

BULLETIN

Stopping the Liberal cuts: Our work is essential

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When the Liberal government was elected nearly a year ago, it was clear that the health care and social services systems were in for massive changes. Despite their promise to protect health care and education, it was clear the Liberals couldn't do everything they had promised without someone paying the price.

During the election campaign, the government promised that it would deliver health care where and when people needed it.

And, so far, little has been done to make that possible.

Health care budgets have been frozen and health regions are being forced to develop budgets that include substantial reductions in services.

These cuts, combined with the legislation introduced at the beginning of the year — the so-called Health and Social Services Delivery Improvement Act, establish the conditions for a massive sea change in the services HSA members deliver.

Broken promises, broken health care

That legislation, Bill 29, reversed the government's promise that it would not rip up collective agreements. With the legislation, the government tore out key negotiated provisions in the paramedical and community social services agreements. It not only aims to undo provisions of the Employment Security and Labour adjustment agreement of 1996, but it also precludes operation of some important provisions of the Labour Relations Code and our contract.

The legislation eliminates the Employment Security and Labour Adjustment Agreement and related job security provisions in the collective agreement. It takes away collective agreement provisions that limit the employers' ability to contract out, contract in or lay off employees.

It reduces bumping rights, layoff notice provisions, technological change provisions and restrictions on transfer and reassignment in collective agreements.

It abolishes successorship and common employer provisions of the Labour Relations Code.

It creates broad powers in cabinet for further reductions in collective agreement rights by regulation.

On its face, the legislation appears to protect clinical services in the public health care system. The government early on claimed the legislation would allow hospitals to privatize only non-clinical services such as laundry, janitorial and security services. It is now clear that the legislation has far wider implications.

After promising that the government would protect direct services to patients in hospitals, the Liberals quietly approved regulations that allow health employers to privatize a variety of hospital services.

The legislation also allows contracting in which would mean a private practitioner could be hired by a hospital to come into the hospital and take over the work previously done by a hospital employee using the equipment and space subsidized by government funding.

HSA's concern is that privatizing these services will prevent continuity of care and lead to a more fractured health care system. We believe that privatization will also reduce access for patients, particularly in rural and remote communities. In smaller communities where there are no private providers available, services may be shut down and patients will be forced to travel to larger centres for the treatment they need.

Massive social service cuts hurt society's most vulnerable

In community social services, the legislation is equally overwhelming and sweeping.

It undermines employment security by eliminating the provisions of the Monroe award that provided employment security for 12 months following notice of layoff. It eliminates or reduces severance. For example, laid off workers with 10 or more years of seniority would get only week's pay for each two years of seniority. And there is no severance pay for employees with less than 10 years.

It eliminates the agreement that community social services workers would reach parity with community health workers by April 2004. In addition, the legislation attacks health benefits as employers are no longer required to have employee benefits by Health Benefits Trust.

For clients, the legislation means no guarantees of continuity of care, as services can be transferred from one employer to another, without the staff being transferred. It also makes it easy for the government to eliminate services currently being provided. And even if a program isn't eliminated, the legislation paves the way for transfer to the lowest bidder.

While there have been many rumours about cutbacks, program and facility closures and massive lay-offs, the real effects of the legislation have not yet begun to be felt. The regional health authorities are continuing to work on service plans, and the same is true for agencies in the community social services area.

Fighting Liberal cuts

HSA has been actively working to protect members' interests. Last month, HSA joined with the BC Government and Service Employees' Union, BC Nurses' Union and Hospital Employees' Union in launching a Charter of Rights suit against the government. The unions are asking the courts to strike down Bill 29.

Bill 29 is not about improving health care or putting patients first. This legislation is about the government's determination to implement an ideological agenda that punishes health care providers and rewards the Liberal's corporate backers, HSA President Cindy Stewart said.

The unions allege that Bill 29 violates the following basic rights and protections covered by the Charter of Rights and Freedoms:

- Section 2 provisions on freedom of association and freedom of expression;
- Section 7 protections for security of the person; and
- Section 15 provisions covering equal protection and benefit of the law.

A court challenge on behalf of union members in the community social services sector is being planned for mid-April.

On another front, HSA has made two complaints to the International Labour Organization, the labour branch of the United Nations. This complaint is on the contract being imposed, and also on Bill 29. While there are no sanctions or penalties that the ILO could impose, the effect of this complaint is to bring some international attention to the government's actions. 

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