

COLLECTIVE AGREEMENT JOINT INTERPRETATION UPDATE

Date: June 24, 2016

SUN #: 16-004

Re: Article 12 – STANDBY



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Issue: 12.04

In respect to each occasion on which an Employee is brought back to duty during a "standby" duty period, the Employee shall be deemed to be working overtime for the time so worked with guaranteed minimum payment of two (2) hours at overtime rates **for the first call back. Employees called back within that initial two (2) hour call back period will be paid for any additional time beyond the first two (2) hours, at overtime rates. Employees called back after the initial two (2) hours have elapsed shall be paid a further minimum payment of two (2) hours at overtime rates.**

Subsequent call back shall be administered as above.

(a) Payment for call back shall commence from the time the employee receives the call, up to a maximum of thirty (30) minutes travel time. Payment for advanced notice call backs shall commence from the time the employee arrives at the facility.

(b) Applicable to Home Care: Payment for call back shall commence from the time the employee receives the call and continue until the time the employee returns to their home.

Interpretation Guidelines:

Article 12.04

This new language provides clarification with respect to the payment for call back and the timelines for additional call back when on "standby duty".

Payment for call back will begin from the time the Employee receives the call and will include up to a maximum of 30 minutes travel time (this excludes advance notice call-backs).

Advance notice call-backs are defined as: any standby duty that has been pre-scheduled with a specific start time in advance.

For Home Care, payment is from the time of the call back and continues until the Employee returns to their home.

With regard to call-backs, the application of this language will mean that, Employees called back **within** the initial 2-hour call back period will only be paid for additional time beyond the 2 hour time period. Pay will be at overtime rates. Call-backs outside of the initial 2 hour period will trigger an additional 2-hour call back period.

Example 1: Single Call-back within Two Hours

Call commences at 0300, call ends at 0415 - Employee receives a minimum of two hours at overtime rates.

Example 2: Single Call-back that Extends Past the Two Hour Minimum

Call commences at 0300, call ends at 0615 - Employee is paid at overtime rates for all hours worked.

Example 3: Two Call-backs within Two Hours

Call commences at 0300, call ends at 0330, second call is at 0345 and ends at 0430 – Employee is paid one call back, minimum two hours pay at overtime rates.

Example 4: Call-backs that Extend Past the Two Hour Minimum

Call commences at 0300, call ends at 0330, second call is at 0345 and ends at 0430. Third call is at 0450 and ends at 0600 – Employee is paid a minimum of two hours, plus the time worked past the initial two hours (0500) at overtime rates.

Example 5: Two Call-backs in Different Two Hour Minimums

Call commences at 0300, call ends at 0415, second call is at 0505 ends at 0545 – Employee is paid a minimum of two hours at overtime rates for each call-back.

Applicable to Home Care: In the examples above, the call ends when the Employee returns to their home.



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