

CUPE Workload Complaints – Non-RPN

Pathway/Decision Tree (Article 9.16 of the CUPE Collective Agreement)

Perceived Workload Concern

- The parties agree that patient care is enhanced if concerns relating to professional practice, patient acuity, fluctuating Work-Loads and fluctuating staffing are resolved in a timely and effective manner.
- If an employee, or group of employees, identify a workload complaint, the concern should be immediately (within 48 hours) discussed with their immediate supervisor (or designate) in an attempt to resolve.
- All parties are reminded of their obligations as per the Internal Responsibility System (IRS) as they pertain to urgent safety related issues. An issue which is deemed safety related and poses a potential risk of harm for which waiting to address would be irresponsible must be immediately brought to the employee's one up (verbally or in writing using the applicable form) as outlined by the Employee Hazard/ Incident/ Accident Reporting policy [Occupational Health & Safety](#).

If resolved, no further action is required.

If not resolved to the Employee's satisfaction:

- The employee, or group of employees, may, submit their concern(s) to their immediate supervisor (or designate) within forty-eight (48) hours of the occurrence by completing Sections 1 through 6 of the CUPE Workload Complaint Form - Non-RPN ([CUPE Workload Complaint Form - Non-RPN](#))
- The Supervisor provides a response (by email or in person with a copy to Human Resources) within ten (10) calendar days of receipt by completing Section 7 of the CUPE Workload Complaint Form – Non-RPN. A copy is to be provided to the Bargaining Unit President by the employee(s).
- Every effort will be made to resolve the workload concern at the department level.

If resolved, no further action is required.

If not resolved to the Employee's satisfaction:

- The employee, or group of employees, through their Union representative, may, within forty-eight (48) hours of receipt of the Supervisor's written response, further escalate their concerns in writing by submitting a copy of the completed CUPE Workload Complaint Form - Non-RPN to either the Joint Health and Safety Committee (as constituted under Article O-5 Joint Occupational Health and Safety Committee) or the Labour Management Committee (as constituted under Articles 6.02 and D-6).
- The employee, or group of employees, shall ensure that their immediate supervisor is advised immediately of the issue's escalation and which of the two committees it has been escalated to for review.

Joint Health and Safety Committee (JHSC)

- This committee is mandated by our province's Occupational Health and Safety Act (OHSA) Section 9 and appears under Article O-5. The advantage of a joint committee is that it is made up of a labour group representative of various backgrounds with knowledge of specific tasks along with the management group who provide a larger overview of the organization's policies, and procedures.
- Should an employee and their Union representative determine the complaint is a Health and Safety related concern, the Union may choose to move the Workload Complaint to the JHSC for review, as per above.
- In doing so, the standards and processes applicable to the JHSC will apply.
- The JHSC shall hear and attempt to resolve the issues to the satisfaction of both parties.

Labour Management Committee

- This committee is required under Articles 6.02 of the CUPE Central Collective and D-6 of the CUPE Local Collective Agreement. Where the parties mutually agree that there are matters of mutual concern and interest that would be beneficial if discussed at a Labour Management Committee Meeting during the term of this Agreement, they may be brought forward by either party, as appropriate.
- Should an employee and their Union representative determine the complaint will be best served by having it heard at the Labour Management Committee, the Union may choose to move the Workload Complaint to the Labour Management Committee for review, as per above.
- In doing so, standards and processes applicable to the Labour Management Committee will apply.
- The Labour Management Committee shall hear and attempt to resolve the issues to the satisfaction of both parties.

The outcome of the relevant Committee's review above, inclusive of any recommendation(s), is considered final. Committee recommendations may include, but are not limited to the updating of Standards, procedures, SLPs, policies, practices, etc.