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Bulletin

Nurses resolve Bill 29 dispute with government and employers

Agreement involves compensation, education, adjustment options for displaced nurses and recognition of lost seniority

The Nurses' Bargaining Association (NBA) has reached an agreement with health employers and the provincial government to settle the long-standing dispute over Bill 29, the "Health Care and Social Services Delivery Improvement Act".

The agreement is in response to last June's decision of the Supreme Court of Canada ruling that the government had violated the Charter of Rights when they passed legislation changing collective agreements without negotiating with the unions representing the affected employees.

The agreement provides a new process of dialogue and consultation between the provincial government, the nurses' unions and the health authorities.

Discussions gained credibility and moved toward a successful conclusion when Lee Doney, the Premier's special advisor, arrived to negotiate for the government.

The NBA achieved the following:

On-going consultation with senior health care leaders

Annual meetings with the Leadership Council (health authority CEOs and chairs and the Deputy Minister of Health). Twice-yearly meetings with the leadership of each health authority.

Displacements to be mitigated through good faith negotiations

Adjustment plans may include secondment, change by attrition, voluntary recognition, enhanced severance, retraining.

Funding for compensation and retraining

The government will provide the NBA with a fund to compensate members who were directly affected by Bill 29, and for clinical education through upgrading and training, including specialty training, training of LPNs to become RNs and refresher training.

Portability – Long Term Disability

Coverage for LTD will begin on the initial date of regular employment.

Salary on promotion

Members who are promoted will receive a minimum monthly increase of \$200, when moving to the lowest step of the new increment structure from the first day worked (including orientation).

Opportunity to gain recognition of previous seniority

The government will recognize regular employees' previous seniority if the NBA unions agree to it after further internal discussion and debate. If the unions adopt the proposal, it would credit seniority to regular employees on the basis of seniority accrued with previous employers certified to one of unions in the NBA. Seniority would be considered lost from a six-month break in employment. If the proposal goes ahead, there would be no cost to employers or government. New seniority rankings would be used only for bidding on internal postings, shift selection, layoff and bumping, and vacation.

Increasing supply of RNs

A letter will commit the government to work toward a three-year BSN program and the mitigation of tuition costs, as well as an assessment service for internationally-educated nurses which has already been established.

Contracting out

The government and health employers continue to have the right, as stipulated in legislation, to contract out some services. The collective agreement will include a letter of agreement limiting any contracting out to non-clinical services. The letter will read *"The Employer agrees not to contract out bargaining unit work, other than non-clinical services, to any outside agency or individual that will result in the layoff of employees within the bargaining unit. 'Non-clinical services' means services other than medical, diagnostic or therapeutic services provided by a designated health services professional to a person who is currently admitted to a bed in an inpatient unit in an acute care hospital..."*

The BC Nurses' Union Council has voted to accept the agreement. The two other unions in the Nurses' Bargaining Association (Union of Psychiatric Nurses and Health Sciences Association) are expected to follow shortly.