

Frequently Asked Questions: Transition Of Employees Pursuant to the *Health Statutes Amendment Act*, 2024

Alberta Health Services (AHS) and the Health Sciences Association of Alberta (HSAA) have reached agreement on the terms and processes that will be used to transition HSAA members from AHS to Assisted Living Alberta.

[This Agreement](#) protects the rights of Employees and provides for continuity of service delivery for our patients and clients as services transition to Assisted Living Alberta. This agreement will also apply when other provincial health agencies are created as a result of the 2024, *Health Statutes Amendment Act*.

An Employee who is notified that one or more of their positions will transfer to Assisted Living Alberta will have the option to accept the transfer and move to Assisted Living Alberta or have a one-time opportunity to indicate their preference to remain with AHS and review available vacancies within their same classification, subject to eligibility criteria outlined in the Agreement. For those who transition to Assisted Living Alberta, your day-to-day work will likely remain the same, with you noticing very minimal change. You will still use the same systems and processes to do your job, including Connect Care and e-People. Your work setting will not change because of this transition.

Most importantly, this transfer will not impact your Terms and Conditions of Employment including, but not limited to pay, benefits, pension, standard hours, and vacation entitlement. Existing Employee banks will also remain in place post-transfer and you will continue to be represented by HSAA.

Key Dates and Definitions:

- **Date ‘Transfer Order’ Issued** - date on which the Health Minister issues Ministerial Order that identifies which positions will transition from AHS to Assisted Living Alberta.
- **Notice Date** - date Employees were notified their position(s) will move to Assisted Living Alberta effective the Staff Transfer Date (see below).
- **Staff Transfer Date** - date on which Employees become Employees of Assisted Living Alberta.
- **Deadline to declare intent for one-time consideration for vacant position-** within five days of receipt of the provincial list of all available positions.
- **Payroll Transfer Date** – effective date for implementation of the Assisted Living Alberta payroll system. (sometime in 2025)

Q1. How will I know if my position is transitioning to Assisted Living Alberta?

- A. All Directly affected AHS Employees who hold positions that are transferring to Assisted Living Alberta will be sent an email to their AHS email account.

This notice will be sent to your AHS email within 10 business days after the date the Transfer Order was issued.

Q2. Do I have to transfer from AHS to Assisted Living Alberta?

- A. Any directly affected AHS Employee in the HSAA bargaining unit who was notified that they have a position that was identified to transfer to Assisted Living Alberta will have the option to accept the transfer or have a one-time opportunity to indicate their preference to remain with AHS and review available vacancies within their classification.

If you intend to declare your intent for consideration of vacant AHS positions within your classification, you must do so within five days of receiving the provincial list of available positions.

If you do not declare your preference to remain at AHS, the transfer will proceed as per the Notice of Transfer and you will move to Assisted Living Alberta.

Q3. Will my work hours, pay and other key components of my job be impacted if I transfer?

- A. No. The AHS position you hold as of the day before the Staff Transfer Date will be your position at Assisted Living Alberta.

The key components of your job will not be changed because of the transfer to Assisted Living Alberta.

Within 90 days of the Staff Transfer Date, you will receive a confirmation letter listing the key components of your job at Assisted Living Alberta, including:

- a. Annual hours of work;
- b. FTE;
- c. Status of position (Regular, Temporary or Casual);
- d. Classification(s);
- e. Department description in e-People;
- f. Expected term, if position is Temporary;
- g. Salary;
- h. Current site(s);
- i. Seniority Date;
- j. Hire date;
- k. Increment level, and
- l. Vacation entitlement

Q4. What if I believe some information in the confirmation letter is erroneous?

- A. You will have 30 days to advise the Employer, in writing, detailing the information you believe to be incorrect. If the Parties agree to correct the error(s), the information and letter will be corrected accordingly. Failing such agreement, Article 46: Grievance Procedure shall apply.

Q5. What happens to my health and dental insurances and pension if I transfer?

- A. Assisted Living Alberta has confirmed that the necessary steps have been taken to join the Health Benefits Trust of Alberta and the Local Authorities Pension Plan.
The benefits and pension entitlements you have the day before the Staff Transfer Date will remain intact and will not be impacted.
These key components of your job can only be changed as part of the normal collective bargaining process.

Q6. What happens to my entitlements [hours worked towards next increment, unused personal leave days, all banks (vacation, overtime, named holidays, including floaters, and sick leave)] if I transfer?

- A. All entitlements you have the day before the Staff Transfer Date will remain intact and will not be impacted.

Q7. What if I am currently on a leave of absence, sick leave, or accessing income replacement from STD, LTD or WCB when the Transfer Order is issued?

- A. You will not receive your email notice of transfer until after you advise AHS that you are ready to return to work.

Q8. What happens if I work in a temporary position?

- A. This will depend on whether:
- a. You have a regular position but are in a temporary position, and both are scheduled to transfer to Assisted Living Alberta.

You can declare your intent for consideration of vacant AHS positions within your classification or you will be reinstated back into your regular position or placed in a similar position at Assisted Living Alberta after your temporary position ends.
 - b. You have a regular position but are currently in a temporary position and only your temporary position is scheduled to transfer to Assisted Living Alberta.

You will continue to work in your temporary position until either Assisted Living Alberta determines you are no longer required in the temporary position or the term of the

temporary position is reached. When you are no longer required in the temporary position at Assisted Living Alberta, you will be reinstated or placed in an AHS position in accordance with Article 29.04.

- c. Your regular position is transferring but you are in a temporary position that will remain at AHS.

You will continue to work in your temporary position until either AHS determines you are no longer required in the temporary position or the term of the temporary position is reached. When you are no longer required in the temporary position at AHS, you will be reinstated or placed in an Assisted Living Alberta position in accordance with Article 29.04.

Q9. If I am in a Temporary position, can I apply on additional temporary positions at Assisted Living Alberta?

- A. Yes, however if you accept in these circumstances, you will not be entitled to rely on Article 29.04 to return to your former position at AHS at the end of that temporary position.

Q10. What if I am a true Temporary Employee?

- A. If you are a Temporary Employee with no Regular status at AHS, and the temporary position transfers to Assisted Living Alberta you will continue in the temporary position until Assisted Living Alberta determines you are no longer required in the temporary position or the term of the temporary position is reached.

Q11. What if I am a Casual Employee in a Temporary role?

- A. If you have a casual status, at the conclusion of the temporary position, you resume the normal terms and conditions of employment as a Casual Employee within the provincial health agency and/or AHS, as applicable.

Q12. What happens if I am a Casual Employee?

- A. You will only receive a notice by email if your primary casual record is associated with a site, program or service transferring to Assisted Living Alberta.

If you are a Casual Employee in a work area that stays at AHS **and** in another work area that becomes Assisted Living Alberta, you can continue to pick up casual shifts at both AHS and Assisted Living Alberta using existing processes until the Payroll Transfer Date.

After the Payroll Transfer Date, if you want to maintain your casual status with both Employers, you will be required to establish a casual employment record with the secondary Employer at the sites/programs/offices where you work additional shifts. Your request must be considered and cannot be unreasonably denied.

Q13. What happens if I am currently serving a probation or trial period?

- A. If you're serving a probationary or trial period at AHS in a position that transfers to Assisted Living Alberta, you will be required to complete your probationary or trial period, but you will not be required to start a new probationary or trial period.

If you are serving a trial period for a position that is transferring to Assisted Living Alberta, and the Employer determines you've been unsuccessful during the trial period or you request to return to your former position, you will be reinstated or placed within AHS in circumstances where your former position was not affected by the Transfer Order or within Assisted Living Alberta in circumstances where your former position was affected by the Transfer Order.

Q14. What happens if I work Part-Time with AHS and pick up additional shifts in a work area that will transfer to Assisted Living Alberta?

- A. Until the Payroll Transfer Date, you can continue to pick up additional shifts at Assisted Living Alberta using the shift redistribution process.

If you want to continue to work additional shifts in a Assisted Living Alberta work area after the Payroll Transfer Date, while you remain a Part-time or Casual Employee at AHS, you must request that a casual record with Assisted Living Alberta be created before the Payroll Transfer Date.

Contact the manager of the Assisted Living Alberta work area to make your request for a new casual record to be effective Payroll Transfer Date. Requests cannot be unreasonably denied, and you will not be required to serve a new probationary period.

Q15. What happens if I have a pre-approved leave of absence but I have accepted the transfer to Assisted Living Alberta?

- A. Assisted Living Alberta will honor a transferring Employee's pre-approved:
 - a. vacation time;
 - b. personal leave;
 - c. leaves of absence
 - d. professional development;
 - e. time off in lieu of overtime;
 - f. time off in lieu of a named holiday;
 - g. shift exchanges; and
 - h. deferred salary leave.

Q16. I am currently applying for a new position at AHS or considering transferring within AHS. How do I know which vacant positions are remaining at AHS or transferring to?

- A. AHS and Assisted Living Alberta are working together to modify current and future vacancy postings in the Recruitment Management System (RMS) to identify who the Employer will be after the Staff Transfer Date.

If the vacancy you for which you apply is identified to transfer to Assisted Living Alberta and you are the successful candidate, it will be made clear to you at the time of offer that this is now a Assisted Living Alberta position.

Q17. What will happen after the Payroll Transfer Date when the Assisted Living Alberta payroll system is implemented?

- A. Where an HSAA Employee maintains employment with AHS and Assisted Living Alberta, for purposes of administering payroll, you will be working for two separate Employers and your hours will be coded separately with the applicable Employer.

Reassignment: Employees may be reassigned to the other employer in cases of emergencies and for the purposes of maintaining skills, education, orientation, and meetings.

Workplace Health and Safety (WHS) Meetings: While recognizing the final decisions rest with the employer(s), issues related to co-mingling of Assisted Living Alberta and AHS Employees, policies, equipment, patients, residents, and clients, will be a standing item at the WHS meetings.

Orientation: New Employees may be assigned to attend orientation at another Employer where the Employees are not represented by their bargaining unit to support centralized or standardized delivery, or space issues. This does not replace the site or program-specific orientation.

Q18. How do I choose from available vacancies?

- A. AHS will provide Directly affected Employees and HSAA with a provincial list of all available positions within 10 days of signing the Transition Agreement.

Directly affected Employees must declare their intent and all vacancy preferences in an electronic format to AHS within five days of receiving the list. You may identify up to four positions from the available vacancies.

A declaration of intent does not guarantee placement in a vacancy as the Employer retains the right to determine if the Employee is capable and qualified.

Where more than one Directly affected Employee declares an intention for the same position, and all are capable and qualified, the position will be awarded in order of seniority. The Employer will notify all Employees as soon as reasonably possible.

Where an Employee has been matched with a vacancy based on the above process, the transfer into said vacancy will occur as soon as reasonable possible, considering staffing and operational needs and patient care.