

## Frequently Asked Questions



Karim Kanji, radiation therapist

### GENERAL

How can I get involved in the union?

HSA is a democratic organization run by members just like you, so there's lots of ways to get involved. Start by following HSA on Facebook and Twitter, reading your collective agreement and attending union meetings to get to know your steward. Stewards are elected at chapter meetings to help members with common workplace concerns. They're allowed paid time off to do this, but if you aren't quite ready to serve as a steward, consider talking with the current steward about how to help organize local events, reach out to new members, and keep the bulletin board updated. Members are also encouraged to attend workshops on labour relations and occupational health and safety, run for positions on HSA's policy committees on education, political action, women's issues, health and safety and social action, attend the annual convention as a delegate, run in elections for regional representatives, and even run for president.

How do I find my steward?

Steward contact information is often listed on the union bulletin board at your worksite, but you can also search for your local steward on line at [hsabc.org/find-your-steward](https://hsabc.org/find-your-steward) or call HSA at 604-517-0994 toll-free 1-800-663-2017.

How can a steward help members like me?

Stewards play an essential role within HSA and the workplace by advocating for members, keeping members informed of union activities and providing democratic leadership. If you think you may not be getting paid the right amount, have a concern about safety, have a question about benefits, pension or time off, feel you need

to register a complaint about scheduling, workload or working conditions, or just want have a coffee and learn more about the union - your steward can help you.

How can I become a steward?

Stewards are elected at chapter meetings held annually. Once elected, stewards are provided with access to online resources and encouraged to attend a three-day steward training session held several times a year. Talk to the current steward to find out more, or contact HSA at 604-517-0994 toll-free 1-800-663-2017.

What's my member ID number?

Every HSA member has a unique ID number. You can use it register for workshops and training through [our events page](#). You can find your member ID printed on the mailing label of *The Report*, HSA's member magazine, or you can get it by contacting HSA at 604-517-0994 toll-free 1-800-663-2017.

Canada Revenue Agency wants a letter verifying the dues I've paid to HSA. What do I do?

Members sometimes get this request from Revenue Canada, but we have confirmed with the CRA that a letter will not be required from the union if the dues are supported by a T4 and a letter from the employer stating the union name that received the union dues. As HSA does not bill directly for your dues, we wouldn't be able to issue a letter without confirmation from your employer, so no matter what, the employer needs to provide the verification. If you have other questions contact HSA's accounting department at 604-517-0994 toll-free 1-800-663-2017.

## YOUR CONTRACT

I just got hired. How do I know I'm getting paid properly?

Every member should have a copy of their collective agreement handy. It includes detailed wage grids and other applicable benefits that you can check against your own payment information. For example, employees who have relevant education in excess of what is required for the job may be eligible for a qualification differential and new employees are eligible for previous experience recognition that would place you at a higher wage increment step. If something doesn't look right, talk to your steward.

Your employer is responsible for distributing printed copies of your collective agreement, [but you can also find a copy on the HSA web site](#) .

What is special leave and how can I use it?

HSA members are entitled to apply for special leave for a variety of reasons including when they need to deal with urgent family situations, and recently HSA negotiated improvements to your special leave provisions, removing many of the restrictions in place at the time. To get special leave, you must make application to your employer. The employer can - and does - deny these applications, and if this happens to you, let us know. HSA has a very strong record of helping members overturn these denials.

I'd like to take a leave so I can pursue training or education. How can I do that?

HSA members are entitled to take an extended leave of unpaid absence once for every three years of employment. You can use it to pursue education, leisure or pretty much anything else except working for another employer (with a few noted exceptions). To get it, you must apply to the employer in writing, and the employer must make a reasonable effort to grant your request.

What other sort of unpaid leave am I entitled to take?

HSA members have access to support in the form of maternal leave, parental leave, compassionate leave and education leave, and in addition, HSA has negotiated language that allows you to apply in writing, with reasonable notice, to take unpaid leave for other circumstances.

I'd like to apply for a similar job at another facility. Can I keep my seniority?

The contract for health science professional members of HSA features strong language supporting portability – the ability to move to another employer within the same collective agreement without losing seniority.

Members working in the community social services sector have a [different contract](#) with limited portability.

Talk to your steward to find out more about the specifics of your situation.

I don't qualify for portability. Does my previous experience count for something?

Under collective agreement for health science professionals, HSA members who don't qualify for portability still qualify for recognition of previous experience so they don't have to start all over again. Every year of services in the past seven years will count for one step on the wage grid.

What's the process for assigning additional hours or on call responsibilities?

The collective agreement for health science professionals allows you and your colleagues at the work unit level flexibility to figure out the assignment of additional hours (sometimes known as relief shifts) and on call responsibilities. If you are unsure what sort of agreement your work unit has arrived at, or if you are concerned that it's not working, talk to your steward.

I'm being subjected to a college complaint. What should I do?

HSA is here to help. Contact us at 604-517-0994 or toll-free 800-663-2017.

I've been off sick, and now my claim for long-term disability has been denied. What can I do?

HSA members who are dealing with long-term illness or disability are eligible for long-term disability which covers a significant portion of your salary and provides other benefits. HSA's LTD department supports members with LTD, WCB and return to work issues, and we have a very strong record of overturning LTD denials for our members. We succeed in over 90% of our cases. Get in touch with us if you need any assistance or have any questions. Contact us at 604-517-0994 or toll-free 800-663-2017.

I'm worried about my workload. What can I do?

Workload is a growing and serious issue in healthcare and community social services. HSA has used workload investigation issues to help stewards assess member workload issues and explore solutions, and recently circulated a Workload Survey inviting all members to provide detailed information about workload pressures across all professions and worksites. Talk to your steward, or fill out the on line Workload Survey at [workload.hsabc.org](http://workload.hsabc.org).

I've been called to a meeting about my attendance. What should I do?

Employers are understandably concerned about reducing absenteeism, but many "attendance wellness programs" are not always consistent with your collective agreement. Talk to your steward to find out what you need to know prior to attending the meeting.

Most HSA members dealing with health issues also have access to through the Enhanced Disability Management Program, an employee-centred, proactive and customized disability management program for employees with both occupational and non-occupational illnesses and injuries. Click here to find out more about EDMP.

## OCCUPATIONAL HEALTH AND SAFETY

I've been injured at work. What should I do?

- Report the injury immediately to your employer;
- Seek medical attention if directed by your employer, a first aid attendant or if you feel it is needed;
- If you are employed by any BC Health Authority, report the injury to the Workplace Health Call Centre: 1-866-922-9464

- Report your injury to the Workers' Compensation Board: call 1-888- WORKERS (1-888-967-5377) or send the WCB Application for Compensation and Report of Injury or Occupational Disease ([Form 6](#)).
- For help, contact the WCB at 1-888-621-7233 or visit [worksafebc.com](http://worksafebc.com)

WCB has dismissed my claim. What can I do?

WCB claims which are denied may be appealed within set time limits, so don't wait too long. HSA has a strong record of winning these appeals on behalf of members - in 2014 we won 78% of WCB appeals. Please call HSA to find out how a WCB Advocate can help you: 604-517-0994 or toll-free 800-663-2017.

I'm being bullied or harassed at work. What can I do?

If you've experienced or observed bullying or harassment in your workplace, you must report it to your employer and your employer must take action. If your employer fails to take reasonable steps to address the issue, you may submit a complaint to WorkSafeBC. WorkSafeBC's role is to ensure that your employer has adequate policies and procedures in place to address bullying and harassment, and that the employer conducts investigations into bullying and harassment complaints. WorkSafeBC's role is not to resolve or mediate any specific disputes or conflicts. Learn more about the complaint and inquiry process at [worksafebc.com](http://worksafebc.com). Submitting this complaint will not initiate a claim for compensation. If you believe you've suffered a mental injury as a result of bullying or harassment, report your injury and initiate a claim as described above. At any time, you may call HSA for assistance from a Labour Relations Officer: 604-517-0994 or toll-free 800-663-2017.

What should I do if I'm worried I'm being exposed to unsafe materials at work?

If you have potentially been exposed to harmful substances or agents while at work, you should document that exposure with the WorkSafeBC Exposure Registry. If you develop an occupational disease due to that exposure - now or in the future - you may be entitled to compensation as set out under Section 6 of the Workers' Compensation Act. Due to the latency and long period of exposure required for the onset of some occupational diseases, WorkSafeBC has developed an Exposure Registry Program as a way for you to register your exposure to a harmful substance at work. The types of exposure covered by the Registry include: asbestos, formaldehyde, head lice, hepatitis, HIV, isocyanates, lead, meningitis, mercury, mould, noise, scabies, shingles, silica, thallium, tuberculosis, wood dust and other hazards.

- [View the form or to register an exposure to a hazardous substance.](#)

The information obtained through the registry will be kept as a permanent record of a worker's exposure and will assist WorkSafeBC in the adjudication of any future claim for occupational disease caused by the workplace exposure. If your exposure has resulted in medical treatment or time loss from work, please complete an application for compensation: 1-888-WORKERS (1 888 967-5377) or #5377 for TELUS, Rogers and Bell.

What should I do if I think I'm being asked to do something unsafe at work?

According to Section 3.12 of BC's Occupational Health and Safety Regulations, you can refuse to do work if you have a reasonable cause to believe it would create an undue hazard to the health and safety of any person. If this happens, you are required to report this to your supervisor, and they must immediately investigate to ensure that any unsafe condition is remedied. If they don't believe the concern is valid, they need to inform you right away. If the matter isn't resolved this way, the supervisor must work with a member of your Joint Occupational Health and Safety Committee.

What is the Joint Occupational Health and Safety (JOHS) Committee?

Every BC workplace employing HSA members is required by law to have an occupational health and safety program in place. The purpose of such a program is to prevent workplace injuries and occupational diseases. The OHS program requires the establishment of a joint occupational health and safety committee. Committees and OHS programs are governed by the Workers' Compensation Act (WCA) and OHS Regulation.

How are representatives for the (JOHS) Committee selected?

The worker reps on a joint committee must be selected from workers at the workplace who do not exercise managerial functions at that workplace, as follows:

- a) if the workers are represented by one or more unions, the worker representatives are to be selected according to the procedures established or agreed on by the union or unions;
- b) if none of the workers are represented by a union, the worker representatives are to be elected by secret ballot;
- c) if some of the workers are represented by one or more unions and some are not represented by a union, the worker representatives are to be selected in accordance with paragraphs (a) and (b) in equitable proportion to their relative numbers and relative risks to health and safety;
- d) if the workers do not make their own selection after being given the opportunity under paragraphs (a) to (c), the employer must seek out and assign persons to act as worker representatives. ([WCA Part 3 S128](#))

What are the duties and functions of the JOHS Committee?

A joint committee has the following duties and functions in relation to its workplace:

- (a) to identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations;
- (b) to consider and expeditiously deal with complaints relating to the health and safety of workers;
- (c) to consult with workers and the employer on issues related to occupational health and safety and occupational environment;
- (d) to make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers;
- (e) to make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with this Part and the regulations and to monitor their effectiveness;
- (f) to advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness;
- (g) to advise the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers;
- (h) to ensure that accident investigations and regular inspections are carried out as required by this Part and the regulations;
- (i) to participate in inspections, investigations and inquiries as provided in this Part and the regulations;
- (j) to carry out any other duties and functions prescribed by regulation. ([WCA Part 3 S130](#))

How does the JOHS Committee work for HSA?

According to the Union's Constitution, "There will be a minimum of one Occupational Health and Safety Steward and one alternate Occupational Health and Safety Steward per Chapter. In those Chapters which have more than one site, there will be a minimum of one Occupational Health and Safety Steward where practical, per site." In larger sites where the JOHS committee requires more than one HSA rep (as specified in that JOHS committee's terms of reference), the HSA chapter is expected to fill those spots and ensure there are alternates available for each rep.

A significant portion of an OHS steward's role is to represent the HSA on the JOHS committee. The HSA constitution defines the broader role of the OHS steward like this:

- a) To represent members on the joint occupational health and safety committee in the chapter or worksite, as required.

- b) To be an advocate on behalf of members to the employer in health and safety matters.
- c) To keep members informed on workplace health and safety matters.
- d) To communicate significant health and safety problems to the chief steward and the union staff person.

Does the HSA constitution say anything else about JOHS committees or OHS stewards?

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Who pays for JOHS committee work?

JOHS committee work is considered as time worked for the employer and the employer must pay the committee member for that time. A member of a joint committee is entitled to time off from work for the time required to attend meetings of the committee, and other time that is reasonably necessary to prepare for meetings of the committee and to fulfill the other functions and duties of the committee. ([WCA Part 3 S134](#)).

Is there training for these committees?

There are two legal requirements to ensure committee members are properly trained:

### **1. For new committee members:**

The employer must ensure that each member of the joint committee, as soon as practicable but no more than 6 months after becoming a member, receives a total of at least 8 hours of instruction and training. The instruction and training must include the following topics:

- (a) the duties and functions of a joint committee under section 130 of the *Workers Compensation Act*;
- (b) the rules of procedure of the joint committee as established under or set out in section 131 of the *Workers Compensation Act*;
- (c) the requirements respecting investigations under sections 173 to 176 of the *Workers Compensation Act*;
- (d) the requirements respecting inspections under sections 3.5, 3.7 and 3.8 of this regulation and how to make regular inspections under section 3.5 of this regulation;
- (e) the requirements respecting refusal of unsafe work under section 3.12 of this regulation;
- (f) the requirements respecting the evaluation of joint committees under section 3.26 of this regulation. ([Section 327, OHS Regulation](#))

### **2. For all committee members:**

In addition to the above, each member of a joint committee is entitled to an annual educational leave totaling eight hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses. A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave. The employer must provide the educational leave under this section without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course. ([WCA Part 3 S135](#))

For information about OH&S education available through the union, check the HSA website for upcoming workshops

Are there other employer obligations to support the committee?

1. The employer must provide the joint committee with the equipment, premises and clerical personnel necessary for the carrying out of its duties and functions.

2. On request of the joint committee, the employer must provide the committee with information respecting:

- the identification of known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed,
- health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge,
- orders, penalties and prosecutions under this part or the regulations relating to health and safety at the workplace, and
- any other matter prescribed by regulation. ([WCA Part 3 S136](#))

For more information about HSA occupational health and safety programs and committees, contact HSA's OH&S officer, [Michael.Wisla@hsabc.org](mailto:Michael.Wisla@hsabc.org) or call 604-517-0994/toll-free 800-663-2017.

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