



## Health minister attempts quick win with Bill 18, but HEU says legislation is deeply flawed

The B.C. Liberal government began debate Thursday on *Bill 18*, legislation that fundamentally alters bargaining in the health sector.

In a brief opening to the debate in the B.C. legislature, health minister Margaret MacDiarmid claimed the legislation was in line with last year's raid by the BC Nurses' Union on LPNs represented by HEU and other unions. She then flew to Vancouver to announce *Bill 18* at the BCNU convention.

The minister also acknowledged Thursday that she has been speaking with BCNU about the matter since last October, but that she has not spoken to other affected unions about the bill or its potential impacts.

HEU secretary-business manager Bonnie Pearson says that the public is not well served by the government's political opportunism and lack of consultation on this issue.

"*Bill 18* has widespread implications for the entire health care team and will impact collective agreement rights, the management of health resources and the ability to change the skills mix on the nursing team," says Pearson.

"As B.C.'s health minister, we would have expected Dr. MacDiarmid to be more concerned about the broader implications of this legislation and less concerned with attempting to produce a quick win for her political party.

"She's the B.C. minister of health, not the BCNU minister of health," says Pearson.

Pearson says the government's failure to consult with impacted health unions prior to introducing the legislation was disappointing and surprising, given the 2007 ruling of the Supreme Court of Canada which struck down several provisions of *Bill 29* – a 2002 law that ripped up health care contracts – citing a failure to engage in meaningful consultation.

During the two-hour debate in the legislature, NDP MLAs also expressed their concern for the lack of consultation and questioned the purpose of the bill.

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NDP finance critic Bruce Ralston told legislators that the health minister gave “no real explanation of why this legislation is being advanced at this time and what problem it is intended to solve.”

After the debate, the B.C. Liberal Party issued a bulletin condemning NDP MLAs for voicing opposition to *Bill 18*. Their release inaccurately suggested that a majority of the HEU’s membership had voted to change unions. Last year’s raid vote applied only to LPNs directly employed by health authorities.

*Bill 18* would not affect union representation for these 7,000 LPNs who are now BCNU members after 3,357 LPNs – a majority of those participating in a mail-in ballot last summer – voted for the change. They would continue to be represented by and pay dues to BCNU.

But the legislation could result in 1,400 HEU LPN members being transferred to the Nurses Bargaining Association, along with hundreds of BCGEU, IUOE, and UFCW LPN members.

In fact, BCNU’s legal counsel yesterday asked the Labour Relations Board to put on hold their additional raid applications for a representation vote of 1,200 HEU LPNs, suggesting that *Bill 18* would make LPNs’ wishes irrelevant at this point.

“Not to do so would result in the potentially unnecessary expenditure of time, effort and money in adjudicating the issues that have been raised or in conducting a vote,” wrote BCNU’s legal counsel.

In addition to the 1,200 LPNs in affiliates covered by more than four dozen raid applications, *Bill 18* would sweep up about 200 HEU LPNs working at sites for which BCNU did not apply, including in a number of care homes, as well as those working in community health settings.

*Bill 18*, entitled the *Health Authority Amendment Act*, was introduced by the government on Monday. The legislation redefines the composition of the Nurses Bargaining Association to include licensed practical nurses in addition to registered nurses and registered psychiatric nurses.

The BC Liberals will determine when debate on the legislation will continue. The current legislative session is scheduled to wrap up next Thursday.

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