



HOSPITAL EMPLOYEES' UNION

NEWSLETTER

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Facilities Bargaining Association unions launch legal action to defend contract rights of LPNs

The Hospital Employees' Union and other unions in the Facilities Bargaining Association filed a statement of claim in B.C. Supreme Court today in order to safeguard the contractual rights of Licensed Practical Nurses and other health care workers.

The legal action was taken in response to a campaign by the BC Nurses Union to sign up members of FBA unions as "associate members" with the express promise of providing them advice on grievance and arbitration matters.

HEU and the other FBA unions have a clear legal and contractual obligation to represent their LPN members and ensure that collective agreement provisions that set out wages, benefits and other conditions of employment are properly enforced.

Through their attempt to advise members of other unions on grievance and arbitration matters, BCNU is interfering with those legal obligations.

In addition, by advising LPNs on a collective agreement that they do not administer on a day-to-day basis, BCNU could jeopardize HEU members' rights.

HEU is also very concerned that BCNU is making promises to LPNs that they can't deliver – and that they're collecting personal information from our members for uses other than those expressed on their sign-up forms. Those concerns are also contained in the statement of claim.

There are laws in B.C. that protect the rights of workers to join and change unions, and others that provide for labour stability in the health care system. These laws are not at issue in this legal action.

HEU members fought *Bill 29* all the way to the Supreme Court of Canada to preserve their charter right to freedom of association, specifically the right to bargain collective agreements. HEU is determined to make sure that these rights are not now undermined by BCNU's irresponsible actions.

July 3, 2009

