



Bill 29 talks: HEU focuses on redress and the restoration of collective bargaining rights

On September 6, HEU joined other health care unions in a first meeting with provincial government officials to establish a process for dealing with the outcome of last June's court decision striking down parts of *Bill 29*.

Here are some excerpts from the opening statement to government made by HEU's secretary-business manager Judy Darcy.

The Supreme Court's decision

- “The court ruling was particularly critical of government for its lack of meaningful consultation with our unions before proceeding with the passage of *Bill 29* – and for government's failure to produce any evidence supporting the actions it took in January 2002.”
- “The court confirmed the essential role that collective bargaining plays in providing a basic right to freedom of association which cannot be dispensed with at the whim of any provincial legislature.”

HEU's approach to negotiations

- “Our focus now is to ensure redress for our members whose legal rights were recognized by the court – and to ensure that these legal rights are protected as government moves to implement the court decision over the next few months.”
- “Despite the challenges of implementing the Supreme Court decision, which are many, we are feeling very optimistic about the historic opportunity we now have – an historic opportunity not just to restore the rights of health care workers – but to improve services to the people of British Columbia.”
- “The public expects us – all of us – to implement this decision in a way that protects and strengthens the delivery of health care.”

...more



- “I want to say that we are looking forward to fruitful negotiations that deal with both redress for our members and the restoration of our collective bargaining rights in both legislation and in collective agreements.”
- “Through this process our goal – our mutual goal – should be to restore trust and stability to health sector labour relations.”

Impact of Bill 29 on members

- “To our best estimate, between 9,000 and 10,000 health care workers in the Facilities Bargaining Association lost their jobs after this government passed *Bill 29*.”
- “The *Bill 29* firings in health care remain – infamously – the largest mass firing of women workers in Canadian history.”
- “Along with the loss of their jobs, these members lost their benefits and pensions. Our own polling tells us that three-quarters of our members’ families relied on the benefits provided through their workplace – and 60 per cent relied on their pensions.”
- “Our members lost homes, had their credit ratings destroyed. Many lost their jobs just months or weeks before qualifying for full pensions. Families fell apart. Their kids’ education was put on hold. Many suffered mental and physical breakdowns.”
- “The legislation spawned a climate of fear and insecurity through our workplaces where the job security of any worker deemed ‘non-clinical’ is constantly at risk.”
- “Our newest members, those who work for the multinational corporations who have benefited from *Bill 29* – struggle to provide critical health services for low wages and under adverse working conditions.”

Redress

- “We believe that the court intended that its decision is retroactive and that the government has an obligation to provide redress to those impacted by *Bill 29*.”

The impact of contracting out and privatization on health care

- “Significant evidence shows that contracting out support services and front-line care services actually increases health risks for patients and staff.”

...more

- “The negative effects of privatization ... include: disruption of teamwork; higher staff turnover rates coupled with inadequate training for new staff; inconsistent applications of health and safety standards; a reduced capacity to provide quality cleaning services; and a reduced capacity to respond quickly and effectively to urgent requests from doctors, nurses and unit clerks.”
- “This lack of control, this lack of oversight, this lack of flexibility is particularly problematic in P3 projects, where the terms and conditions of contracts apply for 30 years.”
- “We would argue that that there is no business case for contracting out ... in the course of these discussions, we intend to request a full disclosure of these costs.”

Opportunity for positive, public solutions

- “We welcome this opportunity to work with government to use this process to improve health care delivery for all British Columbians – solutions that do not violate our constitutionally protected right to collective bargaining.”

Bill 29 and contract flipping in long-term care

- “The repeated termination of service contracts by facility employers is seriously destabilizing care in this sector – disrupting the lives of residents, their families and the care staff.”
- “We have an opportunity – and an obligation – to ensure that there is stability.”

Government’s decision to proceed with P3s

- “We believe that this is both fiscally irresponsible and that it prejudices that government position in these discussions.”

The need for trust

- “We need to build a climate of reconciliation and trust around these discussions – so that our members and the people of B.C. can have confidence in this process.”

September 14, 2007