



# Supreme Court of BC rejects BC Nurses' Union application

March 6, 2017

Yesterday, the Supreme Court of BC dismissed an application from the BC Nurses' Union (BCNU) for judicial review related to their failed raid application on Registered Psychiatric Nurses (RPNs) at Royal Inland Hospital in 2014. In a judicial review, a Supreme Court judge reviews the decision that has been made by an administrative tribunal, in this case the Labour Relations Board (LRB).

The LRB ruled that BCNU had put patients and RPNs at risk by engaging in workplace raiding activity in direct violation of the Labour Relations Code when a professional BCNU staff organizer entered a locked psychiatric unit to engage in raiding activity.

The original LRB panel found that the presence of BCNU organizers was evidence of unacceptable danger to vulnerable members of the public. The Supreme Court of BC, in dismissing this application, affirms the original decision.

In the court's March 3 decision, The Honourable Madam Justice Morellato wrote, "The key rationale underlying the Board's dismissal of BCNU's certification application was not punitive in nature but was based on the objectives of deterrence and the protection of the public."

HSA President Val Avery applauded the Supreme Court of BC's decision and dismissal of every BCNU argument put before the court.

"HSA RPNs have been subject to aggressive poaching activity from paid professional BCNU organizers for five consecutive years now. The BC Labour Relations Board issued an unprecedented decision, by dismissing a BCNU raid application, that prioritizes the safety of the most vulnerable members of the public and the right to a safe workplace for our members."

HSA is committed to the principle of organizing the unorganized while continuing to defend our members and protect the rights of RPNs to have an independent union that recognizes and stands up for their unique specialization.

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