



Bill 18 and LPN seniority

The purpose of this newsletter is to clarify the impact of Bill 18 (*Health Authorities Amendment Act*) on seniority for LPNs who are directly affected by the legislation.

Bill 18 transfers thousands of Licensed Practical Nurses from the Facilities bargaining unit and Community bargaining unit to the Nurses' bargaining unit, effective April 15, 2013.

Bill 18 did not affect which union currently represents those LPNs – so HEU LPNs who work at affiliate sites or in community health remain HEU members.

There is some confusion surrounding the collective agreement and seniority rights of LPNs in the aftermath of Bill 18. This is in part because the Health Employers Association of BC and the BCNU (the lead union in the Nurses' Bargaining Association) unilaterally agreed that impacted LPNs would continue to be covered by the conditions of employment in the Facilities collective agreement, even though they are now in the NBA.

But because LPNs are now in a different bargaining unit, they do not have ongoing rights to bump, register as casuals, or post into positions in the Facilities bargaining unit.

In cases where there are LPNs who have accumulated seniority hours in both an LPN position and in another Facilities job classification (for example, unit clerk, HCW, rehab assistant, care aide), it is HEU's position that the hours should be separated. Seniority in a facilities job should continue to apply for those collective agreements, but that seniority cannot include any hours that have been accrued working as an LPN.

Similarly, LPNs that have been transferred to the Nurses' bargaining unit ought to be able to use all their LPN seniority to exercise rights under the NBA collective agreement.

To this end, HEU has written health employers to request that they update seniority lists to reflect this separation of seniority hours for health care workers who accumulated these hours as both an LPN and in another Facilities job classification.

HEU members and shop stewards are advised to grieve any circumstance where employers violate these principles.

Bill 18 does not impact LPNs who are employed under "stand-alone" collective agreements.

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