



July 30, 2009

File: 10106-03

Linda Silas, President
CFNU
2841 Riverside Drive, 2nd Floor
Ottawa, ON
K1V 8X7

Dear Sister Silas:

**ID# 2009-2 CANADIAN UNION OF PUBLIC EMPLOYEES
(Hospital Employees Union) (CUPE/HEU) and
NATIONAL UNION OF PUBLIC AND GENERAL EMPLOYEES
(British Columbia Government and Service Employees' Union)
(NUPGE/BCGEU)
vs
CANADIAN FEDERATION OF NURSES UNIONS
(British Columbia Nurses' Unions) (CFNU/BCNU)**

This is further to my letter of July 14, 2009 appointing Hemi Mitic to investigate, on behalf of my office, the activities the British Columbia nurses' Union (BCNU) that have given rise to the above complaint.

Brother Mitic has met with each affiliate and reported back to me. There is ample evidence to support the complaint that the BCNU is engaged in activities which constitute a raid of a CLC affiliate in violation of Article 4 of the Canadian Labour Congress Constitution. There is compelling evidence both verbal and written, and at the same time the BCNU is making the argument on its website that because the CLC has not yet placed them under sanctions, somehow their behaviour is acceptable and not contrary to the Constitution.

Since the BCNU is attempting to recruit members for their union at the expense of CLC affiliated unions, I therefore find this is a raid and will report it as such to the CLC Executive Committee.

Given the historical support the CFNU has demonstrated toward the CLC, the Constitution and to overall union solidarity throughout the years, I do not believe a national union such as the CFNU supports this type of behaviour.

I find the raiding by the BCNU particularly puzzling given the forceful interventions made by Deborah McPherson in the Industrial, Wood and Allied Workers of Canada/Hospital Employees Union (IWA/HEU) dispute. In that case Sister McPherson strongly called for the imposition of sanctions on the IWA. As you know, I did impose sanctions on the IWA at that time.

.../2

There are a number of other options available to the unions under the legislation governing labour relations in BC that the BCNU could have chosen. It is possible to achieve many of the objectives they outline through existing structures, and in cooperation with the other health care unions in British Columbia. It is not my position to advocate what those structures should be, but I do know there are other solutions that are not as aggressive or hostile to the overall labour movement. When we met earlier, I did offer the services of the Congress to see if we could explore other alternatives. Unfortunately, the BCNU did not accept that offer.

I respectfully request that the CFNU direct the BC Component to cease this action. I do hope the CFNU Executive Board will come to the conclusion that the collective solidarity of being inside the house of labour, particularly in this time of global crisis with attacks on both public and private sector workers, is important to the security of nurses across the country. As you know, in other parts of the country, the Congress and other affiliates are working closely with the respective nurses' unions to advance the issues important to them.

The participation of nurses' unions, along with other health care unions, has been critical in our ongoing fight-back Medicare Campaigns. Nurses' unions are also an important component of the Canadian Health Coalition (CHC) and the regional health coalitions. Clearly, it is important for all working people to present a united front in these campaigns.

Accordingly, I hope that the CFNU will take its obligations under the CLC Constitution seriously and take the appropriate actions with respect to the BCNU.

In the interim, pursuant to Article 4, Section 8(c) of the CLC Constitution, I have instructed the Pacific Region of the CLC to take steps to suspend the BCNU from participation in labour councils and education programs as well as access to Congress services.

I have also written Jim Sinclair, President of the BC Federation of Labour (BCFL) to have the BCFL Executive Council take action to suspend the BCNU from participation on the BCFL Executive Council and all BCFL activities.

I remain available to discuss this at your convenience and await the decision of your Board before making my final conclusions regarding the applicability of the Constitutional provisions regarding sanctions.

In solidarity,



Ken Georgetti
President

cc: Officers and Executive Assistants
J. Clancy, NUPGE
P. Moist, CUPE
CLC Executive Committee

KVG:jdl*cope-225