



## B.C. Liberal government passes Bill 18

In one of its final acts in the legislature before facing voters in May, the BC Liberals used their majority to pass legislation that restructures health care bargaining.

*Bill 18, the Health Authorities Amendment Act*, redefines the membership of the Nurses Bargaining Association to include Licensed Practical Nurses.

Although it was passed into law this past Thursday, *Bill 18* won't take effect right away. Health minister Margaret MacDiarmid has said there will be a period of consultation and then the new legislation will be implemented by an order of cabinet.

As a result of *Bill 18*, LPNs currently in the Facilities Bargaining Association and Community Bargaining Association are expected to be transferred into the Nurses Bargaining Association. This move would impact about 1400 HEU members and hundreds more LPNs who are members of BCGEU and other unions.

HEU LPN members in stand-alone independent collective agreements are not impacted by the legislation.

The health ministry has contacted HEU and other unions to begin a consultation process, but not until after the legislation had passed second reading in the B.C. legislature.

HEU has said that the lack of prior consultation runs afoul of a 2007 Supreme Court of Canada decision that struck down provisions of 2002's *Bill 29*. The court established that government's had an obligation to engage in meaningful consultation on such matters.

The new law has the potential to impact decision-making around care delivery and especially the skills mix on the nursing team. It will also impact the collective agreement provisions covering LPNs.

While the legislation itself does not speak to the issue of union representation, the BCNU has asked the Labour Relations Board to put a new round of raid applications on hold – a clear indication that they expect LPNs to be swept into their union as a consequence of the new law.

But the health minister told the legislature that LPNs would continue to be represented by their current unions after being moved to the Nurses Bargaining Association. HEU will continue to assert its rights to represent its members if they are moved.

...more



- Page Two -

In the past week, HEU members placed hundreds of calls to MLAs' offices asking them to oppose the legislation, but on the last day of the legislative session the governing Liberals used their legislative majority to outvote the NDP who opposed the bill.

*March 17, 2013*