

June 6, 2008

Donna Trainor, R.N.  
Director  
SUN  
2330 2<sup>nd</sup> Avenue  
Regina, SK., S4R 1A6

Dear Donna,

In response to your latest two questions, I provide the following:

### **SUN Question #1**

Article 59.05: The 3<sup>rd</sup> paragraph, states that .... “An expedited alternative to a formal SUN Work Situation Report shall be implemented as follows”. **Please confirm that an employee would continue to have access to the NAC process when there is insufficient staffing to provide safe competent nursing care.**

### **SAHO Response**

The language in Article 59.05 does not restrict the ability of an employee to access the NAC process. However in the event the situation reported to the supervisor by the RN/RPN, as described in paragraph 1 of Article 59.05, is resolved at the time of the report, there would not be a need for the employee to provide a written statement under Article 59.05 or to access the NAC process.

### **SUN Question #2**

Article 59.05: first paragraph states, “If and when in the opinion of the Registered Nurse or Registered Psychiatric Nurse at the point of care, there is insufficient staffing to provide safe, competent nursing care, the RN or RPN has an obligation to immediately report the situation to a supervisor.” Paragraph 5 of 59.05 states, “Where a consensus cannot be reached between the Employee (s) and the Supervisor on a preferred course of action, or where resolution is not unavailable at the unit level, the employee may provide a written statement to the supervisor identifying which professional standard has not been met in her professional opinion. The

supervisor shall provide a written response to the employee within 24 hours of receiving the written statement regarding that determination and outlining care delivery options regarding the reported concerns.”

The requirement that the employee, before getting a written response from the supervisor to their first concern, namely that there is “insufficient staffing to provide safe, competent nursing care.” must first identify which professional standard has not been met does not permit the original concern identified by the employee in the first paragraph to proceed to this step, and has no practical effect since the employee has already identified their concern related to professional practice, namely that there is “insufficient staffing to provide safe, competent nursing care.”

As the article is written, the supervisor’s written response is not a response to the original concern about insufficient staffing identified by the nurse in Paragraph one, but is only a response to the written statement identifying which professional standard has not been met. **Please confirm that an employee is not required to identify “which professional standard has not been met” before the supervisor is obligated to respond in writing to the original concern of insufficient staffing to provide safe, competent nursing care expressed by the employee.**

## SAHO Response

Prior to answering this question it is important to first point out for the record that your quotes of the agreed to language within Article 59 of the SUN Final Offer to SAHO (May 28, 2008) and the SAHO Final Offer to SUN (May 30, 2008) is incorrect.

The correct wording is as follows: (omissions and errors added/deleted and highlighted)

**“Employers will endeavour to provide necessary staffing to ensure safe care. If and when in the **professional** opinion of the Registered Nurse or Registered Psychiatric Nurse at the point of care, there is insufficient staffing to provide safe, competent nursing care, the RN or RPN has an obligation to immediately report the situation to a supervisor.”**

“Where a consensus cannot be reached between the Employee(s) and the Supervisor on a preferred course of action, or where resolution is ~~not~~ unavailable at the unit level, the employee may provide a written statement **within 24 hours**, to the supervisor identifying which professional standard has not been met in her professional opinion. The supervisor shall provide a written response to the employee(s) within 24 hours of receiving the written statement regarding that determination and outlining care delivery ~~options~~ **directives** regarding the reported concerns.”

With regard to the first statement in the last paragraph of your second question; the agreed to language clearly states the Supervisor’s response would include care delivery directives regarding the reported concerns.

As to your final question, an employee is in fact required to identify “which professional standard has not been met”, before the supervisor is obligated to respond in writing to the original concern of insufficient staffing to provide safe, competent nursing care expressed by the employee.

Up to the point that the employee identifies their concern in writing, as related to their professional standards, the RN/RPN and the supervisor are to attempt to resolve the concern through a discussion and if consensus is reached, the agreed upon measures would be implemented without undue delay.

Respectfully,

Bernie Young  
Director, Bargaining & Interpretation  
SAHO

cc. Susan Antosh, President & CEO, SAHO  
Tor Veltheim, Vice President of Labour Relations, SAHO  
Garth Robson, Senior Labour Relations Consultant , SAHO