

MEMBER UPDATE

**Locals 054, 056, 057, 058,
095, 041, 043, 044, 045, 046**

Procedure around the grievances that arose from the October 26 event

Last December, your Union filed 732 grievances for members disciplined by Alberta Health Services (AHS) for allegedly participating in an illegal work stoppage on October 26, 2020. All those grievances had advanced to the arbitration stage set out in your collective agreement.

In response, AHS filed a Marshalling of Proceedings application to the Alberta Labour Relations Board (ALRB). They wanted a representative handful of those grievances to be heard, as test cases, in front of an arbitrator and the arbitrator's decision to be binding on all 700+ grievances. AUPE did not agree with AHS' request.

On April 28, 2021, AUPE and AHS attended a hearing at the ALRB to argue their respective sides on AHS' application.

On June 16, 2021, the ALRB ordered the parties to proceed as follows:

AHS and AUPE will each choose one grievance that represents a letter of warning and one grievance that represents a one-day Suspension for each of the Nursing Care (NC) and General Support Services (GSS) bargaining units. A total of eight grievances will be presented together to Arbitrator J. Leslie Wallace, with hearing dates scheduled for early November, 2021.

After Arbitrator Wallace renders a decision on the eight grievances, AUPE will then have the option to proceed on any of the remaining 724 grievances if it determines it is appropriate.

Members whose grievances are among the eight selected to be heard in November have been, or will be, contacted by AUPE Counsel to discuss the hearing process and their grievance files.

The remaining Letter of Warning and one-day suspension grievances are "On Hold" pending the outcome of the first eight, and AUPE's assessment of Arbitrator Wallace's award. AUPE will advise members of the next steps following the decision of Arbitrator Wallace.

We encourage members with grievances to remain patient. Like many legal proceedings, labour arbitration is generally measured in months and years for outcomes, rather than days and weeks.

We also want to take this opportunity to thank you for the important work you do. Despite the looming threat of job loss and wage rollbacks, the stunning disrespect displayed by the provincial government and AHS, and the threat posed to your health by COVID-19, you have continued to show up for Albertans. Know that your Union sees you and will continue to fight for you.