

IN THE MATTER OF AN ARBITRATION

BETWEEN:

Scarborough and Rouge Hospital

-and-

Ontario Nurses' Association

Grievances of Radhica Latchman

Lorne Slotnick, Arbitrator

Representing the Union – Philip Abbink

Representing the Employer – Amanda Hunter

Hearing – Toronto, Ont., December 13, 2016

A W A R D

This award arises from a series of grievances regarding the hospital assigning nurses to work between locations and the application of the following language in the parties' local agreement:

I.1 (l) Reassignment / Floating

The reassignment to other patient areas (floating) will occur in the following manner. An employee will not float during their probationary or orientation period. This will not apply to casual employees if they have not completed their probationary hours in a 6-month period.

Volunteers will be requested first. Employees will float by rotation, according to seniority, in the following manner; casual, regular part time then full time.

The employee will be provided with a meal ticket (\$7.50) when they float to another unit for 4 hours or more.

The parties have requested that I issue this award recording their agreement regarding the application of Article I.1(l) of the local collective agreement.

Where the Hospital requires a nurse to float to another patient area, the following will apply:

- (a) If there is only one employee in the patient area where the nurse will be floating from with the same start time as the shift that needs to be covered in the patient area where the nurse is floating to, that nurse will be floated. The floating nurse's name will then be recorded in the float log for his/her patient area.

- (b) If there is more than one employee in the patient area where the nurse will be floating from with the same start time at the shift that needs to be covered in the patient area where the nurse is floating to, the following will apply.
 - (i) The employees with the same start time will be referred to as the “Float Group”.
 - (ii) The Hospital will request a volunteer from the Float Group.
 - (iii) If no one from the Float Group volunteers, the nurse to be floated will be the nurse from the Float Group who least recently floated. If there is more than one nurse in the Float Group who has never floated, then the nurse to be floated will be determined based on seniority as described in article I.1(l). This means that the nurses in the Float Group who have not floated will be put in order starting with the most junior casual up to most senior casual followed by most junior part-time up to most senior part-time followed by most junior full-time to most senior full-time (the “Float List”). The nurse to be floated will be the least senior on the Float List.
 - (iv) The floating nurse’s name will be recorded in the float log for his/her patient area.
- (c) If there are no employees in the patient area where the nurse will be floating from with the same start time as the shift that needs to be covered in the patient area where the nurse is floating to, the following will apply.

- (i) The employees with the hours on shift that are the closest match to the hours on shift that need to be covered in the patient area where the nurse is floating to will be referred to as the “Float Group”.
- (ii) The nurse to be floated will be determined the same way as set out in paragraphs (b) (ii) to (iv) above.

I will remain seized.

A handwritten signature in black ink, appearing to read "Lorne Slotnick", written over a horizontal line.

Lorne Slotnick, Arbitrator

December 14, 2016