

# Explaining the transition **FROM AHS TO PRIMARY CARE ALBERTA**

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**THIS DOCUMENT HAS BEEN PROVIDED FOR THE INFORMATION OF UNA.**

Individual factors and arbitration decisions may affect the interpretation and application of the Collective Agreement. If you have any questions or concerns, please contact your Local Executive or Labour Relations Officer (LRO).

The Government of Alberta continues to implement its plans to transition away from one province-wide regional health authority.

With the passage into law of Bill 22, the Health Statutes Amendment Act on May 29, 2024, the provincial government plans to restructure the public health care system administered by Alberta Health Services (AHS) into four sector-based provincial health agencies: primary care, acute care, continuing care and mental health and addiction.

The sector-based provincial health agency covering primary care is Primary Care Alberta (PCA), which became a legal entity on November 18, 2024. Recovery Alberta, covering mental health and addictions, was created earlier this year, and the other two agencies are expected to be created in 2025.

Despite previously informing UNA that the primary care, acute care, continuing care agencies would be responsible for governance and policy but not be Employers, that appears to have changed in the case of Primary Care Alberta, which will now be an Employer.

The creation of these sector-based health agencies and the transfer of staff is not something that UNA can stop, but UNA has reached a Letter of Understanding (LOU) with AHS on exactly how these transfers will happen. We have written the Letter broadly enough that it will cover other transfers, just in case the government changes its mind.

The Letter of Understanding acknowledges that the positions will transfer. However, contrary to what the government and AHS was saying, affected Employees represented but UNA are not obligated to transfer with the positions.

Directly affected Employees have an option to stay in their positions and transfer to PCA, or to receive notice of position elimination, and exercise their rights under Article 15 of the Provincial Collective Agreement (Layoff and Recall). Directly affected employees will be notified of the position transfers. Directly affected Employees who wish to decline the transfer must do so in writing by email. At that time, they may request notice of position elimination. If they do not respond, they will be transferred to PCA.

If a directly affected Employee is away on Leave, WCB, STD or LTD, they will exercise their rights when they return from their leave.

Employees who are displaced or “bumped” by directly affected Employees have, in addition to their rights under Article 15, the right to take a vacancy at the new Employer.

Each transferring Employee will transfer seniority, hours worked towards their next increment, unused personal leave days and all credits accrued up to the date of the payroll transfer in the following banks: vacation, overtime, named holidays inclusive of the floater holiday (if applicable), and sick leave. All pre-approved vacation time, personal leave, professional development, time off in lieu of overtime, time off in lieu of a named holiday, and Shift exchanges will be honoured by the new Employer.

Once the new Employer is created, for the first several months the change will be invisible to Employees for the purpose of the Collective Agreement. The provincial health agency shall be treated as a single Employer and the Direct nursing and nursing Instruction bargaining units shall be treated as a single bargaining unit for purposes of applying and administering the Collective Agreement until the payroll transfer date. Thereafter, AHS and the sector-based health agency shall be treated as separate Employers. UNA does not yet know when this payroll transfer date will take place.

The details of the transition of Employees from AHS to PCA are found in Letter of Understanding Re:. UNA will do its best to answer questions and address the concerns of members affected by these changes. UNA encourages members to read the LOU and the Frequently Asked Questions list below.

# FAQ

## ABOUT TRANSITION TO PRIMARY CARE ALBERTA

### GENERAL

**Q:** Can this transition be stopped?

**A:** No. This was not a decision made by AHS. The Government of Alberta has decided this is happening, regardless of the negative effects it may have on staff and patients.

**Q:** Will this LOU be in place for all future transfers of Employees from AHS that are part of the GOA Health care refocusing?

**A:** Yes. It has been written broadly so that if other agencies employ front line Employees, it applies.

**Q:** When will the transfer order be expected for Primary Care Alberta?

**A:** UNA does not yet know when this payroll transfer date will take place.

**Q:** How will I be notified that my current position is moving to Primary Care Alberta?

**A:** Directly affected Employees will receive an email from the Employer. Local Presidents will also have a list of the positions that will be transferred.

**Q:** Who is considered a Regular Employee?

**A:** The Collective Agreement describe three different categories of Employees: Regular (full time or part time), Casual, and Temporary (those hired for a specific time frame). Regular Employees in temporary positions continue to be Regular Employees.

**Q:** Will severance or early retirement options be offered with the position transfer order?

**A:** No. Bill 22 specified that, regardless of any Collective Agreement, severance will not be available as a result of these changes.

**Q:** What will the length of time be between the transfer order and the deadline to respond if I am a directly affected Employee?

**A:** The Union and AHS need to determine this time frame.

**Q:** What does displacement mean?

**A:** Article 15 of the Collective Agreement indicates that an Employee whose position is eliminated or who is displaced in accordance with this Article shall, provided the Employee has not less than 24 months of seniority:

- (i) have the right to displace an Employee with less seniority in a position for which the Employee has the ability to perform the work;
- (ii) at the Employee's option, take a position which is vacant and for which the Employee has the ability to perform the work; or
- (iii) at the Employee's option, accept layoff with the right of recall.

Displacing another Employee is often referred to as "bumping."

**Q:** Where can I find information about Article 15?

**A:** UNA has created a Questions and Answer document that can be found at [www.una.ca](http://www.una.ca).

**Q:** Does the new Letter of Understanding provide any rights on a addition to Article 15?

**A:** Yes. Directly affected employees have the right to transfer to PCA or to exercise their Article 15 rights. Indirectly affected employees (those displaced by directly affected) also have the right to select a vacancy at PCA.

**Q:** What are the best resources for Employees to access if they have more questions?

**A:** Contact the Labour Relations Officer assigned to your UNA Local at 1-800-252-9394 or nurses@una.ca.

**Q:** The Letter of Understanding discusses that Employees can be casual at one or both of the Employers, what is the process to notify the Employer(s)?

**A:** Nurses will have to establish a Casual employment record with the other Employer through one of the units/programs/offices. Staff should speak to the Manager directly. The additional Casual Record will not be activated until the payroll transfer date. A request to create an additional Casual Record shall not be unreasonably denied.

## EMPLOYEES ON LEAVE

**Q:** Does this Letter of Understanding apply to all Letters of Agreement under Article 22 of the Provincial Collective Agreement?

**A:** The LOU does apply to Employees on leave. But Employees is away on Leave, WCB, STD or LTD will be notified and will exercise their rights when they return from their leave.

**Q:** Which Employer do I notify of my readiness to return to work?

**A:** You should notify Alberta Health Services.

## TEMPORARY POSITION

**Q:** If I am in a temporary position that is being transferred to the new provincial health agency, what is the process if the new Employer wants to extend my temporary position?

**A:** Any extension would need to be agreed to by the Union. If this occurs, you should speak to your Local President.

## POST PAYROLL TRANSITION

**Q:** When is the expected date of the payroll transition?

**A:** UNA does not yet know when this payroll transfer date will take place.

**Q:** Will the payroll transition affect the way I file my taxes?

**A:** It should not have any effect on the filing of taxes. For the 2025 tax year Employee's will get two T4's. We are still trying to establish if Employees will restart the CPP and IE contributions. If so, any over contributions will be refunded to you in the next taxation year.

**Q:** Will there be a change to scheduled paydays and payroll cut-offs with the payroll transition?

**A:** At this time, the employers have no plans for change.

**Q:** How will working a regular position with one Employer and casual in another impact my pension and entitlements?

**A:** Post payroll transfer, hours worked with the other Employer as a Casual will not be pensionable. Hours worked as a casual will not accrue vacation, sick, or count as hours toward Professional Fee Reimbursement.

**Q:** I have moved to PCA. Can I still apply for a position at AHS?

**A:** Yes. But AHS must hire from within their bargaining unit first. If a vacancy still remains, they must hire from PCA before hiring externally.