

Provincial Health Care Employee Transfer/Portability/Mobility Guidelines

This document is intended to be used as a guide to support the administration of the transfer/mobility/portability of benefits for employees within the Province moving between Employers in an Employers Organization. This guideline provides an interpretation of the language found in the Collective Agreement and/or Out-of-Scope Policy.

These guidelines are based on what is current at the time of distribution and should not supersede any language in the relevant Collective Agreement(s). It is important to refer to the language in the current Collective Agreement.

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1. DEFINITIONS:

Employers Organization (EO):

A collective total of Employers in a Health Region.

Shared Health EO	Prairie Mountain Health Region EO
Winnipeg-Churchill Health Region EO	Southern Health Region EO
Northern Health Region EO	Interlake-Eastern Health Region EO

Employer

The legal entity within the EO that the employee is employed with.

Sectors

Grouping of classifications within an Employer's operations:

- Nurses
- Physicians
- Medical Residents
- Professional/Technical/Paramedical
- Facility Support
- Community Support
- Physician and Clinical Assistants
- Non-Union/Management

Unions

The Bargaining Agent that represent a sector(s).

- Manitoba Nurses Union (MNU)
- Physician and Clinical Assistants of Manitoba Inc. (PCAM)
- Professional Association of Residents and Interns of Manitoba (PARIM)
- Manitoba Government and General Employees' Union Professional Technical Paramedical (MGEU PTP)
- Manitoba Association of Health Care Professionals Professional Technical Paramedical (MAHCP PTP)
- Canadian Union of Public Employees Facility Support (CUPE FS)
- Manitoba Government and General Employees' Union Facility Support (MGEU FS)
- Canadian Union of Public Employees Community Support (CUPE CS)
- Manitoba Government and General Employees' Union Community Support (MGEU CS)
- Doctors Manitoba (Doc MB – NRHA, SHSS, PMH)

Sectors and Designated Bargaining Agents

NURSING		FACILITY SUPPORT		COMMUNITY SUPPORT		PHYSICIAN & CLINICAL ASSISTANTS		PROFESSIONAL / TECHNICAL / PARAMEDICAL		MEDICAL RESIDENTS AND INTERNS	
SHEO	MNU	SHEO	CUPE	SHEO	CUPE	SHEO	PCAM	SHEO	MAHCP	SHEO	PARIM
WCHREO		WCHREO		WCHREO		WCHREO		WCHREO			
NHREO		NHREO		NHREO		NHREO		NHREO			
SHREO		SHREO		SHREO		SHREO		SHREO			
PMHREO		PMHREO	PMHREO	PMHREO	PMHREO	MGEU					
IEHREO		IEHREO	IEHREO	IEHREO	IEHREO						

Please refer to site lists in the applicable Collective Agreement when utilizing this manual.

Employee Voluntary Transfer

Where an employee has resigned from their E.F.T. (permanent or term) status position from the sending Employer and has accepted an E.F.T (permanent or term) position at a receiving Employer.

Important Note: An employee is required to either resign at the sending Employer PRIOR to the start date at the receiving Employer in order for a service transfer agreement to apply. Employee transfers must occur within 6 weeks of the last day worked at the sending Employer. Any service transfers occurring after 6 weeks will not be recognized.

Program Transfer

Where it is determined that a program/department/site is transferred/closed/consolidated/merged to another program/department/site/Employer, specific conditions negotiated at the time of movement needs to be complied in accordance with the applicable Collective Agreement provisions. Please refer to the applicable Collective Agreement(s) in regard to details surrounding program transfers.

Same Sector Movement

Transfer from one Employer to another Employer within the same sector.

*Examples: Nurse: MNU at Deer Lodge to MNU at Grace Hospital
HCA: MGEU CS at Brandon Health Centre to MGEU CS at Swan Valley Health Centre
Dietician: MGEU PTP at Dauphin Regional Health Centre to MAHCP PTP at Health Sciences Centre*

Cross Sector Movement

Transfer from one Employer in one sector to another Employer with a different sector.

*Examples: Facility Support sector to Nursing sector
Professional/Technical/Paramedical sector to Nursing sector
Nursing sector to Physician and Clinical Assistants sector
Unionized sector to Non-Union/Management*

2. Criteria

The provisions of this Guide only apply where an employee terminates from one Employer (sending) and commences employment with another Employer (receiving). It does not apply to "merge" employment/benefits etc. from two or more Employers to one of those Employers.

1. Break in Service: There must be a break in service between the end date at the sending Employer and the start date of the receiving Employer. I.e. employment ends on Sunday from sending Employer, employee starts new position on Monday with receiving Employer.
 - a) An employee who has commenced employment in a permanent or term position in a receiving Employer on the day of or prior to the date they resign their permanent or term status at a sending facility shall not be permitted to mobilize. There must be at least one day between the last day of work at the sending Employer and the commencement of employment at the receiving site.

After the employee mobilizes to a receiving Employer from the sending Employer, the employee may apply for casual status at the sending Employer. Holding casual status after mobilizing to the receiving Employer, does not affect mobility benefits.

2. More Than One Position at Same Employer:

There can only be one sending and one receiving Employer. If an employee has two (2) or more permanent positions with the same Employer, the employee must resign from both positions with the sending Employer in order to transfer the seniority and benefits from the sending Employer to a receiving Employer.

3. Positions at More Than One Employer:

There can only be one sending and one receiving Employer. Even if an employee has two (2) or more permanent positions, (at more than one Employer) the employee will only be able to transfer the seniority and benefits from one of the Employers when they voluntarily transfer to one receiving Employer.

4. Casual at the Receiving Employer:

If the employee holds casual status at the receiving Employer and is accepting an EFT position, the employee can mobilize from their EFT position from the sending Employer to the receiving Employer. Holding casual status does not affect the ability to mobilize.

3. Types of Transfer:

A) Transfer within the Same Employer

1. Applies to all employees transferring between facilities/sites within the same Employer.
 - Any sites listed under applicable site list in appendices.
2. Applies to union and non-union/management staff.
3. Employee applies for and is awarded a position to another facility/site within the Employer;
 - I. Same Sector, Same Employer, Same EO
 - II. Cross Sector, Same Employer, Same EO
 - III. Non-union/Management, Same Employer, Same EO

Benefit	I. Same Sector, Same Employer, Same EO	II. Cross Sector, Same Employer, Same EO III. Non-union/Management, Same Employer, Same EO
Continuous Service Date	Maintained	Maintained
20 Year Date	Maintained	Maintained
Date for Qualification for Magic 80/Rule of 80	Maintained, subject to the terms and conditions of the pension plan	Maintained, subject to the terms and conditions of the pension plan
Vacation Accrual Rate	Maintained, subject to Collective Agreement terms and conditions	Maintained, subject to Collective Agreement terms and conditions
Remaining Vacation Hours (current vacation year)	Transfers	Transfers (Exception) CUPE CS to FS, transfers unless employee requests to be paid out)
Accrued Vacation Hours (following vacation year)	Transfers	Transfers
Bonus Week of Vacation (eg. 20 year and subsequent 5 years thereafter)	Transfers	Transfers
Income Protection Hours	Transfers	Transfers
Seniority Hours	Transfers	Please review receiving Collective Agreement or Out of Scope Policy (unless in a term, seniority hours may remain in permanent position, please review Collective Agreement for retaining current seniority provisions) (Exception) – CUPE FS to CS and vice versa, maintained)
Academic Allowance	Maintained, if applicable to receiving position.	Please review receiving Collective Agreement or Out of Scope Policy
Probationary Period	Maintained if serving one	Maintained if serving one

Trial Period	Subject to the terms and conditions of the Collective Agreement	Subject to the terms and conditions of the Collective Agreement (Exception – Non-Union, if delineated in Letter of Offer)
Pre-retirement Hours	Maintained	Maintained
Maternity Leave repayment balance (hours)	Transfers	Transfers
Salary Level	Maintained	Not maintained, however relevant experience and education may be considered as per Collective Agreement or Out of Scope Policy
Increment Date/Hours	Subject to the terms and conditions of the Collective Agreement	Subject to the terms and conditions of the receiving Collective Agreement
Overtime Bank	Maintained	Not maintained – paid out
Recognized Holiday Bank	Maintained	Not maintained – paid out
Benefits	No disruption to benefit entitlement. Waiting period may be waived subject to the applicable benefit plans' terms and conditions	No disruption to benefit entitlement. Waiting period may be waived subject to the applicable benefit plans' terms and conditions
Return of Service Agreement (ROSA)	Subject to the terms and conditions of the ROSA	Subject to the terms and conditions of the ROSA

B) Transfers to Employers within the Same Employers Organization

1. Applies to all employees transferring between Employers (Employer Direct Operation to non-transferred site(s), vice versa, or Non-transferred site(s) to non-transferred site(s)) within the same Employers Organization.
2. Applies to union employees.
3. Non-union/management staff are decided by receiving Employer as determined in letter or offer or other applicable communication.
4. Employee applies for and is awarded a position to another Employer within the same Employers Organization;
 - I. Same Sector, Different Employer, Same Bargaining Agent, Same EO
 - II. Cross Sector, Different Employer, Different Bargaining Agent, Same EO
 - III. Non-union/Management, Different Employer, Same EO

Benefit	I. Same Sector, Different Employer, Same Bargaining Agent, Same EO	II. Cross Sector, Different Employer, Different Bargaining Agent, Same EO	III. Non-union/Management, Different Employer, Same EO
Continuous Service Date	Maintained	Not maintained (Exception) – CUPE FS to CUPE CS and vice versa, maintained)	Maintained
20 Year Date	Maintained	Not maintained (Exception) – CUPE FS to CUPE CS and vice versa, maintained)	Maintained
Date for Qualification for Magic 80/ Rule of 80.	Maintained, subject to the terms and conditions of the pension plan	Maintained, subject to the terms and conditions of the pension plan	Maintained, subject to the terms and conditions of the pension plan
Vacation Accrual Rate	Maintained, subject to Collective Agreement terms and conditions	Not maintained (Exception) – CUPE FS to CUPE CS and vice versa, maintained)	Maintained, subject to Collective Agreement terms and conditions
Remaining Vacation Hours (current vacation year)	Transfers, unless employee requests to be paid out (Exception) – MGEU PTP and PCAM, does not transfer)	Does not transfer (Exception) – CUPE FS to CUPE CS and vice versa, transfers, unless employee requests to be paid out)	Transfers, unless employee requests to be paid out
Accrued Vacation Hours (following vacation year)	Transfers (Exception) – MGEU PTP and PCAM, does not transfer)	Does not transfer (Exception) – CUPE FS to CUPE CS and vice versa, transfers, unless employee requests to be paid out)	Transfers, unless employee requests to be paid out

Bonus Week of Vacation (eg. 20 year and subsequent 5 years thereafter)	Transfers	Does not transfer (Exception) – CUPE FS to CUPE CS and vice versa, transfers)	Transfers
Income Protection Hours	Transfers	Does not transfer (Exception) – CUPE FS to CUPE CS and vice versa, transfers)	Transfers
Seniority Hours	Transfers	Does not transfer (Exception) – CUPE FS to CUPE CS and vice versa, transfers)	N/A
Academic Allowance	Maintained, if applicable to receiving position. (Exception) – MGEU FS, MGEU CS, CUPE CS, CUPE FS and PCAM, not applicable)	Does not transfer. Please review receiving Collective Agreement	N/A
Probationary Period	New probationary period applied	New probationary period applied (Exception) – CUPE FS to CUPE CS and vice versa, maintained if serving one)	New probationary period applied
Trial Period	Subject to the terms and conditions of the Collective Agreement	Subject to the terms and conditions of the Collective Agreement	Please refer to Offer Letter
Pre-retirement Hours	Maintained	Not maintained (Exception) – CUPE FS to CUPE CS and vice versa, maintained)	Maintained
Maternity Leave repayment balance (hours)	Does not transfer (Exception) – MNU and MAHCP does transfer)	Does not transfer	Does not transfer
Salary Level	Maintained (taken northern allowance into consideration) (Exception) – MGEU FS, MGEU CS, CUPE CS and CUPE FS, not maintained however experience and education may be considered as per Collective Agreement)	Not maintained however relevant experience and education may be considered as per Collective Agreement	Please refer to Offer Letter
Increment Date/Hours	Maintained (Hours worked since last increment are recognized) (Exception) – CUPE FS,	Subject to the terms and conditions of the Collective Agreement	Please refer to Offer Letter

	CUPE CS, MGEU FS and MGEU CS, does not transfer)		
Overtime Bank	Not maintained - paid out	Not maintained - paid out	Not maintained - paid out
Recognized Holiday Bank	Not maintained - paid out	Not maintained - paid out	Not maintained - paid out
Benefits	No disruption to benefit entitlement. Waiting period may be waived subject to the applicable benefit plans' terms and conditions	No disruption to benefit entitlement. Waiting period may be waived subject to the applicable benefit plans' terms and conditions *	No disruption to benefit entitlement. Waiting period may be waived subject to the applicable benefit plans' terms and conditions
Return of Service Agreement (ROSA)	Subject to the terms and conditions of the ROSA	Subject to the terms and conditions of the ROSA	Subject to the terms and conditions of the ROSA

PARIM

Currently there is no portability/transfer from one Employer to another Employer within the same EO for PARIM.

C) Transfers to another Employers Organization

1. Applies to all employees transferring between one Employers Organization to another Employers Organization.
2. Applies to union employees.
3. Non-union/management staff are decided by receiving Employer as determined in letter of offer or other applicable communication.
4. Employee applies for and is awarded a position to another Employers Organization;
 - I. Same Sector, Different Employer, Same Bargaining Agent, Different EO
 - II. Same Sector, Different Employer, Different Bargaining Agent, Different EO
 - **Does not apply to nursing as all sectors are represented by MNU.**
 - **Does not apply to Physician or Clinical Assistants' as this sector is all represented by PCAM**
 - III. Cross Sector, Different Employer, Different Bargaining Agent, Different EO
 - IV. Non-union/Management, Different Employer, Different EO

NOTE: Applicable to CUPE Only: CUPE allows mobility with Cross Sector, Different Employer, Same Bargaining Agent, Different EO. See column I.

Benefit	I. Same Sector, Different Employer, Same Bargaining Agent, Different EO	II. Same Sector, Different Employer, Different Bargaining Agent, Different EO	III. Cross Sector, Different Employer, Different Bargaining Agent, Different EO	IV. Non-Union/Management, Different Employer, Different EO
Continuous Service Date	Maintained	Maintained	Not maintained	Maintained
20 Year Date	Maintained	Maintained	Not maintained	Maintained
Date for Qualification for Magic 80/Rule of 80	Maintained, subject to the terms and conditions of the pension plan	Maintained, subject to the terms and conditions of the pension plan	Maintained, subject to the terms and conditions of the pension plan	Maintained, subject to the terms and conditions of the pension plan
Vacation Accrual Rate	Maintained, subject to Collective Agreement terms and conditions	Maintained, subject to Collective Agreement terms and conditions	Not maintained	Maintained, subject to Out of Scope Policy terms and conditions
Remaining Vacation Hours (current vacation year)	Transfers, unless employee requests to be paid out (Exception – MGEU PTP and PCAM, does not transfer)	Transfers, unless employee requests to be paid out	Does not transfer	Transfers, unless employee requests to be paid out
Accrued Vacation Hours (following vacation year)	Transfers (Exception – MGEU PTP and PCAM, does not transfer)	Transfers	Does not transfer	Transfers, unless employee requests to be paid out
Bonus Week of Vacation (eg. 20	Transfers	Transfers	Does not transfer	Transfers

year and subsequent 5 years thereafter)				
Income Protection Hours	Transfers	Transfers	Does not transfer	Transfers
Seniority Hours	Transfers	Does not transfer	Does not transfer	N/A
Academic Allowance	Maintained, if applicable to receiving position. (Exception – MGEU FS, MGEU CS, CUPE CS, CUPE FS and PCAM, not applicable)	Maintained, if applicable to receiving position. (Exception – MGEU FS to CUPE FS or MGEU CS to CUPE CS, not applicable)	Does not transfer. Please review receiving Collective Agreement	N/A
Probationary Period	New probationary period applied	New probationary period applied	New probationary period applied	New probationary period applied
Trial Period	Subject to the terms and conditions of the Collective Agreement	Subject to the terms and conditions of the Collective Agreement	Subject to the terms and conditions of the Collective Agreement	Please refer to Offer Letter
Pre-retirement Hours	Maintained	Maintained	Not maintained	Maintained
Maternity Leave repayment balance (hours)	Transfers for MNU only	Transfers for MNU only	Does not transfer	Does not transfer
Salary Level	Maintained (taken northern allowance into consideration) (Exception – MGEU FS, MGEU CS, CUPE FS and CUPE CS, not maintained however relevant experience and education may be considered as per Collective Agreement)	Not maintained however relevant experience and education may be considered as per Collective Agreement	Not maintained however relevant experience and education may be considered as per Collective Agreement	Please refer to Offer Letter
Increment Date/Hours	Maintained (Exception see Note above – CUPE FS to CUPE CS and vice versa, not maintained)	Maintained, subject to the terms and conditions of the Collective Agreement for Anniversary date vs equivalent hours worked.	Subject to the terms and conditions of the Collective Agreement	Subject to the terms and conditions of the Out of Scope Policy
Overtime Bank	Not maintained - paid out	Not maintained - paid out	Not maintained - paid out	Not maintained - paid out
Recognized Holiday Bank	Not maintained - paid out	Not maintained - paid out	Not maintained - paid out	Not maintained - paid out
Benefits	Subject to applicable benefit plans' terms and conditions.	Subject to applicable benefit plans' terms and conditions.	Subject to applicable benefit plans' terms and conditions.	Subject to applicable benefit plans' terms and conditions.

Return of Service Agreement (ROSA)	Subject to the terms and conditions of the ROSA	Subject to the terms and conditions of the ROSA	Subject to the terms and conditions of the ROSA	Subject to the terms and conditions of the ROSA
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4. *Exceptions

- a. Community Therapy Services (MAHCP Only as per applicable MOU in CA)
- b. Deer Lodge - Pre-Retirement Leave is maintained but limited to service acquired since April 1, 1983 (date DLC transferred from Federal to Provincial) (MAHCP)
- c. Riverview Health Centre - Pension – exception (MNU, MAHCP, CUPE)
- d. Riverview - D&R exception (MAHCP)

CONTACT INFORMATION:

For questions pertaining to the interpretation of the above Transfer Portability Mobility guidelines, please contact your **Site Human Resources Department.**