



SUPREME JUSTICE

Canada's highest court
strikes down Bill 29

page 8



Laundry blockade, 2003.



Supreme Court hearing, 2006.



May Day, 2004.

In the five years since Campbell's Liberal government passed *Bill 29*, HEU members have taken to the streets, campaigned in their workplaces and mounted one of the most important court challenges in the history of the *Canadian Charter of Rights and Freedoms*.

Workers victorious at Supreme Court

From the moment Gordon Campbell's newly-elected Liberal government rammed *Bill 29* through the legislature in the middle of the night on January 28, 2002, the union's health and social services workers faced an uphill battle to regain lost rights. But more than five years later, HEU's long-fought struggle for justice took a dramatic turn on June 8 when the Supreme Court of Canada struck down key sections of the *Health and Social Services Delivery Improvement Act* – the lynchpin in the government's privatization agenda.

This was the legislation used to close dozens of hospitals and long-term care homes across the province, fire thousands upon thousands of health care workers, and hand over hundreds of millions of dollars in health services contracts to multinational corporations.

Since 2002, HEU members and their allies have used every tool imaginable to fight the unjust law – from mass rallies and demonstrations to political lobbying to workplace and high profile media campaigns.

And it didn't stop there. We also took on the huge challenge of reorganizing the newly-privatized workers and securing first collective agreements with the foreign corporations.

Having now achieved a landmark victory from Canada's highest judicial body, your Provincial Executive is working with other unions and our legal counsel to interpret the ruling and ensure justice in the courts translates into justice on the ground.

And we are doing so with the knowledge that what we have won for ourselves, we have won for all Canadians.

In striking down the extreme measures contained in *Bill 29*, the Court broke new ground by declaring collective bargaining to be a charter-protected right for Canadian workers. The Court also said governments must respect the international commitments they have made to labour rights.

"It's an amazing victory," says HEU secretary-business manager Judy Darcy.

"With this ruling our job now is to take the time and care that is needed to achieve a fair outcome for our members – one that recognizes the grave injustices of *Bill 29*.

"We're also determined to make sure that the outcome of this decision includes stronger public health care, more stable labour relations, and protection of our hard-won charter right to free collective bargaining."

Darcy says there is no quick, simple resolution that will unravel the damage *Bill 29* has caused to workers and health care delivery. "But there's no question, this ruling has strengthened our hand and bolstered our fight to protect public health care services for all British Columbians," she said.

In the meantime, the union is fighting to make sure that the harm caused by *Bill 29* does not continue during the 12 months the Court gave Victoria to deal with the repercussions of the offending legislation.

"The recent lay-off notices issued in long-term care fly in the face of the Court's ruling," says Darcy, warning that government and health employers are opening themselves up to future claims for special damages by allowing these layoffs to continue.

"We all have an interest in ending the chaos in health care caused by *Bill 29*," she says. "It's time for government to bring its policies in line with the Court ruling as quickly as possible."

Your Provincial Executive is now working with other health care unions and our legal counsel to interpret the ruling and ensure justice in the courts translates into justice on the ground.



JUDY DARCY

Bill 29: Up close and personal

Like all of you, I was absolutely thrilled by our historic and well-deserved victory at the Supreme Court of Canada. Without question, the impact of this ruling will be felt by workers in every part of Canada for decades to come.

For me, that victory had barely sunk in when I found myself face-to-face with the real consequences of *Bill 29*. Within days of the Court ruling, I was admitted to St. Paul's Hospital for major surgery.

Let me begin by saying that the care I received was exceptional – beginning to end – whether it was from the efficient, welcoming unit coordinator who greeted me; the doctors and nurses in

From my recent experience, *Bill 29* is not only unconstitutional, it is totally dysfunctional. It has ruptured the health care team at a core level.

the OR and recovery rooms; or the LPNs who provided me with top-notch bedside care.

But just as apparent to me during my three-day stay, was how deeply *Bill 29* and chronic under-funding are undermining the ability of health care workers to deliver that care.

Everyone is run off their feet. There are not enough housekeepers to keep the hospital clean, let alone sanitary. If you require a housekeeper to attend to a situation as I did, it must be done through the call-centre, which often means huge, unnecessary delays.

As for the food, it was totally inedible, and I am not a picky eater. Far from it. But just like other patients who are fortunate enough to have someone who can bring them food, I was totally dependent on my family to supply me with a steady stream of fresh food to help me recover.

I fear for those who don't have family and friends.

Yes, the system is still working. But it's despite *Bill 29*, not because of it. And if it wasn't for dedicated health care workers, who are continuously absorbing the system's inadequacies – at great personal cost – patients would have many more problems to deal with.

At a fundamental level, we're still getting good medical care. But all the warning signs are there. And they must be taken seriously.

Policy makers cannot continue to be divorced from the realities of on-the-ground health care. From my experience, *Bill 29* is not only unconstitutional, it is totally dysfunctional. It has ruptured the health care team at a core level and it's undermining our ability to provide British Columbians with the best care possible.

Government has a huge opportunity with the Supreme Court ruling to try and fix what its bad policies have broken. They could learn a whole lot just by spending a day in the shoes of a health care worker – or better yet, dining on products served up by the foreign corporations they've invited into our public hospitals. Bon appetit!

voice.mail

A proud moment

On behalf of the 1,300 members of CUPE Local 606 (Mid-Island Schools), I am writing to congratulate your organization on the favourable Supreme Court ruling overturning the Liberal government's law that stripped out language in your collective agreements.

This is a proud moment for all working citizens in this province when organizations like yours step-up and challenge governments that try to take away the democratic rights of working people.

Thank you all for taking on the fight.

ROB ZVER

President, CUPE Local 606
Nanaimo

A victory for all

It is my great pleasure to convey to you that a meeting of the CUPW National Executive Board and all Regional Executive

Committees across Canada in Quebec on Monday, June 11, 2007, has adopted a special resolution of congratulations and appreciation to the unions in British Columbia that pursued this charter case to the Supreme Court.

It is a huge victory for all workers for the Supreme Court to rule that the *Charter of Rights and Freedoms* protects the process of collective bargaining. The decision provides a major avenue to redress the vicious attack on health care workers in B.C. and a weapon to use in the fight against privatization of the health care system. But it accomplishes far more than this. It applies to employers and governments across the country and may well, for example, result in the rapid end to the denial of collective bargaining for agricultural workers in Ontario and Alberta, as well as other groups of workers currently not covered by collective bargaining legislation.

It is particularly gratifying because it reverses the judicial retreat of previous Supreme Court decisions from the issue of freedom of association which declared section 2(d) of the charter did not extend to

protecting collective bargaining rights. There can be no doubt that this decision was forthcoming in large measure due to the tremendous solidarity and militancy that the labour movement brought to the struggle against *Bill 29* in 2002, when Premier Campbell initially tore up health care workers' collective agreements and unconstitutionally laid off 8,000 unionized workers.

In fact, the decision recognized that the history of trade unions fighting for collective bargaining rights have influenced the Court's thinking, to the extent that the judgment "may properly be seen as the culmination of an historical movement toward the recognition of a procedural right to collective bargaining."

The actions of workers in B.C. and the determination of the unions to see this process through to the end have yielded results which will benefit all of us.

DEBORAH BOURQUE

National President
Canadian Union of Postal Workers

Campbell was wrong

Congratulations. The Supreme Court of Canada's decision declaring key portions of Gordon Campbell's anti-union legislation to be unconstitutional is a tremendous victory for collective bargaining rights, for patients, and for the thousands of working women and men Gordon Campbell is

Next round of regional meetings - September

Dates have now been confirmed for the next round of regional meetings throughout the province.

Vancouver Coastal (September 17), **Fraser** (September 21), **Interior** (September 24), **Northern** (September 25) and **Vancouver Island** (September 27). Check our website calendar for locations (to be determined).

treating with such contempt and disdain.

Before the election in 2001, he told HEU members that he would respect your contracts. Instead, he introduced *Bill 29* in 2002, and threw the lives of thousands of health care workers across this province into chaos.

But thanks to your charter challenge, the Supreme Court of Canada has clearly told the Campbell government that it was wrong. It said the BC Liberals violated the Constitution and the rights of workers. And it said the Campbell government's confrontational methods are both unnecessary and unconstitutional.

This is a significant victory for all British Columbians.

CAROLE JAMES
Leader, BC NDP

A win like no other

For the last half decade, our rights have been trampled upon by a government that's hell bent on privatizing health care. I recall having our collec-

tive agreement ripped up in the middle of the night, and our work as health care professionals degraded on every level. Through *Bill 29* we were restricted from talking about or even bargaining "employment security," because to do so would be illegal.

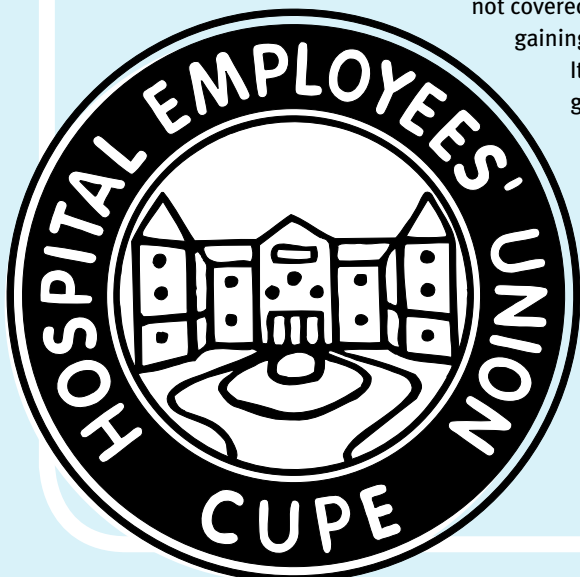
But we fought back in the streets, on the wards and in the courts.

Now, I feel like I have been released from prison. I am over the top with this historic win, a win like no other.

Hearing the news bulletin about the Supreme Court victory will be one of those moments frozen in time. I was listening to the CBC Radio morning news and imagined the union bursting into cheers.

Even though it has been very painful for many of us, I now look to the future and hope the labour movement has been made stronger by our collective strength.

DAN HINGLEY
Nanaimo





Know your rights: pension benefits are a paycheque for life • 4

Conversation on Health winds down, but is the premier listening? • 5

School's out! HEU's week-long educational inspires new activism • 7

Young worker finds his reward in helping others • 13

Love him or hate him, Moore's film exposes the sickness in U.S. medical system • 14

HEU to Victoria: "Stop firing workers"

The B.C. Liberal government and health employers are putting taxpayers at risk for future liabilities by ignoring the law and continuing to fire workers.

That's the message HEU has sent to Premier Gordon Campbell and health employers following the Supreme Court of Canada's June 8 ruling striking down the contracting-out provisions of *Bill 29*.

Over the past few months, nearly 700 long-term care staff have been handed pink slips – through commercial contract-flipping by facility operators – and health employers have said they plan to lay off an additional 500 full-time equivalent positions in the coming year.

Another 300 jobs are threatened in the Okanagan as a result of hospital expansion plans that will use a public-private partnership.

Minister of Health George Abbott maintains the BC Liberals have done nothing wrong and will forge ahead with business as usual, including his government's refusal to stop layoffs.

"Does this ruling say that we can't contract out any more? I don't think that it does," Abbott told the *Times Colonist* newspaper.

But the union says the Court's 12-month suspension of its declaration is intended to give government time to address the repercussions of its decision – not continue with layoffs and contracting out.

"It would be imprudent for HEABC

members to engage in fresh acts of contracting out, knowing that the affected unions will seek special redress for these illegal acts at the end of the 12-month period," HEU states in a letter to the Health Employers Association of B.C.

"Such redress at that time would include a claim for punitive damages for bad behaviour."

In a broadcast interview, Abbott rejected the notion that the latest round of health care layoffs are linked to *Bill 29*.

But in each case, the long-term care operator originally contracted out the work as the result of *Bill 29*.

Even before the Court judgment, the layoffs were sparking public outrage, especially on Vancouver Island where 168 health care workers were terminated in early May by private consortium CareSource at Nanaimo Seniors Village.

It's the third time employees have been fired since 2004.

The *Nanaimo Daily News* reacted to the news by calling for the repeal of *Bill 29* on its editorial pages. And the opposition New Democrats grilled the health minister on the issue during question period in the B.C. legislature.

Pink-slipped members of Nanaimo Seniors Village, with the support of other HEU locals and the labour council, launched an unprecedented fightback campaign in their community marked by rallies, canvasses and petitions, which has galvanized enormous public support.

But the layoffs weren't confined to facil-



Members at Nanaimo Seniors Village have received unprecedented public support in their fightback campaign to stop the layoffs and protect seniors' care. The May 20 rally (pictured here) drew allies from across the community and the trade union movement. Their message was loud and clear: "Stop the madness at Nanaimo Seniors Village."



PATTY GIBSON PHOTOS

ities on Vancouver Island.

On May 20, 450 care aides and LPNs received pink slips from SimpeQ Care at West Vancouver's Inglewood Care Centre, Coquitlam's Dufferin Care Centre and Vancouver's Windermere Care Centre.

The union had just applied to the Labour Relations Board for mediation and arbitration assistance in order to reach a first contract. At press time, an arbitrator had just awarded a first collective agreement and the union is pushing for the lay-off notices to be rescinded.

Forty-one care aides employed by CareSource, who work at West Vancouver Care Centre, also received lay-off notices.

Then, another 30 care aides and licensed practical nurses

working with seniors at MSA Manor in Abbotsford were terminated by Abby Therapeutic Services within days of the Supreme Court ruling.

Ironically, Abby Therapeutics – which conceded in front of the BC Labour Relations Board that they had engaged in anti-union activity at another facility – will take over the contract for care services at Nanaimo Seniors Village in September.

"We cannot allow the damage caused by *Bill 29* to continue," says HEU secretary-business manager Judy Darcy.

"The responsible and prudent response by government to the Supreme Court ruling would be to put layoffs on hold and avoid further costs resulting from the use of a law that's not constitutional."

Premier Campbell has publicly refused to put a moratorium on the layoffs and subsequent privatization, saying, "We're going to carry on," and defends *Bill 29* as being "totally within the law."

BRENDA WHITEHALL
HEU COMMUNICATIONS

Public backs moratorium call

An HEU/Viewpoints Research poll shows that nearly four out of every five British Columbians reject Premier Gordon Campbell's position that health care layoffs should continue even though the sections of the law that enabled such actions have been struck down by the Supreme Court of Canada.

And despite the premier's claim that *Bill 29* allowed government to focus resources on patients, the poll indicates only one out of every 20 British Columbians – about five per cent – believe the legislation improved patient care.

On the other hand, 56 per cent of those polled say the controversial law caused patient care to worsen. Another 23 per cent said it made no difference at all.

The poll also found that 91 per cent believe the B.C. government should disclose the details and costs of lucrative contracts signed with foreign corporations as a result of *Bill 29*.

Viewpoints Research conducted the telephone poll survey of 350 adult British Columbians on June 13 and 14. It is accurate to within 5.4 per cent, 19 times out of 20.



COFFEE BREAK

As we gear up for Labour Day festivities, it's important to reflect on some of the key battles and victories that have made Canada's labour movement what it is today.

1815 – In Quebec City, hatters walk off the job to demand better working conditions.

1863 – Several Hamilton, Ontario unions join forces to form Canada's first central Trades Union.

1872 – The *Federal Trade Union Act* is amended to remove penalties for belonging to a union.

1894 – The Toronto Labour Congress succeeds in creating a Labour Day statutory holiday.

1903 – Union organizer Frank Rogers is fatally shot by CPR company heavies while picketing in Vancouver.

1914 – The Trades and Labour Congress calls for "equal pay for work of equal value" – targeting the low wages of ethnic minorities.

1915 – B.C.'s *Workmen's Compensation Act* is adopted.

1918 – Vancouver workers stage a one-day general strike when labour organizer Albert "Ginger" Goodwin is murdered by police.

1919 – Armoured military tanks halt the six-week Winnipeg General Strike.

1920 – *Minimum Wage Act* is adopted, but doesn't include all workers.

1927 – Old Age Pension is introduced.

1941 – Unemployment Insurance is implemented.

1940s – Following a 60-year struggle, workers win an eight-hour work day and 40-hour work week.

1944 – PC 1003 (Privy Council) legislates an "historic compromise" requiring employers to bargain with unions for collective agreements and to have a grievance process. In exchange, unionized employees give up the right to strike while collective agreements are in force.

1944 – Women and men at Vancouver General Hospital merge their separate unions to create the Vancouver Hospital Employees' Federal Union, Local 180 – later to become HEU.

FBA Education fund shows impressive results

In its first year, the Facilities Bargaining Association Education Fund has invested more than one million dollars in skills upgrading and training programs for 300 health care workers across the province.

The \$5 million fund was negotiated during 2006 facilities subsector bargaining to address skills shortages areas and support regular members to access education monies. Fund coor-

inator Mary Waddington says it has produced impressive results since its fall launch.

Waddington cites several examples: a housekeeper taking the RCA program, a food services worker training as a medical lab assistant, a care aide completing the activity aide course, a cook studying to become a power engineer, a data entry clerk becoming a pharmacy technician, and LPNs upgrading to

specialize as orthopedic technicians.

The FBA Education Fund has also negotiated "group training" sponsorships – including a sterile supply technician program in the Interior, and an LPN Immunization certificate course for 17 LPNs at Royal Columbian.

The next deadline for long-term training is October 18, 2007. Short-term intakes are ongoing. See HEU's website for details and application forms.

Know your rights

Your pension benefit: it's a paycheque for life

If you are an HEU member in either the health facilities or community health subsector, you belong to the Municipal Pension Plan.

You may not realize that your pension is one of your most valuable benefits. It ensures you will continue to receive an income after you retire. In fact, there are many instances of people receiving a pension for more years than they actually spent on the job.

Unfortunately, many people put little thought toward their pension benefit until they approach retirement. Pension benefits kick in when you retire, but decisions you make during your working career will determine the value of your monthly pension benefit in the future.

Consider the following facts about the Municipal Pension Plan, then contact your Human Resources representative or the Municipal Pension Plan to see how you might maximize your pension.

Employers match workers' pension contributions

Your pension contribution is automatically deducted from your paycheque. Your employer also contributes to your pension. These funds are managed and invested to ensure you receive a secure retirement income.

Casual and part-time staff are included

Regular, full-time staff are auto-

matically enrolled in the plan. But part-time and casual staff are given the option to join the pension plan.

While it may be tempting to waive enrolment in order to avoid having pension contributions deducted from your paycheque, the union strongly encourages members to join the pension plan. Pensions are essentially deferred wages. And if you decline to enrol in the plan, you give up the employer contribution.

Purchasing past service

There are opportunities to purchase past service: periods of time when you were working but weren't making contributions to the plan, such as probationary or casual time. This is important because the more service you have in the plan, the larger your pension benefit upon retirement.

Basic pensions are fully guaranteed

Guarantees are rare in the financial world. For example, the value of RRSP investments rises or falls with market conditions. Your basic pension, however, is guaranteed. It is paid to

you based on a formula that will not change as a result of fluctuations in world markets.

Your pension has kept up with inflation.

Annual cost of living increases have been added to pensions since 1982. These increases are calculated based on Canada's Consumer Price Index which tracks inflation. While not guaranteed, these increases remain a valuable benefit of

belonging to the Municipal Pension Plan.

The Municipal Pension Plan is the largest in B.C.

There is strength in numbers. With over 220,000 members and \$23 billion in assets, your pension plan is secure and financially sound. Over 50,000 retired members now receive a monthly pension benefit.

Attend the October 13 AGM

The 2007 Municipal Pension Plan Annual General Meeting will be held October 13 in Victoria. Come meet the people managing your pension plan, or join the live online webcast.

Visit mpp.pensionsbc.ca for more information. Or call toll-free at 1-800-668-6335.

<<newsbites>>

LRB delivers a blow to dismantling of community living group homes

A recent Labour Relations Board decision makes it more difficult for Community Living BC (CLBC) to dismantle the residential group home model and de-unionize community living services.

CLBC's failed attempt to secure an expanded interpretation of "family home provider" – as it is defined under the *Community Social Services Labour Relations Act* – was welcome news to community living workers.

The LRB ruling comes after the joint union Community Social Services bargaining association raised preliminary

objections about CLBC's application.

The decision means CLBC will not be able to hand over bargaining unit work to contractors who do not meet the legal definition of "family home provider." Case-by-case arbitrations will continue to determine if a layoff, resulting from contracting out to a family home provider, violates the collective agreement.

Log exports rub raw

Exporting raw logs from B.C. to markets in the United States and Asia has got to stop. That message came through loud and clear at a June 14 rally in Vancouver protesting the provincial government's unwillingness to end raw log exports.



JOSH BERSEN PHOTO

In the face of a deepening forest industry crisis, front-line workers from the Communications, Energy and Paperworkers Union of Canada; the Pulp, Paper and Woodworkers of Canada, and the United Steelworkers

Was it all 'just talk'?

Premier Gordon Campbell's \$10 million "Conversation on Health" has all but wrapped up.

The government's 16 public forums are now over, and two more are scheduled for First Nations participants this fall.

Not surprisingly, the validity of the exercise is being questioned by those who are concerned that the government's health privatization agenda could override public input.

At a news conference organized by the BC Health Coalition on July 6, participants from across the province spoke about their experiences in the process.

"What we are hearing from those who participated in the Conversation's regional events is a strong consensus in favour of protecting publicly-funded health care in B.C.," said Leslie Dickout, a BC Health Coalition campaigner.

Jean Leahy, a retired grain farmer in Fort St. John, took part in her region's forum as a representative of Save Our Northern Seniors.

"The premier is going to have a hard time saying anybody supported for-profit health care after what we heard in the Fort St. John region," said Leahy. "A consensus came from all the people at our Conversation. There was not one voice supporting private health care alternatives."

Deb Ducharme of the BC Nurses' Union, who attended the Conversation's public forum in Kamloops, says that in an audience of 100 people, "I only noted two advocates for private enterprise medicine. They were very vocal, but they certainly were in the minority."

Ducharme said she is worried the government "won't listen to what we had to say. It's not a conversation if

the other side isn't listening."

In an interview with the online publication *The Tyee*, B.C.'s Minister of Health George Abbott said, "We have heard a lot of messages from the conversations, including one theme that says we shouldn't increase privatization."

Abbott denied that he'd formed any conclusions and said he expects new legislation based on what the government has heard will likely come forward in the spring of 2008.

While Minister of Finance Carole Taylor has marshalled graphs to make the disputed claim that health care spending is in danger of swamping the provincial budget, Abbott also denied he had ever suggested that B.C. health care was facing a funding crisis.

"What I do say is that we are facing a significant challenge. The demands for health care are growing, and with them the costs. People who say that the share of GDP that goes to health care has stayed level over years ignore the fact the government doesn't control the GDP. We only deal with the part of the GDP that comes into government revenue."

Stuart Murray, a researcher/economist for the Canadian Centre for Policy Alternatives, attended the Conversation forum in Richmond.

He said that most people who attended the session expressed their strong desire to keep Canada's public health care system as is, or to improve it without new elements of private enterprise.

"There is no real sustainability crisis in health care," said Murray. "Public health care spending

has been flat over time in Canada at around seven per cent of gross domestic product. The numbers the government uses to suggest a crisis are misleading."

Murray said that recent research

published by his organization effectively refutes the argument that "health care and aging are going to bankrupt the public purse."

Adapted from an article by Tom Sandborn in B.C.'s online publication, The Tyee



Nanaimo LPN Sherry White (above) told a July 7 rally that the message from her regional forum was loud and clear. "People want publicly funded, publicly delivered, publicly accountable health care. We have seen a steady decline in per capita health spending and that's the real reason for overcrowding in our hospitals."



British doctor issues warning

Participants at the *Friends of Medicare* campaign launch in mid-May received a first-hand lesson



in the dangers of health care privatization from U.K. doctor Jacky Davis.

"I understand," she said, "that your politicians are telling you

Canada would benefit from the same reforms that have been applied to the English National Health Service. It is extraordinary. Patients, the public and health care workers in the U.K. are taking to the streets to protest the effects of those same health policies."

In a whirlwind tour – sponsored by the BC Health Coalition and HEU – the founding member of Keep Our NHS Public spoke to crowds in Kamloops and Vancouver, members of the media, policy experts and B.C. doctors.

Among other things, Davis warned about the ways "motherhood and apple pie" phrases like "patient choice" are used to justify increased private service delivery and to undermine public facilities.

"A recent, independent survey in the U.K. showed that what patients most want is to trust in their local doctors and nurses, to have their questions answered clearly and to have high standards of cleanliness," explained Davis.

"Choice of hospitals is such a low priority that it is to be removed from patient satisfaction questionnaires in future. If your house is on fire you don't want to have to choose between five fire departments, you want the best possible one available locally."

To watch an online recording of Jacky Davis' presentation, go to <www.heu.org>. More information about the BC Health Coalition's *Friends of Medicare* campaign is available at <www.bchealthcoalition.ca>.

The premier is going to have a hard time saying anybody supported for-profit health care after what we heard in Fort St. John. Not one voice supported private health care alternatives.

able forest practices. In the Interior, people face extreme uncertainty due to the way that the mountain pine beetle infestation is being managed... British Columbians want to know that B.C. logs are creating B.C. jobs in B.C. communities, not providing benefits to a few companies and foreign mills."

In 2006, 5,000,000 cubic metres of wood was exported out of B.C. for processing.

New members span the spectrum of health care
More than 180 health care workers joined HEU in May and June.

Thirty-seven H'ulh-etun Health Society employees working in nursing,

personal and community care, janitorial positions, and clerical and supervisory jobs in finance and administration became members in May.

The society has work sites in Ladysmith, Mill Bay and Chemainus and the bargaining unit is covered by the Canadian Industrial Relations Board.

The union's private-sector membership also continues to grow. In June, 20 health care workers employed by Sodexo at Retirement Concepts' Summerland Seniors Village joined HEU. These new members work in housekeeping, laundry and food services.

HEU also welcomes 64 Just Care Ltd. staff at Kin Court South and Evergreen Heights (two assisted living accommo-

dations in New Westminster) as well as 29 employees delivering care and support for Mender Property Services Ltd. at Waterford Care Centre (long-term care) and the Waterford (assisted living) – both in Tsawwassen.

Thirty Abby Therapeutic Services Ltd. care staff at MSA Manor and 90 care and support staff at Maplewood House, both in Abbotsford, are now part of our union.

All eight workers supporting women in residential recovery through the Chrysalis Society in Vancouver have also joined HEU. The not-for-profit society is funded by the Vancouver Coastal Health Authority, the Ministry of Children and Families and its own

Survey shows clerical roles are rapidly evolving

An online survey completed by more than 1,300 HEU clerical members points to rapidly evolving demands on and responsibilities for these health care jobs.

The survey is being used by the union's clerical benchmark review committee to complete negotiations with health employers for benchmark adjustments agreed to in the last round of facilities subsector bargaining.

One million dollars has been set aside for these adjustments.

The survey indicates that clerical members are expected to take on more responsibilities, deal with a dynamic and changing workplace, and fulfill a significant role in providing training.

Nearly 55 per cent of those surveyed reported having additional qualifications and requirements – both technical and organizational – that are not reflected in their job benchmark.

And more than 85 per cent use three or more software programs in the course of the day. Members are also scrambling to keep up with changes to

these applications, with half reporting that their employer had changed them over the past year.

Forty-four per cent of those surveyed are also required to troubleshoot problems with software applications.

HEU's clerical members play a huge role in providing training. Nearly three-quarters (72.1 per cent) train other workers on the use of software applications – an activity that takes up about 15 per cent of their time at work.

Preceptoring students is another major training activity that's undertaken by more than 38 per cent of HEU's clerical members.

The clerical benchmark review negotiations, which have been difficult, are scheduled to wrap up by the end of July. Watch for details in the next issue of the *Guardian*.

The survey was conducted in late December 2006. More information about the survey can be found at <www.heu.org>.

MIKE OLD

HEU COMMUNICATIONS DIRECTOR



FRED MUZIN

PRESIDENT'S DESK

Collective action, collective victory

June 8, 2007 will be remembered as a defining moment for HEU. After 16 months of deliberations, the Supreme Court of Canada overturned not only the B.C. Supreme Court and the B.C. Court of Appeal, but also its own previous

decisions, and entrenched the right to collective bargaining into the *Canadian Charter of Rights and Freedoms*. The top court finally recognized that the collective rights of working people are fundamental to being Canadian.

Although HEU members have endured a tremendous amount of pain over the past five years (8,000 jobs eliminated, families destroyed, homes lost), victories of this magnitude are only achievable when the full labour movement acts as one in solidarity, and we must thank the sisters and brothers who stood with us with both their financial and moral support throughout the ordeal.

Now that the euphoria has subsided, job number one will be to secure the benefits of this decision. That means putting an end to ongoing layoffs now – not 12 months from now. It means gaining redress for our members who have been so negatively impacted by the legislation while protecting our members who are now working for the private contractors. And it means repairing the damage *Bill 29* has wreaked on public health care.

While the award focuses on and sets aside three of the worst provisions of *Bill 29*, it goes far beyond that by stating that “the Charter should be presumed to provide at least as great a level of protection as is found in the international human rights documents that Canada has ratified.”

In future, when unions go to the International Labour Organization (ILO) and are successful in achieving condemnations of draconian government legislation and actions, regimes such as the Gordon Campbell Liberals can no longer ignore those decisions and continue to operate unscathed.

The International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR) and the ILO's Convention #87 Concerning Freedom of Association and Protection of the Right to Organize have all been endorsed by Canada.

“This means that these documents reflect not only international consensus, but also principles that Canada has committed itself to uphold,” stated the ruling.

The judges indicate that Article 8 of the ICESCR allows the “free functioning” of trade unions to be regulated, but not legislatively abrogated and limits interference to national security, public safety, public health and public order.

“Human dignity, equality, liberty, respect for the autonomy of the person and the enhancement of democracy are among the values that underly the Charter,” they said.

Our success in this case definitively proves that “what we desire for ourselves, we wish for all.”

Victories of this magnitude are only achievable when the full labour movement acts as one.

Union-sponsored concert celebrates Goodwin



PATTY GIBSON PHOTO

Veteran folk singer Utah Phillips (left) and Joe Keithley of DOA fame teamed up to bring songs and stories about legendary union organizer Ginger Goodwin to this year's Vancouver Folk Music Festival. Sponsoring partners included the BC Nurses' Union, COPE 378, CUPE BC, CUPE National and HEU.

<<newsbites>>

charitable fundraising efforts.

Welcome, sisters and brothers.

Guardian wins award

HEU's *Guardian* received the Canadian Association of Labour Media (CALM) award for “Excellence in Writing” at this year's conference in Halifax. HEU was also recognized with an “Honourable Mention” for best poster.

The CALM awards recognize excellence in Canadian union publications and productions, including website, newsmagazines, campaigns, billboards, television ads and more. Entries are judged by independent experts.

Established in 1976, the Canadian Association of Labour Media is a network of union publications, communicators and editors that provides training and resources for locals, union staff and members.

Coalition keeps an eye on WorkSafeBC (WCB)

The Public Compensation Coalition has launched an important campaign to restore permanent disability benefits and pensions to pre-2002 levels.

In 2002, the BC Liberals changed the legislation governing pensions. These changes reduced eligibility

for permanent disability benefits, reduced eligibility for loss of earnings due to disability, and replaced the loss of earnings pension with a small one-time payout.

The coalition is also keeping an eye on WorkSafeBC's plans to automate the claims management system – a move that narrows entitlements for injured workers and eliminates the human discretion to consider individual circumstances.

You can sign on as a supporter of the coalition's campaign at <www.publiccompensation.ca>.

Ontario premier signed P3 deal despite poor value

Documents released as a result of a four-year court case show that the public-sector comparator used to justify the contract that established Ontario's first public-private hospital was over-inflated by up to \$400 million.

Now the deal could cost taxpayers as much as \$300 million more than if the Brampton facility had been built under the traditional public model, says the Ontario Public Service Employees' Union.

OPSEU, together with the Ontario Health Coalition, initiated the court

Participants held round table discussions with politicians.



MIKE OLD PHOTOS

ROCK ON:

Summer School hits all the right notes

Maybe it was the *Bill 29* victory party, the inspiring guest speaker, the successful on-the-street leafleting, or the politician mixer. Whatever the cause, many thought this year's summer school session was the best one in years.

The week-long gathering of close to 200 HEU members from around the province brought together experienced and emerging leaders and activists for classes in consensus building, public speaking, campaign development, coalition building, public health care solutions, and more.

The biennial education event was organized into two streams – *Grassroots Leadership* and, for the first time, a stream called *Saving Medicare*.

When asked about their favourite summer school experiences, members who talked to the *Guardian* couldn't narrow it down to just one thing. But they all agreed that Monday night's plenary guest speaker Judy Rebick was an inspiration that stayed with them throughout the week.

Rebick reminded the crowd that the latest poll shows 93 per cent of Canadians want more public investment and more workers in health care.

A former journalist, founder of the online journal *rabble.ca* and past president of Canada's largest women's organization, Rebick reminded the crowd that the latest poll shows 93 per cent of Canadians want more public investment and more workers in health care.

"We're doing better than most countries," said Rebick. "We know we have the evidence, we know we have the facts behind us, we know we have popular opinion, so we have a huge asset, and the main thing we need to do now is to think outside the box."

Rebick called on the union to use events like summer school to build on its base of community connections and to organize around values of equality and fairness that many British Columbians share.

"We don't have to convince them," she said, "all we have to do is mobilize them."

Mobilization is just what John Fraser, a dietary aide working for Sodexo, is hoping to bring back to his Powell River local. "Being a shop steward," he said, "one of my jobs is to encourage people to stand behind what they believe.

"When you listen to speakers like this you realize, yeah you can make a difference. It'll be on my mind when things are getting tough."

Fraser signed up for the *Saving Medicare* stream because, as he explained, "I've seen the effects of privatization and there's no benefit to it."

Summer school's second training stream *Grassroots Leadership* focused on giving participants a strong foundation for activating other members and people in their community around the issues that matter to them. But the learning didn't stop at the classroom doors, participants found resources among each other, as well.

"We don't realize who else is in HEU," said Erin Grant, who works in payroll at Nanaimo Regional Hospital. "It's enlightening and inspiring to meet great people from diverse backgrounds... to have an opportunity to see the big picture."

For Kelly Austin, a patient care aide at Victoria's BC Cancer Agency, summer school was the first time she'd attended a union function and met HEU members outside her local.

"You can be empowered by people here to fight for the cause you believe in," said Austin. "At work I'm a patient advocate and being here empowers me to do more."



OLIVE DEMPSEY PHOTO

Several participants explained that hands-on opportunities – like the evening event where members had round table discussions with local politicians or the *Saving Medicare* on-the-street leafleting – allowed them to feel greater confidence in their abilities to lobby their political representatives or talk to the public about health care solutions.

"It's been a really positive experience," said Pat Crown, an LPN at Royal Jubilee Hospital. "It's helped me strengthen the skills I'm already using."

Although this week-long, in-residence program occurs every two years, HEU members don't have to wait for opportunities to strengthen their own skills and access education resources.

With major strategic initiatives underway – Know Your Rights: Enforce Your Rights, the Living Wage Campaign, and Protecting and Strengthening Public Health Care – the union has substantially increased course offerings throughout the year.

HEU members can find out about workshops on topics such as union activism, shop steward training, facilitation, and occupational health and safety by watching their local bulletin boards, checking out the union's website or talking to their local executive.

OLIVE DEMPSEY • HEU COMMUNICATIONS OFFICER



OLIVE DEMPSEY PHOTO

challenge in 2003 to force the disclosure of contract details.

New rules for night workers, stronger protections against infectious substances

A number of health and safety regulations – including tougher rules to protect night retail employees working alone and timely reporting of possible exposure to biohazardous or infectious agents and materials – were the subject of a series of WorkSafeBC hearings scheduled throughout June.

HEU's submission supported changes that would tighten security for

retail employees working graveyards. The union noted that many health care staff also work alone on nights and would benefit from a regulation requiring a minimum of two employees to be on shift in the late-evening hours.

This is also a safety concern affecting HEU's community sectors, where front-line staff work alone and have inadequate checking mechanisms.

At the centre of the union's submission are parts five and six of the *OH&S Regulation*, addressing exposure to infectious diseases.

Of paramount importance to many health care workers is the timely reporting of possible exposure to biohazard-

ous or infectious agents and materials.

"Workers have a right to know prior to a diagnosis what potential infectious diseases they're dealing with," says Ana Rahmat, HEU's health and safety representative. "If a patient is admitted with symptoms of an infectious illness, samples and tests are taken, but the results are not immediate. This is where there's a gap – between the tests and the results – and workers are being exposed during that time. What do we do?"

In June, two HEU members made oral presentations before WorkSafeBC, and HEU's written submission followed in July.

Union signs collective agreement with HEU staff

A new, four-year collective agreement has been reached between HEU and the Communications, Energy and Paperworkers Union of Canada Local 468.

The contract covers the wages, benefits and working conditions of the union's approximately 145 staff.

The negotiated settlement was ratified by the HEU Provincial Executive and the CEP 468 membership in June.

The previous agreement expired March 31, 2007.

“Recognizing that workers have the right to bargain collectively as part of their freedom to associate reaffirms the values of dignity, personal autonomy, equality and democracy that are inherent in the Charter.” SUPREME COURT RULING, JUNE 8, 2007

the verdict is in

On June 8, 2007 the Supreme Court of Canada ruled that key sections of Bill 29, the *Health and Social Services Delivery Improvement Act*, violate the *Canadian Charter of Rights and Freedoms*.

The BC Liberals’ unprecedented 2002 legislation gutted the bargaining rights of health and social services workers and paved the way for massive job losses and privatization in the health care sector.



“First of all, I don’t believe in ripping up agreements... I have never said I would tear up agreements... I am not tearing up any agreements.”

GORDON CAMPBELL,
HEU GUARDIAN INTERVIEW, 2000

It also excluded health and community social services workers from labour laws that protect other workers in the province.

In its 6-1 decision, the Court struck down those sections of *Bill 29* that eliminated workers’ protections against contracting out and the rights of senior employees to bump more junior employees in the event of a reduction in the workforce, and reduced the maximum layoff period to 60 days. The BC Liberal government was given one year to deal with the repercussions of the offending legislation.

And in a groundbreaking ruling, the Court unanimously extended the freedom of association provision of the charter to include the right to free collective bargaining.

Health unions launched their charter challenge in 2002.

What the Supreme Court said:

“We find that the offending provisions of the Act (ss. 6(2), 6(4) and 9) cannot be justified as reasonable limits under s. 1 of the *Charter* and are therefore unconstitutional.

“This was an important and significant piece of labour legislation which had the potential to affect the rights of employees dramatically and unusually. Yet, it was adopted rapidly with full knowledge that the unions were strongly opposed to many of the provisions and without consideration of alternative ways to achieve the government objective, and without explanation of the government’s choices.”

“The government has failed to establish by evidence, inference or common sense that the employers’ ability to contract out would be restricted unreasonably by a requirement to consult with the relevant unions beforehand.”

“The record discloses no consideration by the government of whether it could reach its goal by less intrusive measures.”

“Association for the purposes of collective bargaining has long been recognized as a fundamental Canadian right.”

“The *Charter* should be presumed to provide at least as great a level of protection as is found in the international human rights documents that Canada has ratified.”

“A basic element of the duty to bargain in good faith is the obligation to actually meet and to commit time to the process. The parties have a duty to engage in meaningful dialogue, to exchange and explain their positions and to make a reasonable effort to arrive at an acceptable contract.”

HISTORY TIMELINE

NOVEMBER 2000 In a pre-election interview with the *Guardian*, B.C. Liberal leader Gordon Campbell repeatedly says that he won’t rip up the HEU collective agreement.

MAY 16, 2001 Gordon Campbell and the BC Liberals win an overwhelming majority in the provincial election.

JANUARY 28, 2002 BC Liberals pass *Bill 29* which eliminates negotiated protections for health care and community social services workers, including 20-year-old contracting-out provisions that safeguarded health services and jobs from privatization.

MARCH 4, 2002 HEU releases secret government budget document that contains plans to privatize the work of thousands of health care workers.

MARCH 19, 2002 HEU and allied health unions representing more than 100,000 health care workers launch legal action in B.C. Supreme Court alleging that *Bill 29* is unconstitutional and violates the *Canadian Charter of Rights and Freedoms*.

MAY 3, 2002 BC Federation of Labour releases transcripts of recorded phone conversations where representatives of major corporations threaten to blacklist union members and cut wages when they get lucrative government privatization contracts.

JUNE 25, 2002 HEU launches major TV ad campaign against privatization.

FALL 2002 Health authorities begin to issue tenders for the privatization of a broad range of health care services including housekeeping, dietary, laundry and security functions.

NOVEMBER 25, 2002 HEU leadership arrested at Chilliwack blockade of laundry trucks taking hospital linen to Alberta for cleaning.

JANUARY 28, 2003 Thousands of HEU members take to the streets to mark the first anniversary of the passage of *Bill 29*.

MARCH 2003 The International Labour Organization (ILO) concludes that *Bill 29* violates interna-



tional conventions that protect workers’ rights to freely associate and organize. It calls on the B.C. government to repeal or rewrite the laws. Government fails to comply.

APRIL 14, 2003 The B.C. Supreme Court hears unions’ constitutional challenge to *Bill 29*.

SEPTEMBER 12, 2003 B.C. Supreme Court dismisses unions’ constitutional challenge; unions appeal.



HEU reorganized more than 3,000 newly privatized workers.



Bill 29 shredded key collective agreement protections and facilitated the largest mass firing of women workers in Canadian history.



BOB KRIEGER ILLUSTRATION. USED WITH PERMISSION. ALL PROCEEDS TO THE FOOD BANK.

What the government said:

“We are obviously disappointed that the Supreme Court has reversed several of its own previous decisions in arriving at this decision. We based the legislation on the rules of the day, and now it seems those have changed.”

“We’re more disappointed than surprised. Any time an issue goes to the Supreme Court of Canada, one contemplates the outcomes. This is not the outcome we expected.”

“Government understood *Bill 29* to be legal and constitutional under the jurisprudence prevailing at the time the bill was passed. Since the Supreme Court has now set out a new legal framework, government will need to study the decision, take some time to review the implications and determine how we will go forward.”

“These new rules will take effect in 12 months. In the meantime, government will thoughtfully evaluate the decision and determine its course of action for the future. This will include discussions with health authorities and contracted service providers, which will be impacted by the decision.”

“At this point, our only recourse is to fully understand what the Court meant and reconcile any difference between what is demanded in the Court judgment and what we have in respect of process and substance in our public policy.”

What the Court struck down:

In its landmark ruling, the Supreme Court of Canada declared the following sections of *Bill 29* – the *Health and Social Services Delivery Improvement Act* – to be unconstitutional under the freedom of association provision of the *Canadian Charter of Rights and Freedoms*.

6 (2) A collective agreement between HEABC and a trade union representing employees in the health sector must not contain a provision that in any manner restricts, limits or regulates the right of a health sector employer to contract outside of the collective agreement for the provision of non-clinical services.

6 (4) A provision in a collective agreement requiring an employer to consult with a trade union prior to contracting outside of the collective agreement for the provision of non-clinical services is void.

9 For the period ending December 31, 2005, a collective agreement must not contain a provision that: (a) restricts or limits a health sector employer from laying off an employee, (b) subject to paragraph (c), requires a health sector employer to meet conditions before giving layoff notice, (c) requires a health sector employer to provide more than 60 days’ notice of layoff to an employee directly or indirectly affected and to the trade union representing the employee, or (d) provides an employee with bumping options other than the bumping options set out in the regulations.

What the media said

“Looking back on the hasty adoption of *Bill 29*, the real driver was probably a rush to minimize the fallout from the premier’s broken promise... Campbell himself bears a lot of the responsibility for that defeat, as he does for the HEU decision to go to court and challenge the law in the first place.”

Vaughn Palmer, *Vancouver Sun*

“What’s striking when you read the judgment is how easily the government could have avoided this... What got the Liberals into trouble was indifference and arrogance... The Liberals went straight to bully tactics, using the power of the state against citizens.”

Paul Willcocks (syndicated column)
Kelowna Daily Courier

“The ruling also left major egg on the face of the B.C. Liberal government, which in its zeal to get rid of a contract it considered too expensive forgot about the rights of a unionized workforce.”

Keith Baldrey (syndicated column) *Burnaby Now*

“Far from being a departure from our system of government, last week’s judgment demonstrates precisely how it is designed to work. For providing this lesson we are indebted to the Hospital Employees’ Union, because history could easily have unfolded in another direction.”

Norman Spector, *Globe and Mail*

“Now that one of the highest courts in the land has said that Gordon Campbell and his government acted illegally, a show of good faith would go a very long way.

That show of faith needs to be an agreement to a moratorium on any more layoffs at long-term care facilities.

Editorial, *Nanaimo Daily News*

“Campbell was forced to admit this week that elements of *Bill 29* were ‘not consistent with my stated intent to respect existing union contracts...’ For a man who hates to publicly admit errors, this was an extraordinary confession. A Supreme Court decision can do that.”

Editorial, *Courtenay Comox Valley Record*

“Thanks to Friday’s unexpectedly bold court decision, the government now has a chance to do the right thing. Play fair.”

Rod Mickleburgh, *Globe and Mail*

NOVEMBER 19, 2003

B.C. government introduces *Bill 94 – the Health Sector Partnerships Agreement Act* – which extends *Bill 29* by allowing private-sector companies to cancel commercial health support and care services contracts and fire staff repeatedly.

JANUARY 16, 2004 Collective bargaining begins as health employers continue to issue hundreds of pink slips using *Bill 29*. It would be a difficult round, culminating in legislated contract rollbacks and an eight-day, province-wide walkout.

JULY 4, 2004 B.C. Court of Appeal upholds B.C. Supreme Court ruling; unions petition the Supreme Court of Canada for leave to appeal.

NOVEMBER 2004

More than 800 employees of Sodexo join HEU. Over the next two and a half years, more than 5,000 health care workers will join HEU and the union will reach first contracts with Sodexo, Aramark and Compass – the main beneficiaries of lucrative privatization contracts.

APRIL 21, 2005 Supreme Court of Canada announces it will hear the unions’ charter challenge.

MAY 17, 2005 BC Liberals re-elected with greatly reduced majority. In its first term, the government used *Bill 29* to fire 8,000 health care workers; close more than 50 hospitals and care facilities; and award lucrative privatization contracts worth hundreds of millions of dollars to foreign corporations.



FEBRUARY 2006

The Supreme Court of Canada hears the unions’ charter challenge to *Bill 29*.

MAY-JUNE 2006 More than 700 care staff laid off at six long-term care facilities as the result of chronic contract flipping.

JUNE 8, 2007 The Supreme Court of Canada hands down landmark decision ruling key sections of *Bill 29* unconstitutional and establishing free collective bargaining as a protected right under the *Canadian Charter of Rights and Freedoms*.

Joe Arvey shares his views on Bill 29 victory

What inspired you to take on this case?

It was a few things. I knew that it was going to be an important case as soon as it came in. I want to do cases that I think are going to be important and socially progressive and this certainly fit that criteria.

I also like a challenge and this was perhaps one of the biggest challenges I have taken on. As it turned out I think it was one of the hardest cases I have ever won.

Right from the beginning, we knew we had an uphill battle trying to win the case in the lower courts and that if there was going to be success, it would be in the Supreme Court of Canada. That's exactly what happened.

What is the impact of this ruling for unionized workers?

With respect to labour organizations, I don't think that one can actually underestimate the importance of this case. From the point of view of unions and workers, this truly is a brand new day.

Prior to this case, unions' rights to collective bargaining were always subject to the whim of legislatures in both the public and private sectors. That's because any collective agreement that was negotiated in the past, regardless of sector, was always subject to being overridden by legislation, and without the need for anybody to justify the legislation. That just is no longer the case.

Now when a union negotiates a collective agreement, whether in the private or public sector, it has something far more solid, secure and reliable than it ever did before.

And that's not to say that legislatures across Canada are never going to be able to override collective agreements because there will be circumstances in which it will be possible. But such legislation will have to meet the onerous test of justification under section one of the charter.

So for instance, whereas governments in the past have been pretty quick to invoke back-to-work legislation when they simply don't like the fact that workers are on strike, that back-to-work legislation is not going to be so easy to pass in the future.

This of course will raise the next issue – whether there is now not only a constitutional right to collective bargaining, but also a constitutional right to strike. I think if a union carefully picks its case, the time is right to establish that there's also a constitutional right to strike.

However, I think it's really important that unions and their members are very careful about what cases they take on next to make sure that it is the right case. [There are] those who are looking for an opportunity to have the Court ratchet back its ruling, or narrow it, or say "we didn't quite mean what you think we meant." That should be avoided at all costs.

What was the most compelling argument presented to the Court?

I think it was actually a combination of arguments that caused the Court to go our way.

I am a constitutional lawyer and my focus was on having the Court give a more purposive and expansive interpretation to the guarantee of freedom of association in the charter than it had in the past.

But the case had a significant labour law component and I wanted to have labour lawyers who had a lot of credibility, a lot of insight and a lot of knowledge at the Supreme Court of Canada as interveners. We had a great team.

If you read the reasons, you'll see the Court picked up on all our arguments. I credit all those lawyers for the great success that we had.

Government defends Bill 29, saying it was legal when passed. What is your opinion?

I don't criticize them for thinking it was legal when *Bill 29* was enacted as charter jurisprudence certainly was in their favour at that time.

Yet, there was a certain arrogance in the government's position. They knew, and they admitted on discovery that *Bill 29* was unprecedented in Canada. There had been no legislation like it which stripped unions and their workers of their collective bargaining rights.

I think it was because the legislation was so draconian that the Supreme Court may have reacted the way it did. Whereas in the past the Court might have assumed that the government would respect unions' collective bargaining rights, when this government displayed such contempt for those rights, the Court made it clear that the Constitution will protect workers even when the legislature will not.

They knew, or at least should have known, that they were pushing the legislative envelope. They took a risk and lost.



Joe Arvey Q.C. was lead counsel for HEU's charter challenge on *Bill 29*.

Where I really criticize them is for thinking that it's legal today – because that seems to be their thinking given that they're continuing with contracting out. They seem to be hiding behind the fact that the Court suspended its declaration of invalidity for one year to carry on as if it's business as usual. That was not the purpose of the suspension.

There may have to be further litigation if the government doesn't sit down and negotiate and consult with the unions during the [12-month] suspension period to resolve what to do about all the past wrongs caused by *Bill 29*.

Some minimize the importance of the Court's decision. What is your response?

Those who lose cases try to find a way to minimize the significance of the case. My own reaction to that is they're just sore losers.

There is no doubt that this is the most important case for labour in Canadian history. And I think it is one of the most important charter cases since the inception of the charter 25 years ago.

MARGI BLAMEY
HEU COMMUNICATIONS OFFICE

>>notebook>>



The potential for conflict of interest on projects worth hundreds of millions of dollars is significant.

Questions raised as high profile bureaucrat poached

Mike Marasco knows all about public-private partnerships in British Columbia. After all, the former health region executive wrote the book on hospital P3s – first as the chief project officer charged with safeguarding taxpayers' interests in the \$355 million Abbotsford P3 project and later, as vice-president of the government's P3 agency, Partnerships BC.

As Victoria's go-to guy on the Abbotsford P3 project, Mr. Marasco has intimate knowledge of the bidding process to which P3 proponents are subjected. It's the kind of insight that would benefit any of the private-sector companies lining up to cash in on B.C.'s P3 bonanza.

This past March, Mr. Marasco exited Partnerships BC to become a senior vice-president of The Plenary Group – a P3 development company. He's also chief executive officer for Plenary Health – a wholly-owned subsidiary of Plenary Group – and he's in charge of Plenary's government relations. Plenary Health has since made the shortlist of qualified bidders for two P3 projects – the Surrey Outpatient Facility and the Kelowna/Vernon hospital expansion.

The potential for conflict of interest on projects worth hundreds

of millions of dollars is significant. In response to the situation, Partnerships BC president Larry Blain issued a series of restrictions that would apply to Mr. Marasco in his new job.

But are these restrictions tough enough?

In addition to signing a confidentiality agreement, Mr. Marasco won't participate in bids involving Partnerships BC – like the Surrey and Okanagan P3s – for a six-month period.

The former vice-president will also be "firewalled" from projects during the six-month period. Whatever that means.

Mr. Marasco's six months on the sidelines expires on September 14, leaving plenty of time to pitch in on Plenary Health's proposals for the Surrey and Okanagan projects.

By comparison, ex-cabinet ministers must wait two years before doing business with government.

P3s have come under fire over concerns that they don't provide taxpayers value for money and that they lack public accountability.

Partnerships BC's unwillingness to put more stringent conflict guidelines in place will just add to the controversy.

MIKE OLD • HEU COMMUNICATIONS DIRECTOR

Chalk one up in the ongoing battle against Canada's free trade agreement

An attempt to undermine Canada Post and the benefits its workers enjoy has been rejected by a North American Free Trade Agreement (NAFTA) tribunal. The U.S.-based, private multinational United Parcel Service (UPS) claimed the post office had an unfair, competitive advantage in the courier business.

It's a key victory, but the parties struggling to preserve Canadian sovereignty and public services are continuing their legal fight to do away with NAFTA's entire tribunal process.

Deborah Bourque, president of the Canadian Union of Postal Workers (CUPW), hailed the June 13 decision, "but that doesn't mean we think NAFTA works."

CUPW, along with the Council of Canadians and the Charter Committee on Poverty Issues, is petitioning the Supreme Court of Canada to hear a legal challenge against Chapter 11 of NAFTA. "NAFTA allowed UPS to put public postal service and jobs on trial. A secret trial," Bourque stated.

Since NAFTA was signed in 1994, there have been numerous challenges to Canadian public institutions and laws under Chapter 11. UPS launched its claim in 2000, charging that Canada Post enjoyed an unfair, competitive advantage because of its network of mailboxes and post offices. They sought a whopping \$160 million in damages.

The tribunal denied CUPW and the Council permission to address the case. The organizations were also unsuccessful in their 2005 constitutional

challenge to NAFTA's investment rules at the Ontario Superior Court. And the Ontario Court of Appeals subsequently dismissed their appeal of that ruling.

Three key issues were in the balance – public ownership of crucial resources, workers' benefits and cultural programs. Since private corporations compete with public services in many fields, a victory by UPS could be applied to all public services, from water supply to health care.

Another was the threat posed to workers' hard-won rights because



Since private corporations compete with public services, a UPS victory could be applied to all public services, from water supply to health care.

UPS cited the Canada Post Pension Plan as unfair competition. UPS also attacked subsidized postal rates for Canadian publications, part of a program to protect

Canadian cultural periodicals against an incursion of foreign, mass-produced publications.

Facing mounting public criticism, UPS finally released the details of its complaint and announced it had reached an agreement with the Canadian government to open the hearings to the public. But most of the proceedings were conducted in secret.

Steve Shrybman, lawyer for the groups, said they believe that the rules allowing foreign corporations to sue governments are unconstitutional.

The Supreme Court of Canada has the right to grant or deny leave to appeal.

The groups argue that NAFTA's trade rules amount to "extraordinary investor rights [that] have now been invoked by foreign investors and corporations to challenge environmental laws, municipal land-use controls, water protection measures, the activities of Canada Post, and even the decisions of juries and appellate courts."

The challenge alleges that NAFTA's "investor-State procedures" deprive Canadian courts of the authority to adjudicate matters reserved to them by the Constitution; that they deny the rights and freedoms granted by the *Canadian Charter of Rights and Freedoms* and the *Canadian Bill of Rights* and that they are incompatible with Canadian values including democracy, constitutionalism and the rule of law.

DAN KEETON
VANCOUVER WRITER

Wal-Mart loses in court – again

In April, the Supreme Court of Canada dismissed an appeal application from Wal-Mart Canada challenging the legitimacy of the Saskatchewan Labour Relations Board (SLRB) to rule on a United Food and Commercial Workers Canada union certification application. This is the second time in two years that the court has dismissed a Wal-Mart appeal application.

UFCW first filed the certification application with the SLRB for a Wal-Mart store in Weyburn in April 2004. Wal-Mart's legal actions have stalled the decision process. Applications are also pending for Wal-Mart locations in Moose Jaw and North Battleford.

Wal-Mart has been aggressively fighting unionization of its Canadian stores for several years.

>>voices>>



Canada's ratification of ILO conventions amounts to recognition of a charter right to collective bargaining

Government attitudes toward workers must change

On June 8, the Supreme Court of Canada asserted the value and the importance of collective bargaining to the well-being of everyone – in the context of the *Canadian Charter of Rights and Freedoms*.

When the Campbell laws came into effect, the Canadian Labour Congress took the matter to the United Nations' International Labour Organization (ILO). In 2003, the world body asked British Columbia to repeal these laws; in effect, treating Canada like one of the countries better known for human rights abuses.

The Supreme Court's decision confirmed that Canada's ratification of ILO conventions amounts to recognition of a charter right to collective bargaining – just as freedom of speech or freedom of religion.

This is a big deal. Because governments have a duty to protect and promote the Constitution and the charter. If only to raise the profile of their own legitimacy. Now we ask them to promote our rights.

For the past 25 years or so, governments of all political stripes have been doing the contrary. And in the case of *Bill 29*, thousands of health care workers paid with their livelihoods. These government actions fostered the conditions for private-sector employers – like Wal-Mart – to deny our rights.

After this Supreme Court decision, governments' attitude towards workers and their unions must change. Membership in a union and collective bargaining are a constitutionally-protected human right that call for respect, protection and promotion.

This is a significant victory for working people right across Canada. And working people are in debt to members of the health care unions in B.C. who took on this fight for all of us.

Ken Georgetti is president of the Canadian Labour Congress. At the Supreme Court, the Canadian Labour Congress was an intervener on the side of the HEU.

Support Workers' Day brings awareness

Their role is often misunderstood and unappreciated, but on May 17, HEU's support workers were celebrated across B.C.

Sponsored by the OH&S and support workers sub-committees, HEU locals marked the first annual Support Workers' Day by recognizing this occupational group's essential contribution to the health care team.

Events included barbecues, pizza parties, and celebrations where refreshments and baked goods were offered to colleagues and the visiting public.

With HEU flags, balloons and handouts, it was also an opportunity for members to inform the public about privatization, and give back to their communities.



SHAWNA RAND PHOTO

Royal Columbian Hospital raised more than \$2,000 for the Burn Unit, while the Okanagan and Interior distributed petitions against P3s.

HEU support workers make up 13 per cent of the union's membership, and work in

about 35 job classifications.

Support Workers' Day helped raise awareness about their vital roles, such as ensuring patients and residents receive proper nutrition; establishing hazard-free health care environments through implementing universal infection control precautions; and making sure clean laundry is delivered to the appropriate destination.

They're also responsible for handling critical and bio-hazardous materials in a safe and timely manner, and sterilizing surgical tools and equipment.

"We received a lot of positive feedback," says Becky Jacobson, co-chair of HEU's support workers sub-committee. "Our members were

really happy to be recognized. And we acknowledged everyone, not just support workers. It was a refreshing morale boost."

Union raises funds for AIDS organizations

Since 2003, HEU has raised more than \$6,000 for the B.C. Persons with AIDS Society from skydiving and walk-athon fundraising initiatives.

This year's AIDS WALK for LIFE is September 23, and the union is currently organizing a team of participants.

"The AIDS walk not only raises money for men, women and children living with HIV, but it also raises awareness about the disease," says HEU's team captain Thom Marshall. "HEU has

always been active in supporting community events."

Canada has an estimated 55,000 people infected with HIV – approximately 15,000 of those live in B.C.

Proceeds from the walk also benefit other AIDS-serving organizations, including Friends for Life, Vancouver Native Health Society, Positive Women's Network, A Loving Spoonful, and YouthCo AIDS Society.

The 10 km walk around Vancouver's Seawall begins at 9:00 a.m. in Upper Ceperley Park (near Second Beach).

If you're interested in joining HEU's AIDS WALK for LIFE team, please contact Thom Marshall at thomfmarsh@shaw.ca or 604-488-9678.

COMMENTARY

DUNCAN CAMERON

In assessing the Supreme Court's decision on *Bill 29*, Duncan Cameron argues it will be more difficult for governments to restrict collective bargaining on workplace issues.

BARGAINING RIGHTS ARE CHARTER RIGHTS



When the Supreme Court of Canada struck down key provisions of *Bill 29*, it reversed itself and re-wrote its own jurisprudence on important labour issues.

For the first time, the Court extended freedom of association rights under the *Canadian Charter of Rights and Freedoms* to include the right to collective bargaining, stating that collective bargaining complements and promotes the values expressed in the charter.

Accordingly, the role of trade unions cannot be repressed "in a free and democratic society."

This ruling has a legacy: it will imprint on the legal system at every level, and each jurisdiction, the recognition of labour rights as fundamental rights.

Specifically, the Court affirmed that collective bargaining is necessary for workers "to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work."

According to the Court: "Human dignity, equality, liberty, respect for the autonomy of the person and the enhancement of democracy are among the values that underlie the Charter... All of these values are complemented and indeed, promoted, by the protection of collective bargaining in s. 2(d) of the Charter."

On fundamental workplace issues, this landmark Supreme Court decision can now be drawn upon to bring reluctant employers to the negotiating table. It can also help those who are trying to regain lost bargaining rights for certain groups of workers. A good example is the United Food and Commercial Workers' fight to get back bargaining rights for agricultural workers that were taken away by the Ontario legislature.

Contrary to the charge of judicial activism leveled by the B.C. government against the Supreme Court, its judgment creates no new rights. In its ruling, the court points to collective bargaining as predating

the establishment of particular labour relations regimes in Canada, and existing well before the charter recognized the fundamental right to association.

The majority decision (six justices concurring, and one partially dissenting) details an historical overview of how industrial relations developed in Canada. In providing a clear context for explicitly recognizing the right to collective bargaining as a fundamental freedom, the justices drew upon the work of labour historians, labour law specialists, and government commissions

The Court acknowledges what was won historically through strikes and related struggles; namely a legally enforceable right for unions to bargain

collectively with private employers. The Court cites legal scholars Judy Fudge and Harry Glasbeek: the union right to bargain was recognized by the federal government in wartime, by order-in-council PC 1003, and subsequently incorporated into provincial legislation. The Court refers to an article by former CUPE research officer John Calvert to illustrate that only in the 1970s were collective bargaining rights extended to cover public-sector workers.

The Court notes that although labour organizations first appeared in Canada at the end of the 18th century: "From the beginning, the law was used as a tool to limit workers' rights to unionize."

This judgment recognizes that labour rights are part of the values protected by the charter; that Canada has signed international conventions and has thus recognized labour rights under international law; that historically collective bargaining is integral to the right to association; and, finally, that the Supreme Court itself was wrong not to admit that the guarantee of freedom of association extends to collective bargaining.

Governments wanting to deny labour rights have argued they could be reasonably limited under the law. Since the Supreme Court decision recognizes labour rights as a part of a free and democratic society, from now on restrictions on collective bargaining on workplace issues will be very difficult for lower courts to justify.

Duncan Cameron writes a weekly commentary at rabble.ca where an earlier version of this article first appeared.

North Islanders demand local hospital upgrades

As the Vancouver Island Health Authority wades through the controversy surrounding its plans to build one regional hospital to serve the entire northern area of Vancouver Island, citizens from the Comox Valley and Campbell River continue to push for facility and service upgrades to their two existing hospitals.

Improvement plans for Campbell River General and St. Joseph's in Comox created in the past three years remain viable and provide the basis for the ongoing pressure being felt by the provincial government, VIHA and the Comox Strathcona Regional Hospital District.

Citizens for Quality Health

Care recently presented to the hospital district board, backing their call to keep both hospitals open and thriving with their new petition. More than 9,000 North Island residents have signed it to date and the Citizens for Quality Health Care say the petition will remain in circulation throughout the summer.

As a result of lobbying by the coalition and others at the district level, the majority of regional hospital board members voted to reconsider their May 24 decision to support a new hospital in the Comox Valley with upgrades to Campbell River Hospital.

They've postponed any decision until their August meeting when VIHA CEO Harold Waldner will make a presentation.

Okanagan locals rally opposition to P3 plans

Okanagan citizens just aren't buying it. A recent poll shows widespread opposition to emerging privatization plans that would contract out housekeeping and plant services at Vernon Jubilee and Kelowna General hospitals.

In May, the Interior Health Authority announced its intention to expand the two hospitals – without one new bed for either facility – using a public-private partnership (P3) that could include the contracting out of critical support services to the successful P3 bidder.

The contracting out would not be restricted to the new structures. Instead, it would also encompass the existing buildings.

But a poll of 400 Kelowna

and Vernon residents, released in early June, shows nearly two-thirds trust public health care workers to provide cleaning and maintenance services, while only one in five would trust a private corporation.

In recent weeks, our HEU Vernon and Kelowna Amalgamated locals have launched comprehensive, parallel campaigns to save the more than 300 unionized jobs now at risk.

Together, the HEU locals are working to educate Okanagan citizens about the potential hazards of contracted-out cleaning and plant services, and the wider disadvantages of costly P3 schemes.

Members have held meet-

ings, hosted rallies, lobbied the IHA board as well as civic and provincial politicians, wrote letters to the editors and ran newspaper ads, went on radio to spread the word, and launched a petition to stop the privatization. At a recent celebration of the union's Supreme Court of Canada win, Kelowna members gathered more than 225 signatures in less than two hours.

The IHA has short-listed three corporate consortia as eligible to respond to the Request for Proposals (RFP). The health authority is expected to issue the RFP – with or without the contracting out of housekeeping and plant services – at the end of July. If Okanagan residents

continued on page 14

>> factfile

There are approximately 362,000 workers in B.C. and 2,550,000 workers in Canada between the ages of 15 and 24.

Workers between ages 15 and 29 represent one in four on-the-job injuries in Canada.

Nearly 66 per cent of minimum wage earners in Canada are between 15 and 24.

In 2001, the BC Liberals introduced a \$6 an hour "training wage" for those with fewer than 500 hours of work experience.

B.C.'s *Employment Standards Act* allows children as young as 12 to work, with the written consent of a parent or guardian.

A 2005 Canadian Centre for Policy Alternatives study found that B.C. provides significantly less protection to young workers than other jurisdictions in Canada, the U.S. and the European Union.

The International Labour Organization's *Convention 182* states that the minimum age for work should not be below the age for finishing compulsory schooling, which is generally 15.

In 2005, Wal-Mart was fined \$135,540 for allowing teenage workers to operate hazardous equipment.

Since 2003, the B.C. Federation of Labour's Health and Safety Centre has spoken to over 30,000 high school students across the province about labour rights and workplace safety.

ON THE JOB

OLIVE DEMPSEY

As a life skills support worker for people with mental illnesses, Waylon Becker is dedicated to helping individuals ease their transition from hospitalization to community life.

MEETING CLIENTS' SUPPORT NEEDS

When Waylon Becker became a corrections officer in his early 20s, he didn't expect that only a few years later, he'd be helping people learn how to cook, develop exercise plans or get more sleep. As a life skills support worker for people with mental illnesses, Becker does all these things and more.

Now, three years into the position at Prince George's Davis Drive House, Becker has no interest in going back.

The Northern Health Authority-run facility houses up to five people at a time, for a three-month period, easing their transition from hospitalization to community life.

The 28-year-old Becker is responsible for helping clients develop greater independence and the kinds of life skills many people take for granted. He works on creating routines for everything from daily medications to housekeeping, adopting regular sleeping habits, making time for exercise and cooking.

"We set recovery plan guidelines with clients for the things they want to achieve," says Becker. "We start on short-term goals and then apply longer term ones."

It's not a one-size-fits-all approach. He works with nurses, doctors, case managers and, in some cases, family members to meet the individual support needs of his clients.

He also provides conflict resolution, emotional

support and sometimes just an open heart and ear.

"A lot of people don't want to talk to a stranger," he says. "We show them empathy, comfort them and let them know we're here to talk. Most of the time, we just listen."

Then there are the times when empathy has to be balanced with clients' willingness to take responsibility for their own healing.

"Say somebody comes in and they [harm] themselves," explains Becker. "You show them that you care about what they've done... but if they aren't willing to get better, it's hard to assist them."

As a younger member of the staff, Becker admits that in the beginning his co-workers treated him differently because of his age, although that has changed over time.

"I still get a little bit of grief from clients," he says. "If they're 60 years old, sometimes they don't want to take direction from a 28-year-old."

Becker says the challenges of his job aren't always inside the house. When helping residents find safe, secure homes in the community, he often comes face-to-face with the racism and prejudice many clients experience on a daily basis.

But despite these difficulties, Becker sees a long future for himself in this field.

"I love people. I love doing this kind of work. It feels rewarding. When I go home, at least I can say I helped somebody today."



Life skills support worker
Waylon Becker

continued from page 13

and health care workers have been heard, the publicly-delivered cleaning and trades/maintenance services will not be part of the deal.

Campaign for a living wage gathers steam

It's been a busy time for HEU members working on the campaign to achieve living wages for Sodexho, Aramark and Compass workers. They've organized local potlucks and barbecues, leafleted at community events, distributed surveys and information to their co-workers, developed a new logo, and more.

And it shows no sign of letting up. A series of short workshops in the fall will help prepare members of

the growing action network to take the campaign's message – that low wages hurt families, communities and other workers – out to communities around the Lower Mainland and southern Vancouver Island.

HEU members who want to learn more about the campaign can contact Priti Shah at 604-456-7012 or <pshah@heu.org>.

Members, allies push back against VIHA

At every turn, concerned citizens, community action groups and HEU members are challenging public health services cuts in the Vancouver Island Health Authority.

At Mount St. Mary's, a state-of-the-art complex

care facility in Victoria, 35 HEU workers have received lay-off notices and could be without jobs by August 13.

VIHA says that the facility's operating deficit is the reason, but further layoffs – there were cuts in 2004 – will mean a reduction in the quality of care for seniors as fewer staff will be looking after the same number of residents.

The Capital Mental Health Association, a non-profit organization that provides psycho-social rehabilitation programs and services for people with mental illness at Laurel House in Victoria, is facing a forced relocation despite opposition from clients, their families, the facility's volunteers and HEU workers.

The newly-formed coalition, which is fighting the

relocation, says the financial cost of moving won't save money or benefit people in the short- or long-term – rather it will cause unnecessary emotional upheaval for clients.

And in Port Alberni, the broad-based Save Our Services coalition is once again fighting to keep programs and services at West Coast General Hospital. The community-wide coalition – in which HEU members are very active – formed shortly after the BC Liberals were elected to their first term and launched their cuts, closures and contracting-out agenda.

Now, with reductions in the wind again, Port Alberni citizens renewed their mobilization efforts with a rally on July 12.



ELAINE HAPPER PHOTO

Nursing Team Week

In May, locals across the province celebrated Nursing Team Week with a series of events, including a ribbon campaign organized by Obhinder Sidhu, an LPN at Royal Columbian Hospital.

This year, HEU's nursing team professionally produced leaflets, posters, banners and a commemorative pin.

The popular pins – with an eyeglass hook – are available by ordering them through HEU's mail room.

AUGUST

SEPTEMBER

OCTOBER

AUGUST 6

B.C. Day
HEU offices closed

AUGUST 8

HEU bursary application deadline

SEPTEMBER 3

Labour Day
HEU offices closed

SEPTEMBER 8

International Literacy Day

SEPTEMBER 10–13

Provincial Executive meeting

SEPTEMBER 17–27

HEU Regional meetings
(see page 2)

OCTOBER 8

Thanksgiving Day
HEU offices closed

OCTOBER 15–19

CUPE National Convention (Toronto)

OCTOBER 18

FBA Education Fund long-term application deadline

So... just how sick is it?

Michael Moore loves Canada. But like they say, love can be blind, and Moore's portrayal of our country can be a little misguided. Who can forget Bowling for Columbine's portrayal of Windsor, Ontario residents who didn't lock their doors?

Before I saw Sicko, Moore's latest film, I was prepared for more of the same. Some Canadian reviewers had called him to task on his tendency to gloss over Canada's shortcomings. "Why doesn't your film show the real Canadian situation?" they asked. Moore dismissed them outright and, on one occasion, called them whiners.

Now that I have seen Sicko, I have to admit Moore has a point. The health care situation in the U.S. is nothing short of terrifying. And although Canada may be taking some pretty frightening steps in that direction, we have a long way to go before we get there.

Most importantly, Canadians have a chance to learn from this film, to use it to fight attacks on public health care here in B.C. and elsewhere, and to stop the incursion of for-profit, private health care in its tracks.

Every person who speaks out in favour of private health insurance and private medical businesses should be forced to watch this film.

Like many people I know, I assumed the main difference between the U.S. health care system and ours was that Canadians have access to affordable health insurance while millions of Americans do not. I thought the critical issue in the U.S. was the scandalously large segment of their population who can't get health insurance. If only those citizens could get jobs with medical insurance, I thought.

But after seeing Sicko, I realized – that for many – securing private health insurance is really only a short trip from the frying pan into the fire.

Sicko is not about the tens of millions of people in the U.S. who have no health insurance. It's about the people who have health insurance, but end up with no health care.

There's no question about it. The film is shocking. It follows the stories of fairly average, middle-class, working Americans who have tried to safeguard themselves and their families by signing up with an HMO (Health Maintenance Organization), a private health care insurer. Sicko chronicles their stories – the often-tragic, untimely deaths of the supposedly fully insured.

However, the film does more than roll out instances of medical incompetence. It presents a damning picture of what happens when profit-making becomes the basis for medical decision-making.

HMO employees explain how decisions are made, from who is denied coverage in the first place, to the pressure to meet "denial quotas", to surgeries halted on the operating table because a last-minute loophole has been found to stop paying for it.

What we're seeing here is the dark underbelly of a medical system where people die in the name of corporate gain.

Canada comes in to the film as an example of how things look in systems where health takes precedence over dollars. Moore again travels to Windsor, Ontario (where he has relatives), and also goes to the U.K., France and Cuba. On the last of these trips, he brings volunteer 9/11 rescue workers – all who've been denied care by insurers – to be healed by the "enemy".

Moore presents the film as an indictment of what happens when the American

ideal of individualism – everyone for themselves – is followed to its logical extreme. British politician Tony Benn presents some of the most cogent arguments for what Moore calls a mindset based on "we" rather than "me," and for maintaining national public health care systems.

Yes, the picture of Canada presented here is somewhat rosier than it feels to those of us who are concerned about what is happening to our health care. But it's also true that in our country, people in medical distress are not dismissed outright from emergency rooms or denied treatment because of some private insurer's bottom line. Let's keep it that way.

EMMA KIVISILD
VANCOUVER WRITER



LPN wins award

HEU's **Anita Dickson**, an emergency LPN at Royal Columbian Hospital,

received a 2007 Gold Apple trophy and plaque for "Healthcare Hero" at the inaugural



DICKSON

Excellence in BC Healthcare Awards on June 25.

The HEABC-sponsored awards honoured members of B.C.'s publicly-funded health care system for their innovation and excellence in service delivery. Dickson was one of five recipients cited for her front-line contribution to providing quality patient care.

A staunch advocate for union and LPN issues,

Dickson founded Fraser Health's LPN Professional Practice Committee, sits on the board of the College of Licensed Practical Nurses in British Columbia, is a member of Royal Columbian's Professional Practice Committee and a consultant on numerous projects, including the B.C. Nursing Directorate.

"I have been fortunate throughout my journey to become a nurse and be recognized as part of the health care team," says Dickson. "It was such an honour to receive this award as a front-line nurse. I appreciate every minute of my profession."

In memoriam

CUPE brother **Ray Whitehead** passed away

June 11 in Coquitlam after a courageous battle with lung cancer. He was 66.

Ray is described as "a true friend to working people." He was CUPE BC's regional director, a member of the Royal Canadian Legion, and he sat on the boards of BC Ferries and the B.C. Safety Authority.

"Ray was a committed and principled trade union leader," recalls HEU president Fred Muzin. "He was very effective in building bridges, particularly when HEU re-affiliated with CUPE. He will be missed."

Predeceased by his wife (Patricia) and sister, Ray is survived by his mother, two brothers, two sons and their families. His remains will be interred in a plot with Patricia near Simcoe, Ontario.

You can

1. save HEU money
2. save trees
3. get your *Guardian* quickly

by notifying us promptly of any change of address. Just clip this coupon, which has your mailing label on the back, fill in your new address below and mail to the *Guardian*, 5000 North Fraser Way, Burnaby V5J 5M3.

Name _____

Address _____

Postal Code _____

Telephone _____ E-mail _____

Facility _____

BECOME A FRIEND OF MEDICARE



www.bchealthcoalition.ca

Join the BC Health Coalition as a Friend of Medicare and take action to support the expansion of positive public health care solutions.

As a Friend of Medicare you join thousands of British Columbians who support public health care.

As a supporter of the BC Health Coalition you will receive one email update per month, a semi-annual newsletter by post, the opportunity to join our campaigns and much more!

To join the BC Health Coalition fill in and return a member form (available at www.bchealthcoalition.ca) And consider becoming a supporter of the BC Health Coalition by making a donation.

EQUITY PHONE LINE

1.800.663.5813, ext. 7192
Lower Mainland 604.456.7192

PRESS 1

Ethnic Diversity

One union, many colours! Working across our differences! To participate, please call and leave us your name!



PRESS 2

First Nations

First Nations members would like to hear from you! Please call if you would like to help educate our union sisters and brothers on issues that affect First Nations People.



PRESS 3

Lesbians and Gays

For support: afraid of being identified, feeling isolated, want to know your rights? Call for information on same sex benefits, fighting homophobia and discrimination.

www.pridepages.org



PRESS 4

People with disAbilities

If you are on WCB, LTD, or if invisibly or visibly disabled in the workplace, let us know how the union can better meet your needs.

www.alberni.net/PeopleWithdisAbilities



Talk to us Toll-Free!

You can call any HEU office toll-free to deal with a problem or get information. It's fast, easy and free.

PROVINCIAL OFFICE

• Burnaby Site
1-800-663-5813

REGIONAL OFFICES

Northern Office

• Prince George
1-800-663-6539

Okanagan Office

• Kelowna
1-800-219-9699

Vancouver Island Offices

• Victoria Site
1-800-742-8001

• Comox Site
1-800-624-9940

Kootenay Office

• Nelson
1-800-437-9877

GUARDIAN

"In humble dedication to all those who toil to live."

EDITOR

Mike Old

MANAGING EDITOR

Patty Gibson

ASSOCIATE EDITOR

Margi Blamey

DESKTOP PRODUCTION

Elaine Happer

DESIGN CONSULTATION

Kris Klaasen,
Working Design

PRINTING

Broadway Printers

The *Guardian* is published on behalf of the Provincial Executive of the Hospital Employees' Union, under the direction of the following editorial committee:

Fred Muzin, Judy Darcy,
Donisa Bernardo, Ken Robinson,
Victor Elkins, Boni Barcia,
Doreen Plouffe

PROVINCIAL EXECUTIVE

Fred Muzin
President

Judy Darcy
Secretary-Business Manager

Donisa Bernardo
Financial Secretary

Ken Robinson
1st Vice-President

Victor Elkins
2nd Vice-President

Boni Barcia
3rd Vice-President

Doreen Plouffe
Senior Trustee

Kelly Knox
Senior Trustee Elect

Jacqueline Zilkie
Trustee

Carolyn Unsworth
Regional Vice-President
Fraser Valley

Joanne Foote
Regional Vice-President
Fraser Valley

Margie Anderson
Regional Vice-President
Interior

Becky Jacobson
Regional Vice-President
Interior

Carol Kenzie
Regional Vice-President
Interior

Cathy Pinsent

Regional Vice-President
Vancouver Coastal

Kevin O'Neil

Regional Vice-President
Vancouver Coastal

Louella Vincent

Regional Vice-President
Vancouver Coastal

Lois Doran

Regional Vice-President
North

Jean Birch

Regional Vice-President
North

Sandra Giesbrecht

Regional Vice-President
Vancouver Island

Carol Bunch

Regional Vice-President
Vancouver Island

Dave Pellerin

First Alternate
Provincial Executive

UNION OFFICES

Provincial Office

5000 North Fraser Way
Burnaby V5J 5M3
(604) 438-5000
E-MAIL heu@heu.org
INTERNET www.heu.org

Regional Offices

VANCOUVER ISLAND

Victoria Site
201-415 Gorge Road East
Victoria V8T 2W1
(250) 480-0533

Comox Site

205-156 Manor Drive
Comox V9M 1C7
(250) 339-3698

OKANAGAN

100-160 Dougall Rd. S.
Kelowna V1X 3J4
(250) 765-8838

KOOTENAY

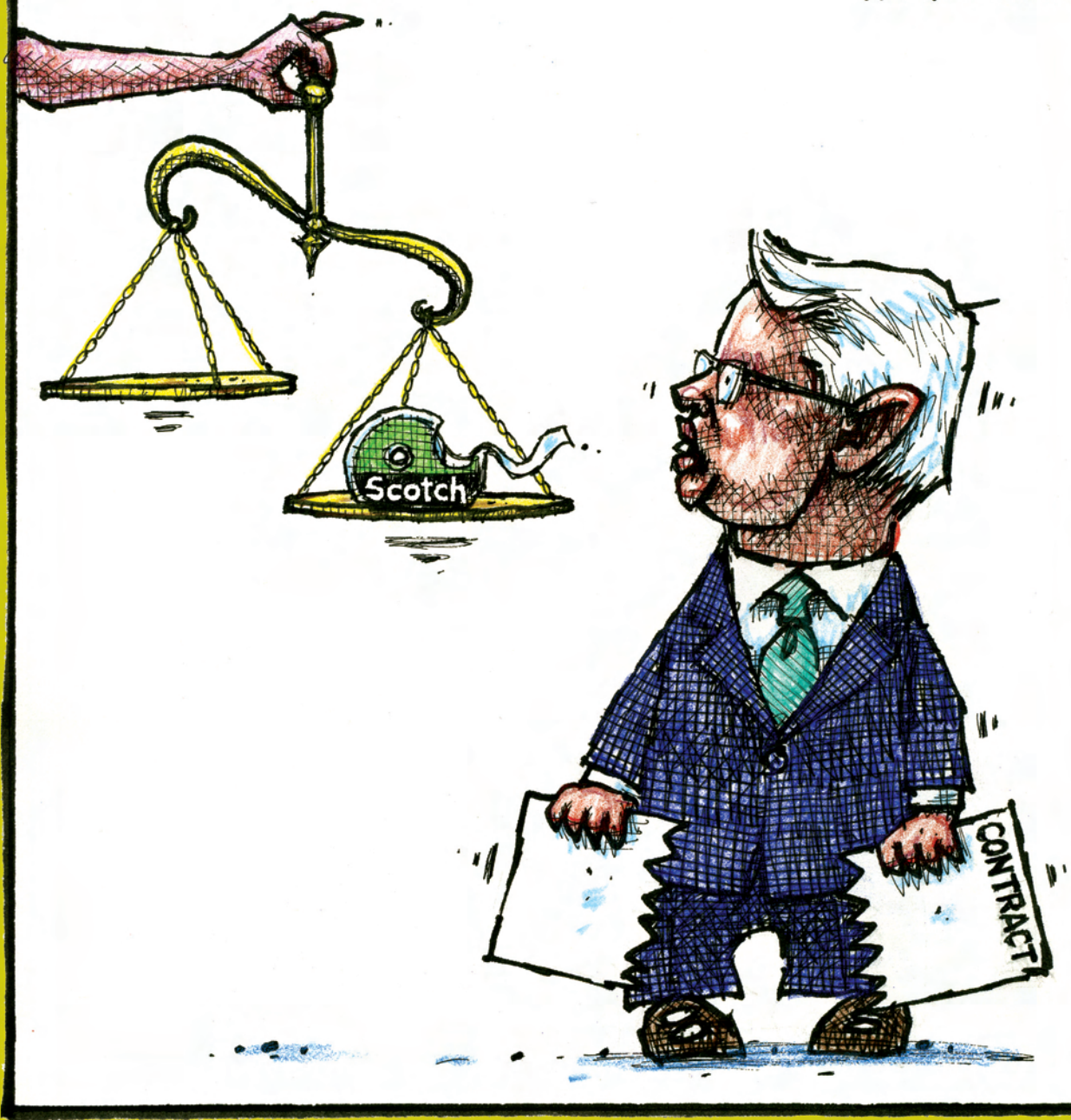
745 Baker St.
Nelson V1L 4J5
(250) 354-4466

NORTHERN

1197 Third Ave.
Prince George V2L 3E4
(250) 564-2102



KRIEGER 2007
The Province



Used with permission. All proceeds to the Food Bank.

AGREEMENT NUMBER 4007486

RETURN TO
The Guardian
5000 North Fraser Way
Burnaby, BC
V5J 5M3