



No new pay rate for Nursing Unit Assistants, says arbitrator

The issue of a new pay rate for Nursing Unit Assistants (NUA) benchmark will not go to a classification hearing, an arbitrator has ruled.

In a ruling handed down earlier this month, the arbitrator sided with health employers who had objected to the matter being referred by the union to a referee under the terms of the Maintenance Agreement in the collective agreement.

The union has been pressing for a permanent NUA pay rate to accompany the NUA benchmark which was finally established in November, 2005, but was unable to reach an agreement on this issue with health employers.

HEU's bargaining committee was mandated by delegates to the 2005 Wage Policy Conference to bargain specific wage adjustments for NUAs "because of increasing responsibilities and changes in their benchmark."

In the 2006 round of bargaining, the union was successful in negotiating additional pay adjustments for NUAs on top of general wage increases contained in the 2006-2010 collective agreement.

Those special adjustments were an additional one per cent in each of the last three years of the contract (2007, 2008 and 2009) plus a lump sum payment in 2006 equivalent to one per cent of straight-time hours worked in the year prior to the expiry of the 2004-2006 collective agreement.

But HEU held the position that a permanent pay rate for the NUA benchmark had not yet been established and in December, 2006 informed the Health Employers Association of BC that the matter was being referred to a classification referee under the collective agreement's Maintenance Agreement.

HEABC objected and in the subsequent arbitration hearing they argued that the provisions in the 2006-2010 contract constituted an agreement on a specific pay rate for NUAs, and that a classification referee had no jurisdiction to hear the issue.

In making her decision, the arbitrator relied in part on a series of earlier arbitrations on NUAs and NUA pay rates which heavily favoured the health employers' position.

That means the rate established for NUAs in the 2006-2010 collective agreement will continue.

The current wage grid is SB16 which includes special adjustments negotiated for NUAs.

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On April 1, 2009 the SB16 grid rate will rise to \$20.46 an hour after the application of the 2009 general wage increase (2.7 per cent) and the 2009 special adjustment for NUAs (1 per cent).

The union continues to hold the view that the current rate for NUAs does not reflect the duties and responsibilities contained in the benchmark. The issue of the NUA pay rate will now need to be considered, along with other clerical members' issues, in the run-up to 2010 bargaining.

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