

# CONTRACT INTERPRETATION MANUAL

## Article 28 SHIFT PREMIUM, WEEKEND PREMIUM & SUPER SHIFT PREMIUM

### Interpretation Guidelines

#### Article 28.01 – Application

Remember shift premiums are applied differently for employees working extended work days. For extended work days, employees receive the evening shift premium for all hours worked between 1530 and 2330 and the night shift premium for all hours worked between 2330-0730.

For shifts of 8 hours or less, the relevant shift premium is determined by whether ½ or more of the hours fall within the evening shift or night shift as defined by Article 1.02.

Community based employees working flexible work schedules are usually not eligible for payment of shift and weekend premiums. If in doubt about eligibility, check with your Steward.

Employees usually do not receive shift or weekend premiums when on a leave of absence, except if they are on WSBC Leave. In Surrey Memorial Hospital and BCNU, April 1, 1996 (Munroe), it was determined that employees on WSBC leave were entitled to shift and weekend premiums, where it is clear the employee normally earns such premiums as part of their regularly scheduled work cycle (Article 42.07 and Appendix W).

Employees who work OT during an evening or night shift will receive the appropriate shift premium. Shift premiums will no longer be paid where the OT hours are worked during a day shift in conjunction with an evening or night shift.

Employees working OT during the hours that fall within the definition of a weekend receive the weekend premium.

Employees working OT during the night shift hours that fall within the definition of a super shift premium are entitled to receive the super shift premium in addition to the weekend premium.

#### Arbitration Awards

1. Cassiar Resources Ltd. and BCNU, March 8, 1983 (Larson). If an employee works evening and night shifts between the hours defined as a weekend in Article 28.03, then they get paid both the applicable shift premium and the weekend premium.
2. Surrey Memorial Hospital and BCNU, April 1, 1996 (Munroe). It was determined that employees on WSBC leave were entitled to shift and weekend premiums, where it is clear the employee normally earns such premiums as part of their regularly scheduled work cycle.

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## 28.05 Short Notice premium

### HEABC-NBA Provincial Collective Agreement – Joint Interpretation

Contract Language:

Employees who are offered and accept a straight-time shift within twenty-four (24) hours of the start of the shift shall be paid a shift premium of \$2.00 per hour for each hour worked.

Joint Interpretation:

Any part-time or casual employee who is offered and accepts a straight-time shift within twenty-four (24) hours of the start of that shift, regardless of when the vacancy occurred, will be paid \$2.00 per hour for each hour worked. Shifts previously offered outside of the twenty-four (24) hour period, but not accepted until within twenty-four (24) hours of the start of the shift, are not eligible for the premium. The intent is to ensure that Employers are actively working to fill vacancies as they arise.

Examples:

1. A nurse phones in sick for her night shift (7 pm that evening) at 5 am. The staffing office opens at 5:30 am, retrieves the call and begins the call-out process. If a nurse accepts the straight-time shift, the premium would be applicable.
2. The Employer is notified of a vacancy 36 hours before the start of the shift but is unable to begin the call- out process until within 24 hours of the start of the shift. If a nurse accepts the straight-time shift, the premium would be applicable.
3. Staffing office is made aware of a shift needed to be replaced three weeks in advance. Attempts to pre- book the shift were not successful so moved to the short call process. Staffing office is able to find a nurse to fill the shift 18 hours before the start of the shift. The nurse accepting the shift had been offered the shift during the original call out (i.e. greater than 24 hours before the shift start) and therefore is not eligible for the premium.
4. Staffing office is made aware of a shift needing to be replaced three weeks in advance. The staffing office does not attempt to pre-book the shift and it moves to the short call process. The first attempt of fill this shift is less than 24 hours from the start of the shift and a nurse accepts the straight-time shift. The premium is applicable as the employer did not offer the shift to any staff prior to 24 hours before the start of the shift.

## Footnotes

Article	28
Sub-Article	28.01, 28.02, 28.03, 28.04, 28.05
Last Update	31-03-21
Related Articles	1, 25, 27, 42, Memorandum Extended Work Day]