



HOSPITAL EMPLOYEES' UNION

NEWSLETTER

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Opposition takes BC Liberals to task as MLAs debate legislation that will remove unconstitutional provisions of Bill 29

Unionized health care workers who lost their jobs as a result of the Campbell Liberals' contract-busting *Bill 29* are having their issues aired in the provincial legislature as *Bill 26*, the proposed *Health Statutes Amendment Act*, entered second reading on May 7.

Bill 26 is necessary in order for the B.C. Liberal government to comply with last year's Supreme Court of Canada decision that ruled key sections of *Bill 29* unconstitutional. At the same time, *Bill 26* is removing similar provisions from *Bill 94 – The Health Sector Partnerships Act* – which would have been vulnerable to a similar court challenge.

Last week, opposition MLAs took the government to task over the impact the six-year-old law has had on workers and health services.

In the wave of privatization that followed, more than 9,000 health care workers delivering support and care services to patients and residents in B.C. hospitals and residential care facilities lost their jobs.

Here are some excerpts from the *Bill 26* debate over the two-day debate:

Raj Chouhan, NDP MLA Burnaby-Edmonds:

“In November of 2000, the Premier met with the newspaper of the Hospital Employees' Union, called *The Guardian*... One of the editors of *The Guardian* who interviewed the Premier at that time asked this question – and I'm going to read: ‘Monitoring the pulse of HEU members, their sense of a Gordon Campbell government would be the privatization of health care service and their jobs.’

The Premier – at that time the opposition leader – answered: ‘I don't think they have to worry about it. Their sense should be that I and the BC Liberals recognize the importance of HEU workers to the public health care system. They are front-line workers who are necessary. You can't talk to anyone in the health care system who does not recognize that, and I want HEU workers, like other workers in the public health care system or in the public service, to recognize their value, and we will value them.’”

Adrian Dix, NDP MLA Vancouver-Kingsway and opposition health critic:

“The *Bill 29* firings constituted the largest layoff of female workers in Canadian history.”

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Norm Macdonald, NDP MLA Columbia River-Revelstoke:

“The B.C. Liberal government has been forced to do this because the Supreme Court of Canada has told them that parts of *Bill 29* are not only immoral, but they are illegal. How often is it that this legislature passes legislation that is condemned by the International Labour Organization of the UN?... It is condemned by other parts of the UN, other bodies of the UN, and the Supreme Court of Canada rules it illegal. How often does that happen?”

Chuck Puchmayr, NDP MLA New Westminster:

“They brought in a bill [*Bill 29*] that was illegal, that broke the laws of Canada and that violated the constitution of Canada. It did so in such a way that it even drew comments from the International Labour Organization, which is located in Geneva... This is legislation that was wrong. It took away people’s rights to bargain freely. It took an order of this legislature to violate something that I think is near and dear to all Canadians and all people that live in democratic societies.”

David Chudnovsky, NDP MLA Vancouver-Kensington:

The “Supreme Court of Canada has sent a message to the people of Canada, to the workers of Canada and to the governments of Canada about its view of collective bargaining, of unions and of collective agreements. It is heartening that the Supreme Court’s message is consistent with the decades-long, centuries-long struggle of ordinary working people to be able to create organizations which represent them to the employer... The Supreme Court’s message to this government is that collective bargaining is not a privilege, not a treat, not a fringe benefit to be trifled with by some government that’s trying to flex their muscles. Collective bargaining, the Supreme Court tells us, is our right.”

Bruce Ralston, NDP MLA Surrey-Whalley:

“The International Labour Organization ruled that the British Columbia government, by its actions, had violated the United Nations convention on freedom of association when it enacted, among other bills, *Bill 29*... The ILO used very blunt language by saying that the B.C. government had repeatedly violated the rights of those workers involved, who were members of those unions, by refusing to negotiate contracts with their unions and using the Legislature to arbitrarily enforce its will.”

Maurine Karagianis, NDP MLA Esquimalt-Metchosin:

“While the government had a majority of 77 to 2 in this House, they saw fit to bring through *Bill 29*, which categorically broke promises made directly to health care workers in this province and defied a promise that had been made through the election prior to 2001... They were ashamed and had to carry out those actions in the middle of the night.”

Harry Lali, NDP MLA Yale-Lillooet:

“No matter how much of a majority the Premier and the Liberals may have had in this House in those four years, no matter how dictatorial most of those initiatives brought

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forward by the Premier and the Liberals were at that time, no matter how powerful they thought they were or how arrogant they were, you can't strip people in this country – and in most countries that I know of – of their rights when they're guaranteed to you, as they are under the *Charter of Rights and Freedoms* in this country.”

John Horgan, NDP MLA Malahat-Juan de Fuca:

This debate “is not about what’s happening today as much as about what happened some many years ago when the BC Liberals came to power and decided that they were going to be the government for capital, not the government for working people... The people who work with their hands, people who go to work every day to pay their bills, are not as important as giving the massive tax breaks to corporations at the first opportunity and then reneging on commitments that the current Premier, then Leader of the Opposition, made publicly with respect to the validity and the sanctity of the signed contracts.”

The second reading debate will continue.

You can read the full transcript of the debate on *Bill 26* on the legislature’s website at < <http://leg.bc.ca/hansard/38th4th/H80508p.htm>>.

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