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Our File: 205-17-013 KM

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Alberta Labour Relations Board
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Attention: Tannis Brown, Director of Settlement

Dear Madam:

**Re: An application for determination brought by United Nurses of Alberta and Jessica
Wakeford affecting Alberta Health Services
Board File No. GE-07762**

We are hereby requesting that Rochelle Young be added as an Applicant in the above referenced Application for Determination. Ms. Young, and the other Applicants, apply for a determination that she, Ms. Wakeford and other employees of Alberta Health Services who are Nurse Practitioners doing direct nursing care or nursing instruction, are members of UNA's bargaining unit.

Ms. Young also asserts that s. 1(1)(l)(iii) of the *Code* violates the right to freedom of association as protected in s. 2(d) of the *Charter*. Together, ss. 1(1)(l)(iii) and 21 of the *Code* prevent Nurse Practitioners from bargaining collectively under the *Code*.

Particulars

The particulars for Ms. Young are as follows:

1. Ms. Young worked for approximately ten years as a Registered Nurse before obtaining her Registered Nurse Masters of Nursing Nurse Practitioner (Pediatrics) Degree and becoming a Nurse Practitioner in 2013. For her Master's Degree, she took the following thirteen (13) courses, which essentially added a medical component and advanced nursing component to her nursing education:

- Statistics in Nursing Research
- Pharmacotherapeutic
- Healthcare Ethics

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- Research Foundations
- Transforming Practice
- Nature of Nursing Knowledge
- Thesis Research
- Adv Nurs Pract Children I
- Child Health and the Family
- Adv Nurs Pract Child II
- Adv Practice in Child Health (581A)
- Adv Practicum in Child Health (581B)
- Guided Scholarly Project

2. Ms. Young has been a nurse Practitioner for five years.

3. As a Nurse Practitioner, Ms. Young works for Alberta Health Services funded by the Pediatric Sleep Lab at the Stollery Children's Hospital, University of Alberta Hospital. Ms. Young's duties consist of the following: Independent Sleep Medicine practice in ambulatory pediatric clinic; assessment and management of complex pediatric sleep cases including respiratory (non-invasive ventilation), cardiac, neurological and psychiatric presentations; interpretation of polysomnography, actigraphy and oximetry. Ms. Young performs all the job duties listed in the attached Alberta Health Services Job Description for "Nurse Practitioner". Ms. Young spends 80% of her time working as a Clinician providing direct clinical care to patients and 20% to administrative duties, research and committees. In this way, Ms. Young provides direct nursing care to patients as a Nurse Practitioner.

4. There are fifteen (15) positions funded by the Pediatric Sleep Lab consisting of seven (7) Sleep Technologists, one (1) RT/PGST NIV Program, one (1) Clerk, one (1) RT Team Lead Sleep Lab, one (1) RN Sleep Clinic, one (1) RT Unit Manager (out of scope), two (2) Nurse Practitioners and one (1) RT Patient Care Manager (out of scope). Ms. Young works closely with the other Nurse Practitioner, the RN Sleep Clinic, the RT/PGST NIV Program and the RT Team Lead Sleep Lab. Ms. Young reports to Dustin Riske, a Respiratory Therapist who is the out of scope Patient Care Manager for the Pediatric Sleep Lab.

5. Dustin Riske does Ms. Young's performance reviews and is responsible for hiring and discipline for the Pediatric Sleep Lab. The out of scope Unit Manager Sarah Bieganek is responsible for overseeing scheduling. Unit Manager Sarah Bieganek provides administrative cover for the Patient Care Manager Mr. Riske when he is not available. When the Unit Manager is not available, Ms. Young will provide coverage for clinical situations and not for anything that involves labour relations decisions.

6. Rochelle Young is not involved in staff performance reviews. Ms. Young has no authority to hire, discipline or terminate staff.

7. For the purposes of her pay, Ms. Young is on the Clinician Out-of-Scope wage structure and her benefits include a pension with the Local Authorities Pension Plan (LAPP).

8. Ms. Young is not currently a member of the Nurse Practitioners Association (the "Association").

9. Like other Nurse Practitioners, Ms. Young has concerns over the scope of her decision-making authority in the workplace, the lack of understanding among other healthcare professionals and the public about what Nurse Practitioners do, and her ability to raise concerns about client care without jeopardizing her employment.

Remedy

Ms. Young is seeking the remedies as set forth in the Determination Application.

Yours truly,

CHIVERS CARPENTER



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KM/ljn

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