



## Ready sets down criteria for Bill 29 settlement fund

Arbitrator Vince Ready has handed down a decision that establishes categories with criteria under which health care workers employed under the facilities agreement and impacted by *Bill 29* may qualify for redress.

In his March 31 decision, Ready outlines a number of questions that will be used in a claim form to determine both whether individuals qualify for redress from the \$68 million set aside for this purpose, and the amount for which they qualify.

The redress funds are part of a settlement agreement reached in January by the Facilities Bargaining Association (FBA) with the Government of B.C. and the Health Employers Association of B.C. to implement last year's Supreme Court of Canada decision that struck down sections of *Bill 29*.

HEU and other unions in the Facilities Bargaining Association are now preparing a guide to assist individuals in filling out this claim form.

- **Do not submit the claim form that is part of the Ready award that is linked to this document. It is for information only.**
- **Those individuals who have already provided the union with their contact information because of a possible *Bill 29* claim will receive an official claim form by mail in May, along with a claim form guide.**
- **Individuals who believe they may qualify for a *Bill 29* redress payment but have not yet contacted the union should watch the union website – [www.heu.org](http://www.heu.org) – starting in May. The claim form and guide will be available at that time.**
- **At that time, the union will also advertise in newspapers to alert individuals when the claim forms and guides can be obtained by mail, or email, or at [www.heu.org](http://www.heu.org).**
- **Claim forms and guides will also be available at HEU regional offices and at many HEU local offices, starting in May.**

...more



- **The guide will also be available in a number of languages other than English.**
- **Please do not call the HEU office to request forms before May 1.**

Ready's decision applies to workers who were covered by the facilities agreement only. There are separate agreements for community health workers, health sciences professionals and registered nurses.

Once the claim forms and guides are made available in May, individuals will have until June 15 to return them to the union office. After that, a joint union-employer committee, assisted by Ready, will use the information collected to determine whether claimants are eligible for redress, and the amount of redress.

### **Local agreements**

Ready also ruled on the issue of whether workers employed under "local agreements" prior to March 31, 2004 would be eligible for redress.

The FBA unions argued that these workers should be eligible since local agreements were reached under duress and with a clear understanding that their jobs would likely be contracted out using the provisions of *Bill 29* if they did not agree to wage cuts.

However, Ready concluded that since the local agreements were sanctioned by the unions and local executives, ratified by members, and prevented contracting out under *Bill 29*, workers covered by these agreements are not eligible for redress.

*Read the Ready award.*

April 11, 2008