



Sorting out the work week mess

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As many members know, the process of transitioning to a 37.5 hour work week has been frustrating.

From the beginning, employers have misunderstood and misinterpreted the terms of the negotiated agreement. They have attempted to reduce hours of work, eliminate earned days off and even layoff members.

None of this is allowed by the agreement, which states that managers must work with staff in good faith to develop mutually-agreed schedules.

The employer must give the affected staff an outline of service delivery objectives. They may also propose a schedule at this time. The employer must give the affected staff a reasonable opportunity to propose a work schedule, or propose an alternative to the employer's schedule. And the employer must consider any proposals the staff put forward. If the employer rejects the proposal, they must provide an explanation.

The agreement is clear, and yet HSA has over 200 members affected by issues of inappropriate layoff or reduction of hours, with more grievances being filed every day.

In effect, these employers have been breaking the contract, and HSA has been fighting back.

Recent developments promise to sort out much of the confusion. HSA and the HSPBA (Health Science Professional Bargaining Association) have scheduled three days to meet with arbitrator Vince Ready and consider these issues and grievances. The first two days of the hearing will consider questions around layoff and the reduction of hours, including whether the employer is allowed to reduce part-time employees by up to .2 of a full-time equivalent (FTE) with no consideration for seniority.

Day three of the hearing with Mr. Ready will be directed at considering process issues. These include serious violations of the principles negotiated in the memorandum of understanding regarding implementation of the 37.5 hour work week where the employer behaved in a unilateral and often arbitrary fashion.

We have almost 1000 grievances on issues where employers eradicated the alternate time off/earned day off style of schedule, imposed a schedule, ignored proposals from the members or overlapped other employer cost saving initiatives unrelated to implementation of the 37.5 hour work week.

The HSPBA and HEABC will be exchanging particulars and sharing them with Mr. Ready ahead of the hearing so that the hearing itself can be directly focused on the questions.

For updates, visit the web site at hsabc.org/37.5hr.

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