

FAQs for UWOSA Supervisors

What is my permissible role as a UWOSA member who supervises other UWOSA members?

Your role is similar to that of a 'lead hand' or 'foreperson' of a group. You can direct and monitor a fellow UWOSA member's work, and advise them of policy and procedures. You are obligated to adhere to the Occupational Health & Safety Act (see below), and ensure that others do as well.

Can I discipline another UWOSA member?

No. Article 11.04 ensures that 'no employee shall be required as part of their job to discipline another employee. However, an employee may be required as part of their job to monitor the job performance of other employees'. This means that you may provide feedback to your non-UWOSA supervisor on the performance of another member, who may use this information to impose discipline.

Can I participate in an interview?

The UWO determines who is involved in an interview for a UWOSA position. UWO may ask for your input in different ways other than the interview, such as meeting with the applicant(s) in a different forum. It is important to note that being involved in the interview and debrief may put you in a conflict situation if a grievance is filed as you would be privy to, and possibly a participant in the hiring decision. No UWOSA supervisor can hire UWOSA employees.

Can I do a Performance Review of another UWOSA Member?

No. UWOSA supervisors are prohibited by Article 11.04 of the Collective Agreement from participating in the formal review process (this interpretation has been agreed to by both sides in a minuted meeting). A UWOSA supervisor may provide input to a supervisor outside the bargaining unit about a member's performance, but cannot conduct the review or even be present at the time of the formal review. This requirement protects the UWOSA supervisor from any conflict of interest should a grievance result from the performance review.

Can I approve or deny vacation requests, medical absences, etc.?

Yes and No. If the collective agreement refers to decisions made specifically by the Dean/Budget Unit Head (such as article 20.05), then it is this individual who must ultimately decide. Where a designate is permitted, UWOSA supervisors are not appropriate designates. However, UWOSA supervisors may schedule vacation days, etc.

As a supervisor, am I bound by any Health and Safety Laws?

Yes, you must comply with the Occupational Health and Safety Act and the duties of the supervisor it outlines. You must ensure that employees work in the manner and with the protective devices, measures and procedures required by the Act and its regulations. You must also ensure that employees use or wear the equipment, protective devices or clothing required by the employer.

Also, you must advise a worker of any potential or actual danger to his/her health or safety which you are aware of. You must provide the worker with all written instructions of the measures and procedures to be taken for his/her protection, and take every precaution reasonable in the circumstances to protect the worker.¹

It is important to take Health and Safety seriously as a supervisor! Recent legal changes make you criminally responsible for lapses!

What should I do if I see a health and safety infraction?

As your role is similar to that of a 'lead hand' or 'foreperson', you will advise them of the Health & Safety policy or procedure that should be adhered to. If this does not correct the job performance of the employee you may provide feedback to your non-UWOSA supervisor who may use this information to impose discipline.

Why are there all these restrictions on UWOSA supervisors?

There are two reasons: First, the Labour Relations Act places significant limitations on the supervisory roles allowed for unionized supervisors. These restrictions are imposed by the government and are out of our control. Secondly, it is important that the union member who has supervisory responsibility be sufficiently separated from management to protect them from conflicts of interest between the union and UWO.

If you have any other questions about your role as a UWOSA supervisor, please call the office at 83028.

¹ *Occupational Health & Safety Act, R.S.O. 1990, c. O.1, s. 27*