

Preparing for an end to the Single Site Order: Questions and Answers

Thousands of HEU members and other health care workers in long-term care, assisted living, and provincial mental health facilities have been working under the Single Site Order since the spring of 2020.

The Order is set to expire on December 31, 2022. Members on COVID-related leave have the right to return to the workplaces they are on leave from, with the same status as when they left.

This Q&A provides information which will help with the transition back.

Definitions

“Single Site Order”:

- Since April 2020, the Single Site Order has limited health care workers to working at only one long-term care, assisted living, or provincial mental health facility.

COVID Leave and COVID Leave Site:

- If an employee held more than one job in long-term care, assisted living, or provincial mental health facilities before April 2020, those employees were restricted to working at one of those facilities when the Single Site Order was implemented.

Employees were placed on a COVID-related unpaid leave of absence (“COVID Leave”) from sites they were restricted from working at for the duration of the Single Site Order. These are referred to as “COVID Leave Sites.”

Employment status:

- Employment status is either Regular (part-time or full-time) or Casual.

Relative Seniority:

- When the order is lifted, and employees return to their COVID leave sites, their seniority will be restored. Employees will be placed on the seniority list in relative order to where they were before the restrictions were put in place.

Comparable Work:

- "Comparable work" means the full-time equivalent (FTE) hours, wage rate, pension plan, and long-term disability benefits plan the displaced employee holds when the Single Site Order expires.

Regular Employee:

- A regular employee is an employee who owns a part-time or full-time position.



General

Q1: When will the Single Site Order end?

The Single Site Order is anticipated to expire on December 31, 2022.

Q2: If I have posted into a regular position since the implementation of the Single Site Order, does the expiry of Single Site Order impact me?

No further action is required if you have posted into a permanent position and have resigned from your COVID Leave Site(s). You will continue to work in the position(s) you have permanently taken.

However, if you remain on COVID Leave from any of your previous worksites, you are entitled to return to your positions at those COVID Leave Sites.

Employees are required to advise their employer(s) of their decision [See Q6 below].

Q3: If I am still restricted to working at one facility because of a Single Site Order, what decision(s) do I need to make before the Single Site Order expires?

You will need to decide whether you would like to remain working only at your current worksite and/or return to working at your COVID Leave Site(s) after the Single Site Order is lifted as anticipated on December 31, 2022.

Q4: How will I know who to contact?

Your employer at your COVID Leave Site should have contacted you to see if you intend to return.

Q5: Who do I discuss this with?

Your employer (manager) at the facility you are currently working at and, if applicable, your employer (manager) at your COVID Leave Site(s).

Q6: When I have made my decisions, do I need to confirm this in writing?

Yes, it is each employee's responsibility to inform their employer(s) in writing of their decision to return, or not return, to employment at their COVID Leave Site(s) by November 30, 2022.

If your manager(s) do not receive a written communication from you confirming your decision(s) by this date, you will be presumed to have resigned from your COVID Leave position(s).

Q7: I am a single site employee currently on another type of leave from work (for example, parental or medical leave). Can I return to a COVID Leave Site?

Yes. If you are on a leave that is provided for in your collective agreement, or under the B.C. Employment Standards Act, you are entitled to return to the positions you are on leave from when you return to work.

Where an employee remains on COVID Leave from a worksite, those employers and employees should make every reasonable effort to communicate before November 30, 2022, to confirm whether the employee intends to return to work at that COVID Leave Site when they return to work.



Casual Employees

POSITIONS, STATUS, HOURS

Q8: I am a casual on COVID Leave because of a Single Site Order. What will my employment status be if I choose to return to work there when the Single Site Order is lifted?

You will return to the same status - casual.

Q9: Will I be able to work casual hours at multiple facilities after December 31, 2022, if I would like to?

Yes. Casual employees will be able to work at any facility they are on the casual list for as of January 1, 2023.

SENIORITY

Q10: If I return to a casual position at my COVID Leave Site, what will happen to my seniority?

When the Single Site Order expires, you will return to your relative placement on the seniority list.

For example: if you were 14th on the seniority list as of the date of the Single Site Order, you would be placed in the 14th position on the seniority list when the Single Site Order expires.

An employee's seniority ranking may change if other staff have left their position.

The employer and the union will work together at the local worksite to resolve seniority-related issues if they arise.

Regular Employees

POSITIONS, STATUS, HOURS (FTE)

Q11: I am on COVID Leave from a regular position because of a Single Site Order. What will I go back to if I choose to return to that worksite when the Single Site Order is lifted?

Regular employees are entitled to return to their former employment status and FTE at their COVID Leave Site(s).

However, employees should be aware that schedules and staffing at the site(s) may have changed since they last worked there.

Q12: Will my work schedule change/be different once the Single Site Order is lifted?

Staff should discuss this with their manager(s). Since it has been more than two years since the implementation of the Single Site Order – the schedules may have changed.



Q13: What happens if another employee has filled the position I held at my COVID Leave Site?

Multi-Site Employees are entitled to return to the same status they held pre-COVID Leave (and the same FTE, if regular).

If a position was filled temporarily, the temporary position will end, and you will resume working in that position after December 31, 2022.

If a returning employee's position was filled permanently, and no vacancies are available, or the position has been eliminated, your manager and/or the union will discuss options with you.

Q14: I have been working more than 1 FTE at my Assigned Site. Will this continue past December 31, 2022, when the Single Site Order expires?

No, this will not continue.

Employees will be entitled to return to their pre-Single Site Order FTEs once the Single Site Order expires. Schedules will be adjusted locally as needed.

Employees will not be able to work more than 1 FTE at a site without earning overtime.

SINGLE SITE TEMPORARY POSITIONS

Q15: I am an employee who bid into a temporary position while the Single Site Order has been in place. Will this temporary position continue or be changed to permanent after the Single Site Order is lifted?

Temporary positions that were created as a result of the Single Site Order will not continue when the Order ends.

If the employee who owns the position does not return to the site from their temporary COVID Leave, the position will be re-posted permanently in accordance with the collective agreement.

Q16: What about other temporary postings that are not related to the Single Site Order?

Jobs posted as temporary for reasons unrelated to the Single Site Order (i.e., maternity leaves, backfill for someone off on sick leave, etc.) will not be reposted when the order ends.

WAGES & BENEFITS

Q17: My wages have been levelled since I have been limited to working at a single site. Will that continue?

Yes, wage levelling will continue after the unwinding of the Single Site Order.

Q18: What will happen to my health, welfare and pension benefits if I choose to return to my COVID Leave Site(s) once the Single Site Order is lifted?

Benefits coverage and eligibility will be maintained for Multi-Site Employees at their COVID Leave Site. Employees will not be required to re-serve a new waiting period to resume health and welfare benefits coverage.



Q19: My current manager has pre-approved vacation for 2023. Will that be honoured by my COVID Leave Site employer if I return to work at that site?

Staff should discuss this with their manager(s). Employers will make every reasonable effort to honour pre-approved vacation for employees returning to work at their COVID Leave Site(s).

Q20: What will happen to my vacation bank, special leave and sick accruals if I return to a site from which I have been on COVID Leave?

Multi-Site Employees will have access to their accumulated leave banks, without penalty, at COVID Leave Sites that they return to.

SENIORITY

Q21: Where will I be placed on the seniority list if I return to my COVID Leave Site?

Employees will be returned to their relative placement on the seniority list when the Single Site Order is lifted.

For example: if you were 14th on the seniority list as of the date of the Single Site Order, you will be placed in the 14th position on the seniority list when the Single Site Order is lifted.

An employee's seniority ranking may change if other staff have left their position.

The employer and the union will work together at the local worksite to resolve seniority-related issues if they arise.

Q22: If I resign from my COVID Leave Site(s), will I maintain my seniority at the facility I have been working at during the Single Site Order?

Yes. Where an employee has been restricted to a site, seniority will have accrued based on hours worked up to 1.0 FTE. However, any seniority that temporarily transferred with a multi-site employee to an assigned site will be subtracted from their overall seniority at that site when the Single Site Order ends.

RETURNING TO REGULAR EMPLOYMENT AT A COVID LEAVE SITE

Q23: I have informed my employer that I want to return to my pre-COVID leave position but I've been informed that the job I left is no longer available to me. What do I do?

You will be displaced. If you work at a site covered by one of the public sector collective agreements (Facilities Sub Sector Collective Agreement, Community Sub Sector Collective Agreement, Nurses' Bargaining Association Collective Agreement, Health Sciences Professional Bargaining Association Collective Agreement), you will be displaced in accordance with the collective agreement.

If you work for an independent (private sector) employer your displacement options will include: posting on a vacant position; bumping a junior employee; or reverting to casual status.



Q24: What happens if there is not a regular job available to me at the site from which I am displaced?

You will be referred to the Regional Placement Program and every effort will be made to find you a comparable position within the health authority.

Q25: What will happen to my seniority if I transfer to a job at the health authority?

You will port your seniority and service to the new employer.

Q26: What if the health authority offers me a job that is not suitable, can I be placed at a non-health authority independent (private) sector site?

Yes. If the health authority job offer is not suitable, the Regional Placement Coordinator will be advised and you, along with your union representative will meet to discuss other placement opportunities at an independent (private) sector site.

Q27: What if there is no comparable job available to me through the Regional Placement Program?

You will be laid-off in accordance with the collective agreement at the site you were displaced from.

Q28: What happens if there is a comparable job available to me through the Regional Placement Program but I choose not to accept it?

You will be deemed to have resigned from the facility where you were displaced, and your employment will be terminated.

Your union steward and staff representative will be available to you if you have any questions about the impacts of ending the Single Site Order.

