

BULLETIN

Employers and government anger health professionals

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Liberals begin attacks on BC health care

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Last month, the Liberal government celebrated its first three months in office by announcing it had met its campaign promise of delivering on a number of programs within a 90-day time-frame.

One of the promises was to deliver health care to British Columbians "where and when they need it." They also said there wouldnt be an attack on labour relations.

HSA members were among the first of public sector workers to learn what the new era for British Columbia really means. After months of futile attempts to engage in collective bargaining with the Health Employers Association of BC, the Paramedical Professional Bargaining Association went on strike May 18. Between May 18 and June 18, health science professionals staged a series of service withdrawals to call attention to HSAs issues, and to apply pressure on the government and employer to return to the table prepared to get down to real negotiations.

June 20, in one of its first acts as government, the Liberal government passed Bill 2, legislating health science professionals back to work and imposing a cooling-off period. The legislation directed the parties to return to the table and negotiate.

The PPBA returned to mediated talks, but HEABC didnt even have the courtesy to meet the mediator on neutral ground. Instead, they sent their messages through Mediator Stephen Kelleher. While HEABC refused to make even the pretence of bargaining, the PPBA substantially changed its bargaining proposals in an effort to get talks moving.

The membership speaks out

In the following weeks, HSA held membership meetings around the province. At those well-attended meetings, members learned that the union had three options on how to proceed.

As the legislation expired August 31, some members expected that after the cooling-off period, the job action could pick up where it had left off.

"The reality is that well never have that option," HSA President Cindy Stewart told stewards at an emergency meeting in July.

"The government didnt introduce legislation just to delay a strike. It wants a deal, and it wants us to capitulate. Thats why they legislated our strength away," she said.

The second option was to accept the employers offer of 2, 2, and 1.5 and temporary market adjustments for certain professions. (The employer later made a change in its offer to incorporate the market adjustments into the wage rates for those professions.)

Finally, the third option members considered was to strike in defiance of the law.

Concurrent to the membership meetings, the union undertook an extensive poll of the membership, laying out the options.

As a result of the membership meetings and the poll, on July 18, the unions board of directors voted to defy the legislation.

-Weve been at the table trying to achieve a contract through fair and free collective bargaining. The HEABCs actions since June 20 have made it clear to us they dont have the same commitment," Stewart said in a July 19 news conference.

-We have been left with no choice but to make it clear that our members dont accept a wage offer that singles out some professionals for higher wage increases over others.

-I have a mandate from my members. In the spring, they voted 90 per cent in favour of striking to back their demands for significant wage increases. The government thinks it took away that mandate on June 20• but it didnt take the spirit of that mandate away."

With those words, Stewart announced that the following Monday, HSA members would go on strike in defiance of the governments legislation.

Illegal strike

The two-day strike began at 6 am July 23, with strong support from HSA members right around the province. Spirits were high, and the membership was determined.

-I think people feel pretty good ... I know I do ... about how well run the job action was from start to finish. People feel things went well. They put as much pressure on as they could possibly put on, and we did our best to get a contract that we could live with," said Bill Moore, Chief Steward at Mount St. Josephs Hospital in Vancouver.

-The piece I was most amazed with was the level of support for defying the law. By the time we got to that point, 80 per cent of members said they would participate, which was amazing. Really, a picture of peoples level of awareness," he said.

On the second day of the illegal strike, the union was served with a copy of a notice of motion filed in court by the HEABC. The motion asked the Supreme Court of BC to find HSA in contempt of court for failing to abide by a Labour Board ruling ordering HSA to cease and desist strike activity. At an emergency meeting, the HSA board of directors decided to call off the strike.

-We are doing this because we know our members. And I know HSA members would be very concerned about appearing to be disrespectful to the court," Stewart said.

Unions attempt further negotiations

While members backed demands at the bargaining table with job action, the bargaining committee continued to work to achieve a fair collective agreement. On July 20, Labour Minister Graham Bruce had asked the mediator, Kelleher, to provide a report on the status of negotiations.

In its submission to Kelleher, the PPBA outlined the issues and frustrations involved in the talks.

-I want to emphasize that our members have been articulate and outspoken on the employers proposal to create an unprecedented two-tier wage system within this contract. They have also made it abundantly clear that the base wage proposal of 14.25 per cent does not meet their needs. Our members are adamant that a fair collective agreement must value all members of their health care team equally," Chief Negotiator Rick

Lampshire said in a letter to Kelleher.

-The level of frustration our members were experiencing in negotiations was exacerbated with the introduction of Bill 2 [the "cooling off" legislation] on June 20, and the refusal of the employer and the government to return to the table with a mandate that would allow meaningful negotiations to continue," he said.

Through the illegal strike, and the work of the bargaining association with the special mediator and the Minister of Labour, members sent a clear message that the split wage offer was unacceptable.

It was understandable to conclude that the HEABC was not interested in the arguments and was more interested in dividing the bargaining unit.

Standing united: HEABCs "divide and conquer" strategy fails

-One of the goals HEABC had in imposing this contract with such a split was to pit 60 per cent of our members against the other 40. I sure don't see that happening here. It's backfired on them. We're pretty solid as a group ... universally, members here are very angry about that part of the contract," said Heather Sapergia, chief steward at Prince George Regional Hospital.

-As bad as things are, there's a feeling of power when 100 per cent of your group says this is terrible," she added.

In the days that followed the August 7 imposition of the contract, work was being done behind the scenes to consider what options for improving the situation the union had, in keeping with the mandate of the bargaining committee to negotiate a substantial wage increase for all health science professionals.

Imposed contract: "Government feared arbitration"

In the hours before the legislation was introduced at just before 6 pm in the legislature Tuesday, August 7, the union had been working with government representatives to determine the validity of the costing of the employers proposal, which had been shared by the minister over the weekend. There were three sets of costing estimates ... the HEABCs, the PPBAs and the governments ... which varied greatly.

The union believed negotiations were continuing, and had been assured by the Minister of Labour that legislation would be a last resort. In discussions with the union the weekend prior to the day the contract was imposed through legislation, the government never hinted at the possibility of an imposed contract.

-The government was afraid of an arbitrated settlement because they knew the issues at the table, and anticipated the result of such arbitration would not go exactly the way they wanted," Stewart said.

The union learned five minutes before the legislation was introduced that legislation meant the government would unilaterally impose the employers offer. Because the government sets the financial mandate for HEABC, the government in effect imposed its own offer.

HSA continues efforts

The union set about trying to continue the process it had been engaged in in the hours before the legislated contract was forced on HSA.

According to the governments costing analysis, the wage package was costed at 12 per cent across-the-board for members of the paramedical professional bargaining association.

Whether it represented an accurate number was questionable, especially given the misleading figures previously presented by HEABC.

Monday, August 13, HSA President Cindy Stewart met with the Minister of Labour, Graham Bruce, for off-the-record and exploratory discussions about the validity of the costing and whether the option for redistribution existed.

-I felt I had a responsibility and that it was in the best interest of all the members and the union to get to the bottom of the costing assumptions and what options, if any, were available within the context of the legislation.

-The only player who could fix the situation was the one who had put us into it, and that was Graham Bruce," she said.

Similar quiet discussions were happening with a number of employer representatives. Many expressed concerns about the terms of the imposed settlement.

In the end, the government and employer made it clear that there was no appetite to redistribute the funding envelope. The issue was closed, as the legislation calls for any changes in the legislated settlement to be accepted by mutual consent.

Whats next?

In the aftermath of the legislated contract, HSA members have been working to ensure the Liberal government knows the contract is an assault on our health care system.

Members have been writing letters and meeting with their local MLAs to tell them that the contract is unacceptable and undervalues the work of key members of the health care team.

Terry Beard, a social worker at the Fort St. John Child Development centre said she is concerned about what the future looks like: -How are we going to recruit? How are we going to get people to train?"

Reports are already coming in that health science professionals are looking elsewhere to further their careers.

-One member who is approaching retirement was looking forward to a reasonable wage increase• She says shes lived in Prince George since 13 and has been a health care worker for a long time, and for the first time in her life shes considering going to work somewhere other than BC," said Prince Georges Heather Sapergia.

-What the government has done is atrocious. Rights that we fought for 50 years ago weve now lost. At the time of the election I felt that to give a government the mandate to do whatever they wanted was a terrible thing. We really gave them absolute power to do what they want," said Tricia Moore, chief steward at Port Hardy Hospital.

But HSA members are also resolved to make a difference.

-There are a number of things that have to be done," said BC Cancer Agency (Vancouver) chief steward Ernie Hilland.

-We have to ensure we demonstrate the crisis. The nurses did a good job of educating their members to put in for overtime every time they missed a break. It took them the course of a collective agreement ... a period of three years ... to develop that; but they did it," he said.

-One of the bright lights that came out of this past several months is the strength, determination and commitment our members demonstrated," Stewart said.

-We have to keep that going if we are going to continue to have our voices heard and make a difference in the future. We are looking at another four and a half years of the Liberal Era in British Columbia ... with all the consequences for the health care system that will bring," she added.

-Regional meetings in the fall, the union convention slated for April 2002 and other union activities are forums where members will have an opportunity to help set the course for the coming years for HSA. And its critical that we hear from many members to ensure a course of action that is understood, supported and carried through."

The [final imposed terms of employment](#) will be finalized and distributed throughout the province in the coming weeks.

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