



## HEU to LRB: Assess the number and validity of BCNU's signed cards

The Hospital Employees' Union has urged B.C.'s Labour Relations Board to immediately assess the number and validity of signed cards in the BC Nurses' Union application to represent LPNs.

In a departure from its established process, the LRB did not schedule a full hearing with all the parties involved. Instead, it required HEU to submit a written response to BCNU's application, addressing legal issues only.

"We made it very clear in our written submission just how important it is that BCNU's signed cards be examined and counted," says HEU's organizing coordinator Susan Fisher. "We do not believe BCNU's application for LPNs in the Facilities Bargaining Association (FBA) meets the required support threshold of 50 per cent plus one."

Fisher says it's important that the integrity of the labour relations process be maintained – despite the highly irregular nature of BCNU's application – and "the question of threshold support must be determined as quickly as possible."

As directed by the LRB, HEU's December 8 submission also addressed key legal issues raised by BCNU's attempt to move B.C.'s LPNs into their union.

"The potential for fragmenting the bargaining unit puts critical legal protections at risk that have existed in B.C. labour law for decades," explains Fisher. "Dismantling those protections would weaken LPNs' collective bargaining strength, and create a precedent that threatens the bargaining strength for many other unionized employees."

Fisher says these are important legal issues that cannot be ignored. "BCNU has always known its attempt to isolate LPNs from the rest of their bargaining unit raised new and complex legal questions.

"What's absolutely critical now, is that the question of threshold support be dealt with so that LPNs can move forward with unity and focus into this upcoming round of bargaining."

The LRB has also heard from other impacted parties including the BCGEU, the Health Employers Association of BC (HEABC), the Health Sciences Association (HSA) and the International Union of Operating Engineers (IUOE).

On November 30, BCNU applied to represent all LPNs in the FBA, but at the same time made six alternative applications for LPNs in individual health authorities.

"Filing these alternative applications speaks volumes," says Fisher. "Clearly, BCNU is not at all confident that it has enough support for its province-wide application. These separate applications present a real risk that LPNs in one area of B.C. could be fragmented from LPNs in the rest of the province."

*December 11, 2009*