1. WHO IS ENTITLED TO A MANDATORY REST PERIOD?

The terms of the Memorandum of Agreement only apply to Union of Northern Workers (UNW) employees.

2. WHY ARE MANDATORY REST PERIODS BEING IMPLEMENTED?

During the last round of collective bargaining, the Employer and the UNW identified health and safety concerns in some workplaces. The parties agreed to establish a joint working group to negotiate mandatory Rest Period provisions to ensure the health and safety of all employees and the public we serve.

Through this process, the Employer and the UNW reached agreement on Rest Period provisions which are set-out in the Memorandum of Agreement.

3. WHEN DO THE TERMS OF THE MEMORANDUM OF AGREEMENT COME INTO EFFECT?

The terms of the Rest Periods Memorandum of Agreement come into effect on April 1, 2014 and form part of the 2012 collective agreement between the GNWT and the UNW. The terms do not apply retroactively.

4. WHEN AM I ENTITLED TO A REST PERIOD?

An employee who:

- is recalled to work for a specific duty under Article 26 (Call-Back Pay);
- is required to return to work while on standby under Article 29 (Standby);
- is directed to report to work under Article 25.01(4) (Reporting Pay); or
- works overtime contiguous to their regularly scheduled shift.

shall have a minimum 8 hour, uninterrupted, rest period before reporting to their next regularly work day or shift.

5. AM I ENTITLED TO A REST PERIOD FOR TAKING AN ELECTRONIC CALLBACK?

If the electronic callback last longer than 1 hour, you are entitled to an 8 hour Rest Period before starting your next regularly scheduled workday/shift.
The Employer does have the discretion to grant a minimum 8 hour Rest Period in extenuating circumstances where numerous Electronic Callbacks occur over a short period of time, but none have exceeded 1 hour in duration.

6. HOW LONG IS THE MANDATORY REST PERIOD?

The rest period is a minimum of 8 hours of uninterrupted rest.

7. AM I ENTITLED TO BE PAID WHEN ON MY REST PERIOD?

You will be paid your regularly earnings for all hours where you are on a Rest Period during your regularly scheduled work hours. The exception to this is in the case of Multiple Positions as set out in Question 8.

8. AM I ENTITLED TO A REST PERIOD IF I WORK MULTIPLE POSITIONS?

Yes. An employee in multiple GNWT positions shall receive an 8 hour rest period, but shall not be entitled to a reimbursement for loss of earnings should the hours of work in the subsequent position be scheduled to take place within the prescribed rest period.

9. I HAVE TWO POSITIONS; ONE OF WHICH IS A RELIEF POSITION OR A CASUAL AS AND WHEN. IF I ACCEPT A RELIEF SHIFT OR WORK AS A CASUAL AS AND WHEN, AM I SUBJECT TO A MANDATORY REST PERIOD UNDER THE MEMORANDUM OF AGREEMENT?

If you are a Relief employee without regularly scheduled shifts or a Casual As and When employee, being asked to work does not constitute a Call-Back under Article 26, returning to work when on Standby under Article 29, reporting to work under Article 25.01(4) (Reporting Pay), nor working overtime contiguous to your regularly scheduled shift. Therefore, a mandatory Rest Period under the Memorandum of Agreement is not triggered.

10. WHEN DOES MY REST PERIOD START?

The 8 hour Rest Period starts as soon as the work is completed.

For example, if you were called back into work at 2am and work until 5:00am, your 8 hour Rest Period starts at 5:00am.

11. DO I HAVE TO ADVISE MY SUPERVISOR IF I SHOULD BE ON A REST PERIOD UNDER THE TERMS OF THE MEMORANDUM OF AGREEMENT?

Yes. An employee must disclose to their supervisor if a situation occurs triggering a mandatory Rest Period. The employee must make all reasonable attempts to advise
their supervisor they are on a Rest Period and will not be reporting to duty at the scheduled start time.

The employee will be advised of the appropriate call-in procedure by their supervisor.

12. DO I HAVE TO REPORT TO WORK FOR THE BALANCE OF MY REGULAR SHIFT/WORK DAY AFTER THE EXPIRY OF MY REST PERIOD?

Yes, unless directed otherwise by your supervisor.

13. CAN I REPORT TO WORK AS SCHEDULED IF I AM ENTITLED TO A REST PERIOD UNDER THE MEMORANDUM OF AGREEMENT, BUT DO NOT FEEL TIRED OR UNFIT TO WORK?

No. The Employer and the UNW have negotiated mandatory Rest Periods to ensure the safety and health of employees, their coworkers, and members of the public. Neither an employee nor their manager has the discretion to waive a mandatory Rest Period arising under the Memorandum of Agreement except in specific circumstances as set out in Question 14.

14. ARE THERE CIRCUMSTANCES WHERE I WILL HAVE TO REPORT TO WORK EVEN THOUGH I SHOULD BE ON A MANDATORY REST PERIOD?

In cases of emergency or legislative requirements, an employee may be required to report to work when on a Rest Period. Should this occur, the employee will be paid at two times (2X) their base salary for all hours worked during what would have been the eight (8) hour Rest Period.

15. DO MY 15 MINUTE BREAKS AND LUNCH PERIOD COUNT TOWARDS MY REST PERIOD?

Yes, if they fall within the 8 hour Rest Period.

16. DO I HAVE TO ENTER TIME IN PEOPLESOFIT FOR MY REST PERIOD THAT FALLS WITHIN MY REGULARLY SCHEDULED WORKDAY/SHIFT?

Yes. Employees must enter a new Rest Period code for the time they are on a Rest Period during their regularly scheduled workday/shift. You will then enter Regular Time for the balance of your worked day/shift.

You will enter a PeopleSoft code which corresponds to the reason the Rest Period was triggered. Please see the Rest Period PeopleSoft Codes Questions & Answers.
17. I WAS ASKED TO WORK, CALLED BACK TO WORK, OR ASKED TO WORK OVERTIME TO BACK-FILL FOR A COWORKER WHO WAS ON A REST PERIOD, DO I HAVE TO ENTER A SPECIFIC CODE IN PEOPLESOFT?

Yes. Employees asked to work to provide coverage for an employee on a Rest Period must enter the appropriate Rest Period coverage code. Please see the Rest Period PeopleSoft Codes Questions & Answers.

18. IF I DO WORK OVERTIME TO PROVIDE COVERAGE FOR AN EMPLOYEE WHO IS ON A REST PERIOD, CAN I OPT TO BANK THE TIME IN LIEU?

No. Employees who work overtime to provide coverage for a co-worker on a Rest Period will enter the appropriate Rest Period coverage OT code into PeopleSoft and will paid the monetary equivalent for the time worked.

Employees are not permitted to bank this time in lieu as the financial costs associated with the implementation of Rest Periods must be determined based upon the fiscal year in which it occurs.