

BULLETIN

Protecting health and social services by challenging unfair legislation

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When the provincial government introduced Bill 29, the legislation that dramatically changes the way health care is delivered in the public system, health care unions knew we had our work cut out for us.

Bill 29 robs health care workers of basic negotiated protections. These include contracting-out provisions negotiated in 1989 that safeguarded health services from privatization; basic bumping protections that have existed for more than 30 years; labour force adjustment provisions like the Healthcare Labour Adjustment Agency, and employment security programs such as retraining and job placement that were used in the past as key elements of a progressive approach to change in the delivery of health services.

The legislation also imposes new transfer provisions that allow employers to move caregivers around at whim, to different hospitals within one shift as well as to work sites hundreds of kilometres away.

These are serious attacks on contract provisions that HSA and other health care unions have negotiated over decades.

The legislation also rolls back gains made by community social service workers in their fight to improve job security and receive parity with their colleagues in the health sector.

On March 19, HSA joined with HEU, BCGEU and BCNU to take the Campbell government to court for breaking contracts with health care unions.

We are seeking to have the legislation declared unconstitutional on the basis that it contravenes the Canadian Charter of Rights and Freedoms, specifically sections of the Charter that guarantee freedom of expression, freedom of association and the liberty and security of the person.

We are also asking the court to find that the legislation violates the equality rights clause of the constitution.

Historically, health care workers have been women and immigrants with few rights or benefits. Today, some health care workers, particularly those in the community sector, continue to face inadequate wages and working conditions.

Union representation has had the effect of improving the economic security and working conditions of a majority of health care workers.

HSA and BCGEU, through the National Union of Provincial and Government Employees (NUPGE) have also

filed a complaint with the International Labor Organization, adding to the complaint made after the government imposed the contract last summer.

HSA has also been working with the unions representing workers in the community social services sector who have also been hard hit by the government's legislative hammer. As *The Report* was going to print, plans were being made to launch legal action in mid-April against the government for ripping up the contracts of our members in the community social services sector.

The legal challenges are just one area the union is working in to defend HSA members' rights as well as members' jobs.

HSA's staff and regional directors are working closely with stewards throughout the province to ensure members have the support they require as employers begin to implement changes now allowed under the legislation.

Please ensure your steward and labour relations staff at the union office are aware of changes in your workplace. This is important information for the union as we continue to build the case for our legal challenge.



Jeanne Meyers is HSA's Executive Director of Legal Services.

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