

BULLETIN

What's up and what's not with union organizing and labour relations activities

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Organizing efforts continue at MDS Vancouver Island

HSA is continuing our efforts to organize over 250 employees at MDS Laboratories on Vancouver Island. These employees include lab technologists, lab assistants, and couriers. They work in analytical labs, as well as in patient service centres, which are community-based specimen collection facilities.

Organizer Janice Davis is enthusiastic about the union drive. "Union support among employees at these 32 sites has increased dramatically over the course of the organizing campaign. This is true especially among the lab workers, who have come to recognize HSA as the union of choice for laboratory workers in BC," she said.

As a result of HSAs application to certify these employees, the Labour Relations Board ordered a vote by mail-in ballot for all Vancouver Island MDS employees to determine union support.

The results of the vote have been sealed pending the outcome of a hearing at the LRB, in which the employer filed an objection about the description of the bargaining unit for the purposes of HSAs application.

"It was an intense and complex hearing," Davis said. "One of the complicating factors is that our sister union BCGEU, who is certified for MDS employees in the greater Vancouver area, supports the employers objection to HSAs application. This was very disappointing to us." At press time, the LRB had not yet released its decision on this matter.

"If this hearing concludes in our favour, the votes can finally be counted," Davis said. "Im very excited, and Im confident that well win the vote. HSA represents almost 90 per cent of all lab technologists in the province, and have 29 years of experience advocating for laboratory workers. HSA has the strength and proven track-record these employees are looking for."

Davis thanks all those who have been involved in the organizing campaign. "Id especially like to thank the internal organizing committee for their exceptional efforts and dedication. They have been working tirelessly to secure better working conditions for their colleagues, and they should be commended."

Arbitrator rules employer must apologize to Chief Steward

In late February, Arbitrator Vince Ready ruled that the employer at AIDS Vancouver must apologize to Chief Steward Lyndon Surjik for treating him unfairly. In an unusual move, Ready included the actual text the employer must use in the apology as part of the award.

This is an extremely strong message to employers not to discriminate against union activists, said HSA Legal Counsel Jeanne Meyers. "Mr. Ready clearly states in the ruling that Lyndon was a "dedicated employee who carried out his work in a professional manner, attended work regularly, and had a clean and discipline-free work record.

"From this, he states that Lyndon has reason to feel aggrieved, and is entitled to a public apology. Mr. Ready has directed that the employer provide each member of the AIDS Vancouver Board with a copy of the ruling, as well as post the ruling in a conspicuous place where all employees may have access to it," Meyers said. Ready also directs the parties to conduct a "Relationship by Objective" program at the facility, under the direction of the Mediation Department of the Labour Board. The program is designed to help improve the way the parties communicate and interact with each other on labour relations matters.

Management at AIDS Vancouver refused to re-employ Surjik after a union leave of absence in 1998, during which time he worked as a Labour Relations Officer at the HSA office. He has been suspended from work with pay ever since. However, approximately two weeks before mediation / arbitration was set to start, AIDS Vancouver agreed to reinstate Surjik in his position as Donor Relations Coordinator.

Surjik says he is happy to be returning to AIDS Vancouver. "Going back means I can show fellow union members that the employer can't target individuals for standing up for our rights," he said. "That's very important to me."

Displaced preschool teachers finally receive wages owed

Three preschool teachers at Trail Child Development Centre received displacement notices shortly before the Centre closed its doors in June 1998. The employer then denied them the one year of wage protection to which they were entitled under employment security provisions, alleging that preschool teachers were not covered under the terms of the Paramedical Professional Collective Agreement.

HSA disagreed, and brought the matter before arbitrator Heather Laing who ruled in favour of the union and the preschool teachers. As part of the ruling, Laing ordered the employer to pay each of the preschool teachers one year's salary.

Instead of complying with the arbitrator's order, the employer closed the CDC and moved its assets to another society, refusing to pay the employees the money they were awarded.

HSA Legal Counsel Jeanne Meyers said this case became more complex once the employer moved its funds. "The unions position was that these members should be paid the money out of the transferred funds. In the end, we were able to reach a settlement with the trustee of the second society," she said.

"The aggregate amount of the settlement was quite sizable. We're happy to be able to report that we were able to secure a win for these members, with the help and support of the union leadership."

Welcome to new members at Port Alberni Association for Children with Developmental Disabilities

Welcome! to five new paramedical members and one health services and support member at the Port Alberni Association for Children with Developmental Disabilities. Our new members at this facility work in occupational therapy, physiotherapy, early childhood behavioural consulting, and reception.

Welcome to new members at Family Services of the North Shore

HSA welcomes 57 new members at Family Services of the North Shore, in North Vancouver. Our new members include counsellors, playroom workers, family advancement workers, education group facilitators, Stop the Violence program workers, and childrens services workers, as well as administrative assistants. Family Services of the North Shore is a non-profit society providing many programs and counselling services, including sexual abuse counselling, group counselling for abusive men, a palliative care volunteer program, and special services to children at risk.

Janice Davis, HSA Organizer, said this was a notably difficult organizing campaign. "As many people are aware in the social services community, the recently ratified community social services contract extends wage increases, workplace benefits, and health and welfare benefits to all new union members who are employed through the Community Social Services Employers Association.

"Although FSNS was a member of CSSEA at the time that we began the organizing campaign, this employer chose to withdraw from CSSEA rather than see their employees receive the improvements in their wages and working conditions offered by the new contract. And this was just one of the many obstacles the employer threw up to prevent their employees joining a union."

Davis thanks the on-site organizing committee for their hard work and perseverance. "We couldnt have done it without their strength and determination," she said.

"We still have some challenges ahead. Because FSNS is no longer a member of CSSEA, and the automatic contract no longer applies, well have to work to secure an excellent first collective agreement. However, I have every confidence that all members at FSNS will soon begin seeing the benefits of joining a union."

Welcome to new members at Barberrry Lodge

HSA welcomes three new members at Barberrry Lodge, a private residential care facility in Port Coquitlam. Our new members are registered psychiatric nurses and a registered nurse.

Welcome to new members at Okanagan-Similkameen Neurological Society

HSA welcomes nine new paramedical members at the Okanagan-Similkameen Neurological Society in Penticton. Our new members at this facility work in physiotherapy, occupational therapy, family support, child psychology, speech language pathology, and preschool. An application for certification is pending at the Labour Relations Board for the Health Services and Support bargaining unit at this facility.

Labour Relations Board dismisses employers' claim that CSSEA contract is unfair

In the summer of 1999, various unions settled contract talks with the Community Social Services Employers Association (CSSEA). HSA represented eight certifications in these negotiations, securing an historic win for workers in this sector.

Part of the agreement stipulates that newly unionized employees in the sector will obtain the same level of wages and benefits negotiated in this collective agreement.

Since the wages and other monetary provisions offered through the contract are notably superior to conditions for non-union employees in the sector, employers at non-union agencies complained that the agreement created too much pressure for unionization.

A group of these employers filed an application at the Labour Relations Board alleging that the government and the unions were committing an unfair labour practice by "coercing" employees in the social services sector to join unions.

In February, the LRB dismissed the employers case against the unions, agreeing with the unions that employees frequently join unions to obtain better working conditions. However, the LRB reserved judgement on the possible merit of the employers complaint against the government.

"Throughout these proceedings, these non-union employers never expressed actual concern for their employees working at substandard wages," says HSA Legal Counsel Jeanne Meyers. "They just wanted the government to help them increase wages in order to prevent their employees from joining unions."

The employers have since dropped their complaint after the provincial government announced its plan to give the non-unionized community social services sector a 15 per cent increase this year.

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