

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

Alberta Health Services (AHS) and the Alberta Union of Provincial Employees (AUPE) have reached agreement on the terms and processes that will be used to transition AUPE members from AHS to Recovery Alberta, for the Auxiliary Nursing Care (ANC) bargaining unit.

This [Transition Agreement](#) protects the rights of Employees and provides for continuity of service delivery for our patients and clients as AHS Addiction & Mental Health and Correctional Health Services transition to Recovery 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 Recovery Alberta will have the option to accept the transfer and move to Recovery 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 Recovery 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 AUPE.

Key Dates and Definitions:

- **Date 'Transfer Order' Issued** - date on which the Health Minister issued Ministerial Order that identifies which positions will transition from AHS to Recovery Alberta, which was July 18, 2024.
- **Notice Date** - date Employees were notified their position(s) will move to Recovery Alberta effective the Staff Transfer Date (see below).
- **Staff Transfer Date** – date on which Employees become Employees of Recovery Alberta, which was September 1, 2024.
- **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 Recovery Alberta payroll system. (Date TBD - Once confirmed, this date will be updated in the FAQ.)

FREQUENTLY ASKED QUESTIONS**Q1. How will I know if my position is transitioning to Recovery Alberta?**

- A. All affected AHS Employees who hold positions that are transferring to Recovery Alberta were sent an email to their AHS email account.

This notice was 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 Recovery Alberta?

- A. Any affected AHS Employee in the AUPE ANC bargaining unit who was notified that they have a position that was identified to transfer to Recovery Alberta and who is not serving a probationary or trial period as of the Staff Transfer Date (September 1, 2024), 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 current 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 and vacancy preference(s), the transfer will proceed as per the Notice of Transfer and you will move to Recovery Alberta.

If you are serving a probationary or trial period at the Staff Transfer Date (September 1, 2024) you will transfer as per the Notice of Transfer and you will move to Recovery Alberta.

Q3. How do I indicate my preference to remain with AHS and choose from available vacancies?

- A. Within ten (10) business days of the signing this Transition Agreement, AHS will email all affected Employees. The email will include specific instructions as well as a provincial list of all available vacant AHS positions within the bargaining unit.

Affected Employees who indicate their preference to remain with AHS must identify their vacancy preferences within five (5) business days of receiving the email and list of vacancies. You may identify up to five positions within your current classification from the available vacancies.

A declaration of intent to remain with AHS 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 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 will occur as soon as reasonably possible, considering staffing and operational

needs and patient care.

If you are serving a probationary or trial period at the Staff Transfer Date (September 1, 2024) you will transfer as per the Notice of Transfer and you will move to Recovery Alberta and will not have the one-time opportunity to indicate a preference to remain with AHS.

Q4. Will my work hours, pay and other key components of my job be impacted if I transfer?

- A. No. The AHS position you held on August 31, 2024, will be your position at Recovery Alberta as of the Staff Transfer Date (September 1, 2024).

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

Within 90 days of the Staff Transfer Date (September 1, 2024), you will receive a confirmation letter listing the key components of your job at Recovery Alberta, including:

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

Q5. What if I believe some information in the confirmation letter is incorrect?

- 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 37: Grievance Procedure shall apply.

Q6. What happens to my health and dental insurances and pension if I transfer?

- A. Recovery 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 held on August 31, 2024, will remain intact and will not be impacted as of the Staff Transfer Date (September 1, 2024).

These key components of your job can only be changed as part of the normal collective bargaining process.

Q7. 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. This will depend on whether:

- a) You have a single position that is transferring to Recovery Alberta.

All entitlements you held on August 31, 2024, will remain intact and will not be impacted as of the Staff Transfer Date (September 1, 2024).

- b) You have multiple positions that are all transferring to Recovery Alberta.

All entitlements you held on August 31, 2024, will remain intact and will not be impacted as of the Staff Transfer Date (September 1, 2024).

- c) You have multiple positions, where at least one of those positions is transferring to Recovery Alberta, and at least one position is not.

All entitlements you held on August 31, 2024, will remain intact and will not be impacted until the Payroll Transfer Date. Upon the Payroll Transfer Date, your entitlements will be prorated based upon the assigned FTE of each position.

Q8. 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.

Q9. 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 Recovery 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 Recovery Alberta after your temporary position ends.

- b) You have a regular position with AHS but are currently in a temporary position and only your temporary position is scheduled to transfer to Recovery Alberta.

You will continue to work in your temporary position until either Recovery 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 Recovery Alberta, you will be reinstated or placed in an AHS position in accordance with Article 11.06: Appointments, Transfers and Vacancies.

- c) Your regular position is transferring to Recovery Alberta 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 a Recovery Alberta position in accordance with Article 11.06: Appointments, Transfers and Vacancies.

Q10. If I am in a Temporary position in Recovery Alberta and hold a Regular status with AHS, can I apply on additional temporary positions at Recovery Alberta?

- A. Yes, however if you accept the additional temporary position at Recovery Alberta, you will not be entitled to rely on Article 11.06: Appointments, Transfers and Vacancies to return to your former position at AHS at the end of that temporary position.

Q11. If I hold a Regular position with AHS, and I apply on a temporary position with Recovery Alberta, can I rely on the provisions of Article 11.06 and return to my Regular position with AHS at the end of the temporary position?

- A. It is important to consider the anticipated end date of the temporary position. If an AHS Regular employee is applying on a temporary position with Recovery Alberta, and that temporary position is expected to end:
- **BEFORE** the Payroll Transfer Date, the Employee can reasonably expect their position will be held (or placed in a suitable regular position); however, it is recommended that the Employee have a discussion with their leader and request a leave of absence from their Regular position, as the Payroll Transfer date is still not known.
 - **AFTER** the Payroll Transfer Date, the Employee may still apply on the temporary position with Recovery Alberta; however, if the Employee wants to return to their AHS Regular position (or placed in a suitable regular position), they **must** request a leave of absence from their regular AHS position and approval of such would be at the discretion of their manager.

Q12. What if I am a Temporary Employee with no Regular status at AHS?

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

Q13. What if I am a Casual Employee in a Temporary position?

- 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 with Recovery Alberta and/or AHS, as applicable.

Q14. What happens if I am a Casual Employee?

A. This will depend on whether:

- a) You are a Casual Employee who only works in an area that is transitioning to Recovery Alberta.

You will transfer as per the Notice of Transfer and you will move to Recovery Alberta.

- b) You are a Casual Employee who works in an area that is staying at AHS **and** in another work area that becomes Recovery Alberta.

In order to continue to work in both areas, you must inform your respective managers for both areas prior to the Payroll Transfer Date, that you intend to maintain casual employment in both areas. Your managers will ensure that a new Casual employment record is created so that you can continue working with both Employers after the Payroll Transfer Date.

Note: You can continue to pick up casual shifts at both AHS and Recovery Alberta using existing processes until the Payroll Transfer Date.

Q15. What happens if I am currently serving a probationary or trial period?

- A. If you're serving a probationary or trial period at AHS in a position that transfers to Recovery 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 Recovery 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 Recovery Alberta in circumstances where your former position was affected by the Transfer Order.

If you are serving a probationary or trial period at the Staff Transfer Date (September 1, 2024) you will transfer as per the Notice of Transfer and you will move to Recovery Alberta and will not have the one-time opportunity to indicate a preference to remain with AHS.

Q16. What happens if I work Part-Time with AHS and pick up additional shifts in a work area that will transfer to Recovery Alberta?

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

If you want to continue to work additional shifts in a Recovery 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 Recovery Alberta be created before the Payroll Transfer Date.

Contact the manager of the Recovery Alberta work area to make your request for a new casual record to be effective Payroll Transfer Date. You will not be required to serve a new probationary period.

Q17. What happens if I have a pre-approved leave of absence or shift exchange, but I have accepted the transfer to Recovery Alberta?

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

Q18. 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 Recovery Alberta?

- A. AHS and Recovery 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 (September 1, 2024).

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

Q19. What will happen after the Payroll Transfer Date when the Recovery Alberta payroll system is implemented?

- A. Where an Employee in the bargaining unit maintains employment with AHS and Recovery 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.

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

Q20. What will happen if I am the successful applicant on a posting with Recovery Alberta, or vice versa, after the Payroll Transfer Date?

- A. Until the expiry of the LOU, provided there is no break in employment when terminating from AHS and transferring to Recovery Alberta (or vice versa), and provided you do not maintain concurrent employment with both AHS and Recovery Alberta, the following entitlements will transfer:
- a) Seniority date;
 - b) Accrued sick leave credits (up to the maximum permitted by the applicable collective agreement); and
 - c) Vacation accrual entitlement.