

ONTARIO NURSES' ASSOCIATION

ONA Representative:

A Quick Reference Guide



ONA is the union representing 60,000 registered nurses and allied health professionals and more than 14,000 nursing student providing care in hospitals, long-term care facilities, public health, the community, clinics and industry.

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ONA Representative: A Quick Reference Guide

Congratulations! You are an ONA Union Representative and/or Committee member for your Bargaining Unit.

You have assumed an important role in our Union.

Your organizational skills, conscientiousness, active listening and common sense will be necessary. To assist you in your role, ONA has prepared this booklet for you to use as a working tool. It is short, easy-to-read and yours to keep.

This booklet is designed to help you get started; however, if you have any questions, call the appropriate member of your Bargaining Unit leadership team.

The role of the ONA Unit/Floor Representative may differ from Bargaining Unit to Bargaining Unit. Please confer with your Bargaining Unit leadership team regarding the specifics of when you should be attending meetings with members.

When a member approaches you with an issue, the Union may use different strategies through different committees within the Bargaining Unit to deal with it. Be sure to think about **all** the committees that might be helpful in addressing any one situation.

ONA's VISION

Ontario Nurses' Association: Our Union
Respected. Strong. United.
Committed to members who care for people.

L'Association des infirmières et infirmiers de l'Ontario: notre syndicat.
Respectée. Forte. Unie.
Dévouée à ses membres qui prennent soin des gens.

ONA's MISSION

ONA is a proactive union committed to improving the economic welfare and quality of work-life for our members, to enable them to provide high quality health care.

L'AIIO est un syndicat proactive qui s'engage à améliorer les conditions économiques et la qualité du milieu de travail de ses membres, afin de leur permettre de Fournier des soins de santé de grane qualité.

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Representing ONA Members in Meetings with Management

If you are asked to act as a member's ONA representative at a meeting:

- Prior to the meeting, confirm with management why the meeting is taking place and who will be attending.
- Confirm the date, time and location of the meeting.
- Take detailed notes of all conversations with management.
- Notify the bargaining unit leadership of the meeting.
- Your purpose at the meeting will be: to support the member; to act as his/her advocate and to take notes.

Note: If you have a conflict of interest with this member, you should NOT act for him/her or attend at the meeting. Advise the Bargaining Unit President or Labour Relations Officer (LRO) and find another representative.

Meet with the member prior to the meeting and give this advice:

- Ask if they know why the meeting is taking place. Tell them what you have learned from the employer.
- Request they write you notes during the meeting if they feel threatened or uncomfortable.
- When answering questions, take your time and think about the answer.
- If you do not remember the answer, say you do not remember.
- Answer only the question asked, do not add additional information.
- If you are asked about patient care issues, request to have the chart in the room during the questioning. Once you have the chart in front of you, take time to review the chart.
- Avoid answering "off the cuff."

At the meeting:

- Bring a copy of the collective agreement and any other appropriate documents to reference, if necessary, during the meeting.
- Take detailed notes. Do not hesitate to ask the people speaking to slow down or stop so you can capture the information, verbatim if possible.
- Request copies of documents referred to in the meeting.
- Ensure the meeting is respectful. If the tone of the meeting becomes threatening, confrontational or like an interrogation, tell management this is unacceptable.
- Request a caucus if the member seems to be struggling or feeling threatened.
- End the meeting if it continues to be threatening or confrontational.
- Prior to leaving the meeting, ask management what the follow up to the meeting will be and document the response.
- Reassure the member (at the end of the meeting, in private) that the ONA representative will follow up and provide all documents, etc., to the Bargaining Unit leadership immediately.
- Maintain confidentiality of all membership information.

- Follow up with the Bargaining Unit leadership immediately and provide them with all documentation from the meeting and any conversations related to this incident.
- Make sure the member knows which ONA representative will see them through this issue.

Note: For representation of members in Critical Incident Meetings, please refer to the ONA Policy Manual, Policy 14.10 (located in the ONA Policy Manual at www.ona.org).

Grievances

If you are the ONA Unit/Floor Representative:

When a Bargaining Unit member approaches you about an issue that may or may not be a grievance, the following steps are to be taken:

1. Review the communication process related to grievances.
2. Review collective agreement language.
3. Explain the grievance process and **timelines** to member.
4. Provide the member with a copy of the "How To" guide for filing a grievance (see page 7).
5. Provide the member with a grievance fact sheet.
6. Provide the member with the contact information for the Grievance Officer.
7. Contact the designated Bargaining Unit Grievance Officer. Confirm who will be attending on behalf of the Union.
8. Accompany the member at the verbal step with the manager.
9. Document the date, time. Points raised by the Union and manager's response.
10. Forward **all** information and supporting documentation to the Grievance Officer. **Do not** give copies of the Union gathered information to the manager.
11. Maintain ongoing communication with the Bargaining Unit member on the status of their grievance.
12. Maintain membership confidentiality as per ONA Policy 14.6.

If you are the ONA Grievance Representative:

All of the above steps plus:

1. Document the date contacted and the nature of the complaint.
2. Contact your LRO to for grievance language.
3. After consultation with your LRO, advise the member where grievance will not be filed or advanced past Step II or at all (refer to Policy 14.1 as necessary).
4. Meet with the member to review the fact sheet and sign the grievance form.
5. Gather evidence/documentation to support the grievance.
6. Provide all information to your LRO.
7. Monitor timelines and advance the grievance to Step 1.
8. Distribute copies of the grievance form.
9. Inform your LRO of employer proposed settlement options.
10. Discuss settlement options with your LRO and grievor.
11. Attend grievance meetings with your LRO and employer as required.
12. Ensure appropriate Bargaining Unit representatives are in attendance.
13. Keep the grievor informed.
14. Maintain confidentiality of member information.
15. Advise the grievor of settlements or awards.
16. Advocate on behalf of the grievor.
17. Keep the Bargaining Unit/Local informed of all necessary next steps.

Tips:

- Grievances that involve discipline have their own timelines outside of the standard grievance procedure. See your specific collective agreement.
- It is recommended you accompany the grievor at the verbal step and that all meetings with management should be in person.

Filing a Grievance – A “How To” Guide

If you believe you have a complaint under the collective agreement, here are some simple points to use:

1. **Read your collective agreement:** Pay special attention to the grievance process you will find in the index. Discuss your situation with your Grievance Officer as soon as possible – **there are mandatory time limits.**
2. **Document:** At all stages, keep careful notes of what happened, who was involved and the circumstances around the event or events. You should keep a record of who you spoke to (date, time, what was said), who was present and who has experienced a similar problem. Keep all relevant documents (schedules, pay stubs, etc.) and copies of all information provided to your employer (letters, doctor notes, etc.)
3. **Complain:** In most circumstances, you must address your problem by discussing it with your immediate supervisor within a defined number of days, from the date of the event giving rise to your complaint. **Make sure you ask for an official response from your immediate supervisor, including a specific date.**
4. **Have a grievance filed:** If you are not satisfied with the response from management, speak to your Grievance Officer **immediately**, and ask about filing a grievance. **You cannot file a grievance without the approval of the Union.** Continue to document.
5. **If you are disciplined in any way, speak to your Grievance Officer or Bargaining Unit President immediately.** There are special rules, such as the right to have a union representative with you, and a different deadline for submitting a written grievance. Again, read the grievance procedure in your collective agreement. **Document everything you can!**

Always contact your grievance officer or Bargaining Unit President if you are not sure about any provisions under the collective agreement and any potential grievances.

Human Rights and Equity

If you are the ONA Unit/Floor Representative:

When a Bargaining Unit member approaches you about an issue:

1. Record the date and time of contact.
2. Provide the member with the contact information for the Bargaining Unit Representative who deals with Human Rights and Equity issues.
3. Tell the members to begin a journal documenting dates, times, names (including witnesses) and details of any incidents.
4. Maintain confidentiality of membership information.

If you are the Bargaining Unit Human Rights Representative:

All of the above steps plus:

1. Review the collective agreement and seek advice from your LRO.
2. Provide the member with a copy of the Human Rights and Equity Guide for ONA Members, the employer's Workplace Anti-Harassment Policy and ONA Policy 16.28 Discrimination and Harassment During Union Business or Activities.
3. Consult with your LRO regarding filing a grievance or other actions to be taken.
4. Provide the member with a copy of the Discrimination and Harassment Questionnaire if grievable.
5. Refer the member to the Bargaining Unit Grievance Representative.
6. Attend meetings with your LRO and the employer as necessary.
7. Keep the member informed of the process.
8. Assist in the collection of information.
9. Advocate on behalf of members.

Tips:

- The ONA Booklet can be found on the ONA website at www.ona.org.
- The employer's Workplace Anti-Harassment Policy may be named differently.
- The employer's Code of Conduct Policy and Mission Statement may also be helpful information.
- If the situation involves more than one ONA member, we must provide each member with separate representation; speak to your Bargaining Unit President or LRO.

Long-Term Disability

If you are the ONA Unit/Floor Representative:

When a Bargaining Unit member approaches you about an issue:

1. Record the date and time of contact.
2. Provide the member with the contact information for the Bargaining Unit Representative who deals with Long-Term Disability (LTD).
3. Maintain confidentiality of membership information.
4. Encourage members to document all medical treatment by date and caregivers.

If you are the Bargaining Unit LTD Representative:

All of the above steps plus:

5. Review the collective agreement and seek advice from your LRO.
6. Refer to Grievance Committee to determine if denial is grievable.
7. Provide the member with a copy of the LTD questionnaire.
8. Attend meetings with your LRO and the employer as necessary.
9. Keep the member informed of the process.
10. Assist in the collection of information.
11. Advocate on behalf of members.
12. Encourage members to contact the Union when medical documentation supports the return to work.

Modified Work/Accommodation

If you are the ONA Unit/Floor Representative:

When a Bargaining Unit member approaches you about an issue:

1. Record the date and time of contact.
2. Provide the member with the contact information for the Bargaining Unit Representative who deals with Modified Work, Return to Work and Accommodation.
3. Maintain confidentiality of membership information.

If you are the Bargaining Unit Representative with responsibility for Modified Work, Return to Work and Accommodation:

All of the above steps plus:

4. Encourage members to have ongoing care and keep documentation.
5. Ensure the worker has completed an incident report or if it is a work-related illness/injury, has received a copy of the Form 7 completed by the employer.
6. If necessary, provide the member with copies of "Your Complete Guide to WSIB."
7. Attend meetings your LRO/employer as needed.
8. Advocate on behalf of members.

If the issue is related to denial of WSIB benefits:

1. Refer the member to WSIB Intake (see page 17).
2. Inform the member of ONA's notification of time limits (page 18 of Your Complete Guide to WSIB). Refer member even if time limits missed.

Negotiations

If you are the ONA Unit/Floor Representative:

When a Bargaining Unit member approaches you about an issue:

1. Document the date of contact and the issue.
2. Provide the member with contact information for the Bargaining Unit Negotiations Committee.
3. Inform the Bargaining Unit Negotiations Committee of the issue.

If you are a member of the Negotiations Committee:

All of the above steps plus:

4. Keep an ongoing record of issues for negotiations.
5. Consult with members for feedback regarding proposal development to forward to your LRO.
6. Provide proposals, rationale and supporting documentation to your LRO.
7. Participate in education, preparation and negotiations.
8. Attend meetings with your LRO and employer as necessary.
9. Keep membership informed of ongoing progress.
10. Review draft proposals and provide feedback to your LRO.
11. Maintain confidentiality of membership information.
12. Maintain record of negotiations.
13. Provide ongoing input into bargaining positions.
14. Proofread and review all documents.
15. Maintain confidentiality of negotiations information.
16. If a settlement is reached, conduct a ratification meeting.
17. Support the Memorandum of Settlement.
18. Notify the LRO of results of ratification.
19. Notify the Local Coordinator and Vice-President of the settlement.
20. Proofread the draft collective agreement.
21. Sign the final collective agreement.
22. Reflect on negotiations process.

In cases of no negotiated settlement:

For Right-to-Strike Bargaining Units: all of the above [note 16 - 22 follows 8 below] plus)

1. Conduct a strike vote where applicable.
2. Request strike start up funds.
3. Develop a job action plan.
4. Proof read and review items in agreement.
5. Prepare with LRO position for conciliation.
6. Implement steps in Job Action Manual.
7. Participate in meeting to identify BATNA acceptable for return to work.
8. Continue communication with membership.

For Bargaining Units covered by HLDA: all of the above (excluding 16 – 19) plus:

1. Prepare with LRO for conciliation.
2. Proof read and review all documents.
3. Attend prep meetings and conciliation with LRO/HLDA Specialist.
4. Provide information and documentation as requested.
5. Keep membership informed.

Occupational Health and Safety

If you are the ONA Unit/Floor Representative:

When a Bargaining Unit member approaches you about an issue:

1. Obtain information from the member including date, time and place of incident, who was involved, any witnesses, etc.
2. Ensure the member has completed incident reports and/or WSIB forms as necessary.
3. Instruct the member to keep copies of any relevant documents/forms.
4. Provide the member with the contact information for the Bargaining Unit Occupational Health and Safety Representative.
5. Compile information and forward to the identified Bargaining Unit Health and Safety Representative.
6. Keep a record of the event and all notes taken, information received, etc.
7. Provide assistance to the health and safety rep when they conduct their investigation.

If you are the Bargaining Unit Occupational Health and Safety Committee Representative:

All of the above steps plus:

1. Participate in the Joint Health and Safety Committee (JHSC).
2. Participate in workplace inspections.
3. Investigate workplace incidents/accidents.
4. Keep a good record of the event and all notes taken, information received, etc.
5. Liase and prep with other union reps on the committee.
6. Compile information from members and forward to the JHSC.
7. Contact your LRO for advice.
8. Ensure the member completes incident reports and follows WSIB processes.
9. Advise the member of ONA time limits for representation in appeal.
10. Provide member(s) with the Occupational Health & Safety Guide for ONA Members.
11. Maintain confidentiality of membership information.
12. Keep Bargaining Unit leadership and the Local health and safety lead informed on issues.

Workload/Professional Responsibility Issues

If you are the ONA Unit/Floor Rep:

When a Bargaining Unit member approaches you about an issue:

1. Encourage the member to complete a Professional Responsibility Workload Report Form.
2. Review collective agreement language with the member.
3. Gather information to identify the exact nature of the professional practice concern.
4. Provide a workload report form or advise it can be downloaded at www.ona.org.
5. Provide assistance in filling it out the form as necessary.
6. Review the form to ensure all relevant information has been provided.
7. Educate the member on distributing the form.
8. Provide the member with contact information for the Bargaining Unit Representative with responsibility for workload/professional practice concerns.
9. Contact the designated Bargaining Unit Representative to review the facts.
10. Maintain ongoing communication with the members.
11. Maintain confidentiality of membership information.
12. Encourage members to continue to submit forms if the issue is ongoing.

If you are the ONA Labour Management Representative:

All of the above steps plus:

1. Provide completed forms and documentation to your LRO.
2. Participate in meetings to resolve the professional practice concern.
3. Participate in discussions with the Bargaining Unit and LRO as needed.
4. Keep members informed on the status of their issue.
5. Encourage members to continue to submit forms if the issue is ongoing.
6. Obtain and provide ongoing facts, information or recommendations.
7. Meet with members prior to meeting with the employer.
8. Attend Labour-Management (or as named in your collective agreement) meetings.
9. Advocate on behalf of members.
10. Consult with your LRO/Bargaining Unit on criteria for advancing the practice concern.
11. Meet with your LRO as needed and accompany your LRO to meetings with management (i.e., settlement or mediation hearings).

If advanced to Independent Assessment Committee (IAC):

All of the above steps plus:

1. Maintain ongoing communication with the members, Bargaining Unit and Local.
2. Provide ongoing facts and information.
3. Provide support to your LRO/Professional Practice Specialist.
4. Tour facility with your LRO/Professional Practice Specialist.
5. Meet with your LRO/Professional Practice Specialist to prepare a communications plan and preparation for settlement, mediation or hearing.

6. Provide support and information to members.
7. Communicate with the Vice-President Professional Issues and Political Action, Bargaining Unit leadership team and Local Executive.
8. Meet with your LRO and employer to implement recommendations.
9. Monitor, evaluate and determine next steps.

Tips:

- There are sector-specific workload report forms. Ensure you are using the right one. The same form is used in the hospitals and homes.
- It is advantageous to have members involved and to attend the Labour-Management meeting when their issues are discussed. Check with your Bargaining Unit President.

Workplace Safety and Insurance Board (WSIB)

If you are the ONA Unit/Floor Representative:

When a Bargaining Unit member approaches you about an issue:

1. Record the date and time of contact.
2. Provide the member with the contact information for the Bargaining Unit Representative who deals with WSIB concerns.
3. Maintain confidentiality of membership information.

If you are the Bargaining Unit WSIB Representative:

All of the above steps plus:

1. Ensure the worker has completed an incident report and has received a copy of the Form 7 (Employer's Report of Injuries/Disease) completed by the employer.
2. Ensure the worker completes a Form 6 (Worker's Report of Injuries/Disease).
3. Provide the member with copies of "Your Complete Guide to WSIB."
4. Attend meetings with your LRO/employer as needed.
5. Advocate on behalf of members.

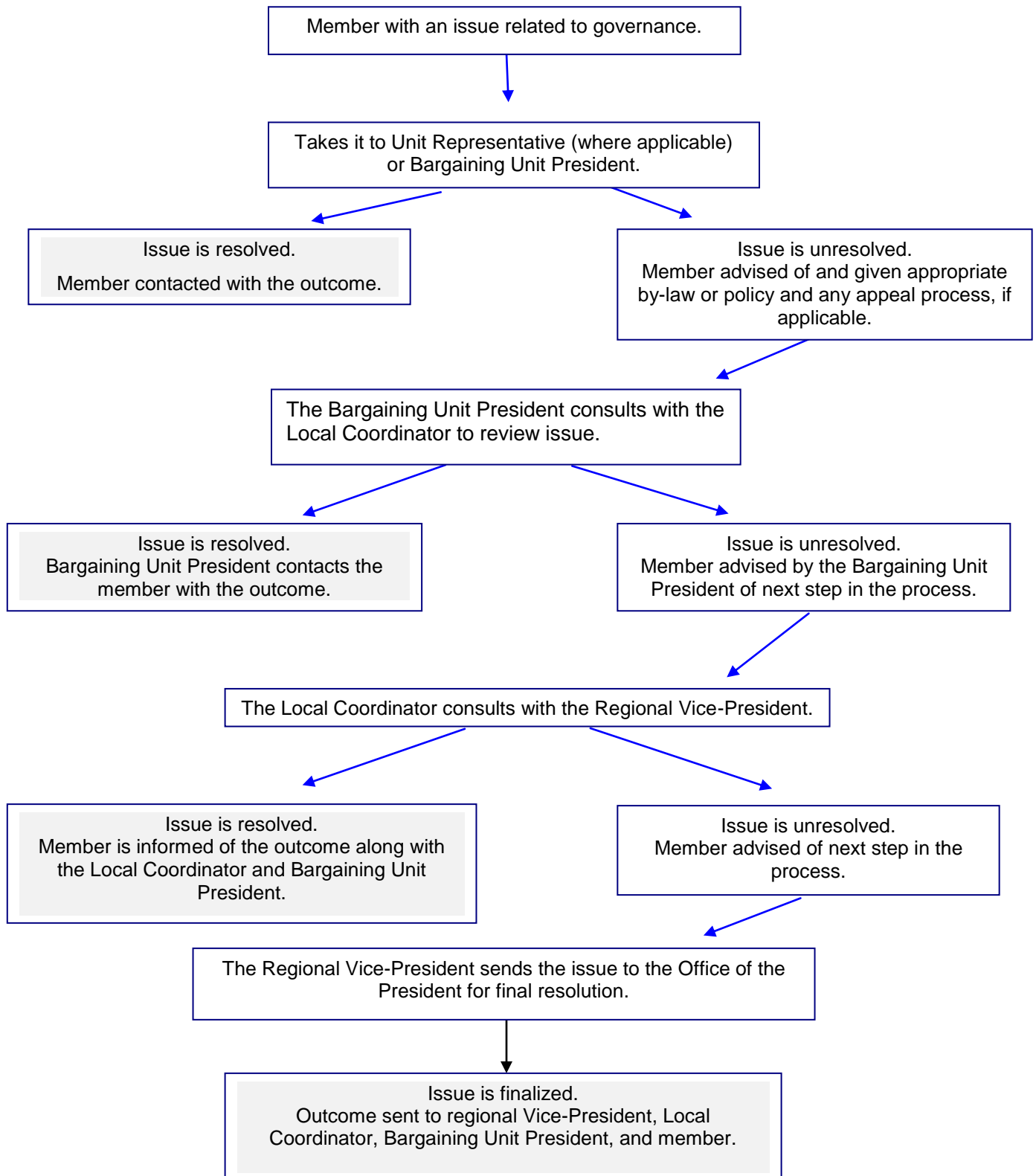
If contact is related to denial of a complaint:

1. Refer the member to WSIB Intake.
2. Inform the member of ONA's notification of time limits (page 18 of Your Complete Guide to WSIB). Refer member even if time limits missed.

Tips:

- Inform members the employer is obligated by law to provide them with a copy of the Form 7 and accompanying documents at the time it is submitted to WSIB.
- The member must sign a Form 6 to claim for benefits and consent to the release of Functional Abilities information.
- The only medical information the employer is entitled to request from the member in WSIB claims is the Functional Abilities Assessment.

Communication Links – Local and Bargaining Unit Governance



Contact Information – Who Handles What in My Bargaining Unit?

Bargaining Unit President:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Grievance Officer/Chairperson:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Human Rights and Equity:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Long-Term Disability:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Modified Work/Accommodations:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Negotiations:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Occupational Health and Safety:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Workload/Professional Responsibility (issues referred to Labour-Management):

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Workplace Safety and Insurance/Workplace Injuries:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Other Contacts

Education/Professional Development:

Name: _____ Contact Number: _____

E-mail: _____ Unit: _____

Health and Welfare ONA Benefits:

Name: _____ Contact Number: _____

E-mail: _____

These are some of the basic services the Union provides for members. Check with your Bargaining Unit President to learn if there are other names or numbers you should know.

ONA Provincial Office

Toronto: 416-964-8833 or toll-free 1-800-387-5580

Regional Offices: dial the toll free number, press '1' for English or '2' for French, then select the appropriate regional office number

District Service Team Intake (LRO)

Call the Toronto office and ask to speak to the LRO who is doing intake for your district.

WSIB Intake: During business hours, call the Toronto office and ask for WSIB Intake. After hours, leave a message at ext. 7721.

LEAP Intake: During business hours, call the Toronto office and ask for LEAP Intake. After hours, leave a message at ext. 7775.

Ontario Nurses' Association Website: www.ona.org

To access the secure Executive Section of the website, you must be a member of your Local Executive. Use the information on your ONA membership card to log in.

Board of Directors

During and outside of business hours, call the Toronto office and ask for the Vice-President you would like to speak with. For Board of Directors Intake, call the Toronto office and ask for ext. 7775.