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## AVERAGING HOURS AGREEMENT For Registered Nurses (RNs) & Registered Practical Nurses (RPNs)

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Maison McCulloch Hospice (legally named "La Maison de soins palliatifs de Sudbury Hospice") has applied to the Ministry of Labour for renewal of its existing agreement to average hours for overtime pay purposes. Approval was granted on June 23, 2017 and is posted on the Nursing Station bulletin board.

Please read this agreement carefully, along with the attached Information Sheet from the Employment Standards Act (ESA) entitled "Information for Employees – About Hours of Work and Overtime Pay" (also posted on the Nursing Station bulletin board), then sign and return it to the Director of Administrative Services within three (3) days. A completed copy signed by the Executive Director will then be returned to you for your records.

The information in italics below is an excerpt from the ESA's "Employer's Guide: Hours of Work and Averaging Hours":

### *"Averaging Hours of Work for Overtime Pay Purposes"*

*For most employees, overtime begins after they have worked 44 hours in a work week. After that time, employees must receive overtime pay, which is at least 1½ times the employee's regular rate of pay.*

*An employer and an employee can agree in writing to average the employee's hours of work over a specified period of two or more weeks for the purpose of calculating overtime pay. This means an employee would only qualify for overtime pay if the average hours worked per week during the specified period exceeded 44 hours.*

*As of March 1, 2005, employers who want to average an employee's hours of work for the purpose of determining overtime pay must:*

- Obtain written agreement from the employee, or from the union if the workplace is unionized, and*
- Apply for approval from the Ministry of Labour's Director of Employment Standards."*

### Agreement:

I agree to have my hours of work averaged over four (4) weeks for the purpose of determining overtime pay. Overtime will only be paid if the average hours worked over the defined four (4) week period exceed forty-four (44) hours per week. This means that I relinquish the right to overtime pay if I work more than one hundred and seventy-six hours (176) in a four (4) week period.

However, I understand I will be compensated at 1.5 my salary for any 12-hour shifts I work **in addition to my regular schedule** of 4 shifts of 12 hours.

**This agreement will commence on June 23, 2017 and remain in effect until June 23, 2019.**

This agreement cannot be cancelled before the expiry date noted above unless both the Hospice and the employee agree to cancel it. Request to cancel this agreement must be issued by either party with two weeks' written notice.

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Léo Therrien, Executive Director  
Maison McCulloch Hospice

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Date

I, (*Print Name*) \_\_\_\_\_, agree that I have received the Ministry of Labour Information Sheet noted above regarding my rights and responsibilities at work. I understand and agree that overtime will be paid for each hour in excess of  $4 \times 44 = 176$  hours in a 4 week period, with the understanding that I will be compensated at 1.5 my salary for any 12-hour shifts I work in addition to my regular schedule of 4 shifts of 12 hours.

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Employee Signature

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Date