patients are receiving the care they require.

In the event of an emergency, your employer has the right to reassign you to a different location, cancel your vacation, change your hours, and even reassign you to a different job, provided you are qualified and physically able to do that job.

If you are assigned to a job at a lower pay scale than your regular job, you will maintain your regular rate of pay.

Q: The road between my home and my facility is subject to closure because of flooding. What if I can't get to work?

A: If you live in an area that may be affected by flooding, you should be making necessary arrangements now to be able to get to work in an emergency.

During a natural disaster, health care workers are critical to emergency services. Demand for services increases, and employers need to have the staff in place to deliver the services. If you are having trouble making arrangements, contact your manager.

If access to work is a potential problem, you should be making plans now for alternate routes to work, or to find a place closer to work where you can stay in an emergency.

If you do relocate during an emergency, you must ensure your employer has your contact information.

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Q: What if I don't report to work because of an emergency in my own neighbourhood? Can I be disciplined?

A: Employers should be reasonable in how they react to your personal circumstances. If you fail to report to work for several shifts without notice or explanation, you may be subject to discipline.

However, if you contact your manager, and explain the circumstances that make it impossible for you to report to work, the time you take off may be attributed to your leave banks.

In an emergency, your services are critical to the general health of your community.

As a health care worker, you should make every effort to perform your professional duties – within safe parameters.

Many HSA members tend to put patients' needs ahead of their own personal safety. *If an employer asks you to perform work that you deem unsafe, you have the right to refuse.*

If you feel your employer is treating you unfairly regarding hours, overtime, or temporary job reassignment, you will have an opportunity to grieve the treatment later, but your first priority should be to deliver the services for which you are trained. **Q**

To find out if you live in a flood-hazard area, and for current advisories, visit the Provincial Emergency Program's website at: www.pep.bc.ca/index.html



This column is designed to help members use their collective agreement to assert or defend their rights and working conditions. Please feel free to send your questions to the editor, by fax, mail, or email yukie@hsabc.org. Don't forget to include a telephone number where you can be reached during the day.

CALM GRAPHICS