

# COLLECTIVE AGREEMENT JOINT INTERPRETATION UPDATE

Date: June 24, 2016

SUN #: 16-010

Re: Article 27 – VACANCIES, PROMOTIONS OR TRANSFERS



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## Issue: 27.02 Posting of Vacancies

### (a) Permanent Vacancies

Permanent vacancies shall be posted in **accessible** locations in each of the Facilities/Agencies with the Geographic Regional Health Authority. **Simultaneously, permanent vacancies will be distributed to all other Employers within the province and posted in accessible locations in each of the Facilities/Agencies with each Regional Health Authority.**

### Filling of vacancies shall be as provided in Article 27.05 (a).

### (b) Temporary Vacancies

When a temporary vacancy of a duration of one hundred and twenty (120) days or longer exists, the **temporary** vacancy shall be posted in an **accessible** location in **each of the Facilities/Agencies** within the Geographic Regional Health Authority. **Simultaneously, temporary vacancies will be distributed to all other Employers within the province and posted in accessible locations in each of the Facilities/Agencies with each Regional Health Authority.**

### Filling of the temporary vacancies shall be as provided in Article 27.05 (b).

Notwithstanding the above, temporary vacancies shall be filled in accordance with Articles 27.01, 27.03, 27.04 and 27.05 (b) of this agreement, subject to the following:

- (1) One (1) additional posting shall be required for the position of the Employee transferred as a result of the original posting.
- (2) When the temporary work becomes redundant, the Employee shall be returned to her former position.
- (3) If, as a result of the posted vacancy, an individual is hired from outside the existing work force, she shall be considered on casual status upon completion of the temporary work.
- (4) If the Employee who created the original vacancy returns unexpectedly, Article 7.03 shall not apply.
- (5) Should the temporary position subsequently become a permanent position, it shall be posted and filled in accordance with Articles 27.01, 27.02, 27.03, 27.04 and 27.05.
- (6) An Employee occupying a temporary position shall be eligible to apply for another temporary position that:
  - (i) Would commence thirty (30) calendar days or less prior to the expiration of the temporary position she currently occupies,
  - or
  - (ii) Does not conflict with the schedule of the current temporary position.
- (7) No temporary position shall exceed one (1) year without the mutual agreement of the Local and the Employer except for Maternity/ **Parental and Adoption Leave** replacement in accordance with Article 17.04 (a); **Temporary Job Share, Article 38.01(d)(1); and Union Leave, Article 17.14.**

## Interpretation Guidelines:

### **Article 27.02 - Posting of Vacancies**

#### **Article 27.02 (a) & (b)**

This new language ensures that Employers shall make all postings for all permanent and/or temporary vacancies accessible in locations in their Regional Health Authorities. This may include electronic postings as provided by Gateway or other electronic posting mechanism. The Employers shall ensure access is readily available to all Employees.

In addition, the Employer may post permanent and/or temporary vacancy within the facility, region and province simultaneously. Filling of the positions shall be as provided in Article 27.05 with preference given based on the permanent or temporary status of the vacancy. These postings shall be accessible to all employees in each location of each facility/agency within each Regional Health Authority.

This will reduce unnecessary delay in posting of vacancies. As well, Employees will have the access they require to ensure all registered nurses are aware of employment opportunities.

#### **Article 27.02 (b) (7)**

This new language provide clarity that leaves such as Maternity/Parental and Adoption Leave replacement in accordance with Article 17.04; Temporary Job Share, Article 38.01 (d) (1 ); and Union Leave, Article 17.14 shall be posted for the length of the leave. This will ensure better continuity of care, reduce staff turnover in temporary positions and ensure leave are posted and filled for length of time of the specific leave.



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