



HOSPITAL EMPLOYEES' UNION

NEWS RELEASE

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Legislation restores health care workers' collective bargaining rights

BC Liberals table bill to bring provincial laws into compliance with last June's Supreme Court of Canada ruling that struck down key provisions of Bill 29

More than six years after imposing a law that rewrote collective agreements, the BC Liberals have tabled a bill to implement last year's historic Supreme Court of Canada ruling that struck down key provisions of *Bill 29 – the Health and Social Services Delivery Improvement Act*, as unconstitutional.

The legislation introduced today amends *Bill 29* by removing provisions the Court ruled violated workers' right to freedom of association under the *Canadian Charter of Rights and Freedoms*. As a result, health care and community social services workers will no longer be prohibited by legislation from negotiating contracting-out language at the bargaining table.

Hospital Employees' Union secretary-business manager Judy Darcy says today's legislation closes a particularly dark chapter for workers' rights and health care in B.C. during which 9,000 workers lost their jobs and more than \$750 million in health services were privatized.

"*Bill 29's* legacy has been the dismantling of the health care team, the loss of public control over many critical health services, and economic hardship for thousands of working families," says Darcy.

"Today's legislation, along with the *Bill 29* settlement package reached with government and health employers this past January, delivers long overdue justice to health care workers and will result in improvements in health care delivery to the public."

The \$75 million settlement package reached by the multi-union Facilities Bargaining Association (representing 40,000 workers in B.C. hospitals and long-term care facilities) includes a \$70 million compensation and training package for workers impacted by *Bill 29* in the past, \$5 million to re-train workers affected by any future contracting out, and expanded rights and protections going forward.

In the future, unions must be consulted and given the opportunity to recommend alternatives to contracting out, including in cases where currently contracted-out services are re-tendered. Laid-off workers will also have the right to apply for a job vacancy in another region of the province.

Today's legislation will also amend *Bill 94 – the Health Sector Partnerships Agreement Act (2003)*, by removing provisions that are similar to the unconstitutional provisions of *Bill 29*. *Bill 94* affects many health care public-private partnerships and their sub-contractors.

Bill 29 was passed by the B.C. legislature on January 28, 2002. B.C.'s health unions challenged the constitutionality of the legislation in a five-year court battle. The Supreme Court of Canada handed down its ruling on June 8, 2007 and gave the B.C. government one-year to deal with the repercussions.

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