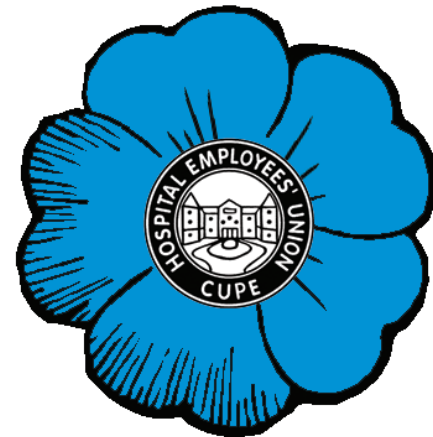


One union, many abilities

An HEU handbook about
members with disabilities



The Hospital Employees' Union

One union, many abilities

An HEU handbook about members with disabilities



M A N Y T H A N K S

to HEU members with disabilities who shared
their experiences and their ideas for this handbook



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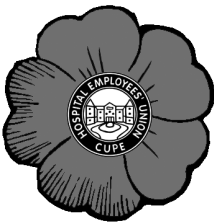
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We will endeavour to promote
and defend the rights of all
persons with disabilities.

— mission statement of the
HEU People with disAbilities
standing committee



The blue poppy represents people with disabilities and people including those who have been injured or killed in their workplace.

This handbook is for YOU

- Some of our members with disabilities are new to union activism. We've set out some basic information about unions to help you get started.
- For some members with disabilities, reading is more difficult. For others, English is not a first language. This handbook gives you basic information about unions in clear, plain language.
- For most people, being able-bodied is temporary. Through illness, injury or aging, disability issues may some day apply to you personally.
- Finally, this book is for our allies – our friends. Your understanding of disability issues will help you to be a better ally to your co-workers with disabilities and bring new activists into our movement.

Unions

A beginner's guide for new activists

When a worker acts alone in the workplace, they have the power of only one voice. If a worker wants safer working conditions, a fair wage, or if they are treated unfairly by an employer, going to the boss on their own may mean that they are ignored, treated worse, or even lose their job.

When workers act together, they have the power of many voices. Organizing together – by forming a union – workers can decide together what is good for all workers, and go to the employer as a group. Workers stand in solidarity with each other and don't allow a boss to single-out one person.

The union's job is to represent the needs of its members. It does this in many ways:

- negotiates a collective agreement with the employer;
- acts for all workers to make sure the collective agreement is enforced;
- acts for each worker to make sure they are getting what they need;
- provides services to members;
- advances the needs of its members with the government and other institutions; and
- works in solidarity with other organizations – in the community and around the world – to advance the goals of all workers.

All members should have some basic documentation about HEU:

- a copy of the collective agreement – explains your rights and responsibilities in the workplace;
- a copy of the HEU constitution – explains your rights and responsibilities in the union; and
- a members' kit – the *HEU, YOU are the union!* members' kit gives you basic information about the union.
- information on HEU equity standing committees.

How unions work

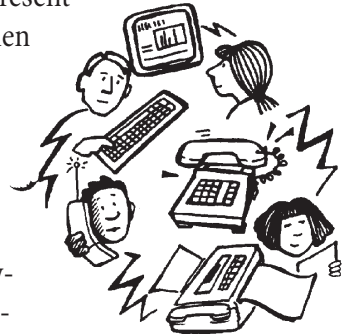
Unions start with you.

As a worker, you have rights and responsibilities in your workplace through the collective agreement. The collective agreement is made by union members, who decide together what their priorities will be. Then the members elect a bargaining team to represent them in negotiations with the employer. When an agreement is reached, it goes back to the members to vote on it.

Union members have stewards to represent them and help them get what they need from the employer or the union.

Some workplaces have several kinds of stewards – for example, a steward who is responsible for health and safety in the workplace. There may also be committees in your workplace – for example, a committee that meets with the employer about training for members. You can ask your steward for more information.

Workplaces often organize together into locals, and the locals are often organized into a provincial or national union.



The Hospital Employees' Union

HEU represents 43,000 members in 500 health care facilities and agencies. It is the oldest and largest union in health care in BC, and now represents people in all kinds of health care fields.

Since it began in 1944, workers organized together in the Hospital Employees' Union have won a number of gains:

HEU has also been a leader in fighting to protect vital social services like medicare and education, and plays an active role in bringing progressive change to provincial health care reform.

Because government decisions have an impact on the lives of health care workers, HEU members have supported their union leaders getting involved in politics. HEU leaders and staff work hard to protect members' interest by lobbying politicians and educating the public through the media.



HEU education

The union offers a number of workshops in the regions for members who are interested in learning new skills and knowledge to be active in HEU and the labour movement.

For instance, members can take introductory shop steward workshops, advanced shop steward workshops, and occupational health and safety workshops. There is also a provincial summer school where a wider range of workshops are offered. HEU also coordinates other educational opportunities for its members, paid for by the employer.

HEU works with other unions and labour organizations to provide educational opportunities. The union provides some scholarships for members who wish to pursue labour-related studies at colleges and universities. The provincial office has a library with resource and reference materials for members, including a video library.

Look for notices on the union bulletin board.

HEU structure

At HEU, every member is part of a local. The local has one or more shop stewards, and an elected local executive.

Members of the locals elect a provincial executive at a convention every two years. The provincial executive is made up of a president, financial secretary, vice-presidents, trustees and regional vice-presidents who meet regularly between conventions to conduct the business of the union.

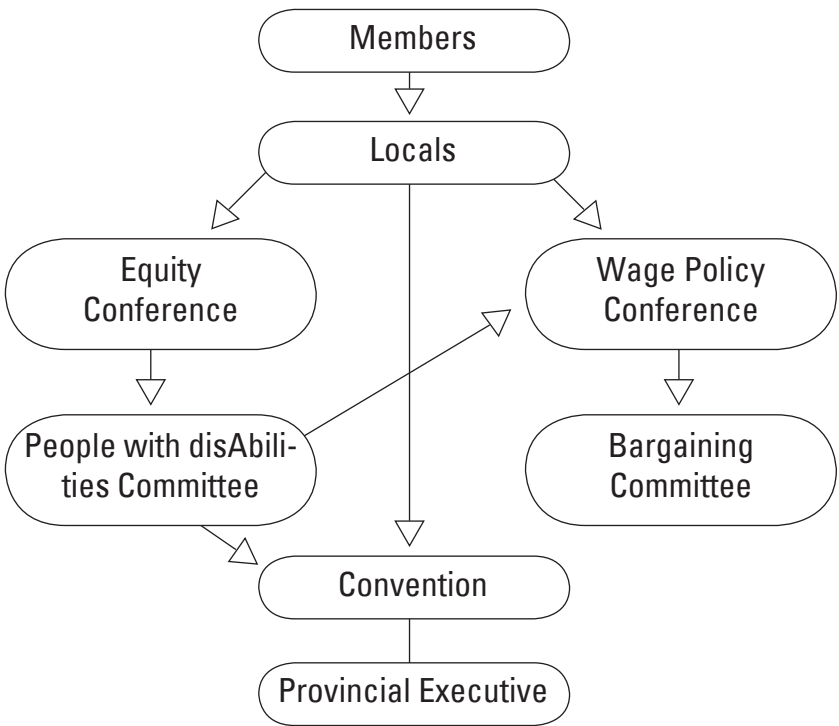
Convention ratifies the provincial executive appointment of a full-time secretary-business manager to be the chief administrative officer and the main spokesperson for the union. The secretary-business manager is a member of the provincial executive and sits on all sub-committees.

HEU has full-time paid staff who work hard to represent members' interests at the bargaining table, in arbitrations and with government.

The union holds a provincial wage policy conference before

collective agreements are negotiated. Locals and committees can tell this conference what they think is important for the next round of bargaining. Through the conference, the agenda is set by the members.

How the People with disAbilities Committee fits in at HEU



You are the labour movement

Unions work in solidarity with each other in a number of ways, such as working together to support workplace goals, respecting picket lines when other union members are off the job, joining together to lobby governments for progressive change, or conducting international solidarity with workers and unions around the globe.



The Hospital Employees' Union is BC's largest health care union. HEU works in solidarity with other unions on issues of joint concern.



HEU is now part of the Canadian Union of Public Employees, the largest union of health care and public sector workers in Canada.



HEU is a member of the British Columbia Federation of Labour, which represents 450,000 members of affiliated unions in more than 1,100 locals. The goals of "The Fed" are best exemplified by its slogan: "What we desire for ourselves, we wish for all."



Through CUPE, HEU is also a member of the Canadian Labour Congress, Canada's largest labour organization. The CLC has a number of district labour councils in BC communities.

How to get involved

- 1. Support Groups.** Locals are encouraged to set-up support groups for members on WCB/LTD.
- 2. Attend union meetings.** Get to know your union sisters and brothers.
- 3. Know your rights.** Make sure you have a copy of the collective agreement and your constitution. If you have questions, ask your steward.
- 4. Keep informed about union issues.** Look for the union bulletin board at your facility, read *The Guardian* – HEU’s award-winning newspaper, visit the website at <http://www.heu.org> and, during contract talks, call the bargaining hotline.
- 5. Participate in union education.** HEU offers a number of educational opportunities for members.
- 6. Become a steward, or run in the elections for the local executive.** Talk to your steward or your local about when and how to get involved.
- 7. Join or form a committee.** You can volunteer to be on a committee, or if a group of workers wants a new committee, present the idea at a membership meeting or to the local executive.
- 8. Be a delegate.** You can run to be a delegate representing your workplace or your local at HEU conventions or in solidarity work with other parts of the labour movement, or with local coalitions.

“I have really benefited from the support of other disabled members in our committee.”

“Encourage people to advocate for themselves, and to know that the union is there to help.”

“I have managed to get most co-workers to face me when they talk so I can lip read when necessary. It also saves them time and frustration because they don't have to repeat things.”

The HEU People with disAbilities Committee

Committee history

At Convention 1994, HEU members established four equity caucuses – including the “People with challenges” caucus – “to increase the involvement of their members through the many integrated programs of the union and propose and advise on programs to eliminate discrimination and inequality within the union and the workplace.”

In 1995, HEU held its first equity conference and unanimously changed the name of the caucus to the People with disAbilities Committee. Members with disabilities formed a steering committee and set to work. One of the first things they did was visit local meetings throughout the province to talk about their experiences and answer questions.

Their hard work was rewarded – centre stage at HEU’s September 1996 convention was a constitutional change, submitted by 20 locals, to formalize the four equity caucuses. The ensuing two-hour debate was powerful and emotional. In the end, the convention embraced the amendment and made history by enshrining the four fledgling equity caucuses in the HEU constitution. The People with disAbilities Standing Committee was born.

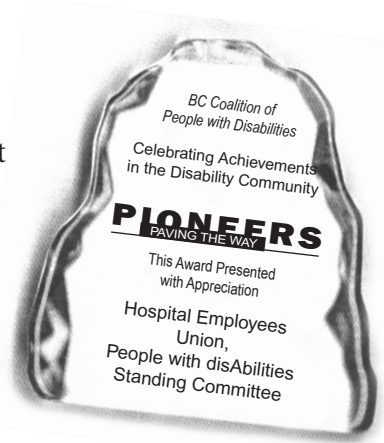
Since 1996, the committee has sent a representative to the Equal Opportunites Sub-Committee (EOC) of the provincial executive. Our committee also sends representatives to the Canadian Labour Congress (CLC) and Candian Union of Public Employees (CUPE) Working Groups. HEU has a permanent, full time equity officer on staff to coordinate the work of the equity committees; an LTD Rep and WCB Reps on staff.

Celebrating our successes

In the past decade since its inception, the committee has celebrated a number of accomplishments, including the following highlights:

- Brought together members with disabilities at HEU equity conferences
- Advanced members goals at provincial and national labour and human rights conferences, including the recognition and accommodation of disabled participants
- Kept members informed through bulletins and newsletters
- Established a toll-free support line for members with disabilities
- Supported the start-up of local HEU support groups & regional meetings
- Assisted in the production of material on WCB/LTD/Return to Work and early retirement for members on LTD
- Won representation through a delegate to the HEU convention
- Educated our co-workers, sisters and brothers, union executive members, and others outside the union
- Advocated for accessible building space for union offices
- Helped make LTD a strike issue in 2000, for the first time in HEU history.
- Contributed to the creation of two HEU videos about members with disabilities and bargaining
- Made HEU's first rank-and-file presentation to employers at the bargaining table
- Staffed phone lines to connect members off work to bargaining activities
- Submitted resolutions to wage policy regarding bargaining to our issues.
- Celebrated the win, through bargaining, of a new, provincially funded occupational health and safety agency
- Helped to establish a duty to accommodate budget to assist members with disabilities.
- Raised awareness through posters, cards commemorating National Day of Mourning and by creating the Blue Poppy campaign for April 28th.
- Developed a committee website to connect and inform members.
www.heu.org – click on Human Rights, then People with Disabilities.

- Honoured with an award from the BC Coalition of People with Disabilities recognizing HEU as a pioneer in disability issues in the labour movement
- Obtained Blue Poppy button trademark in 2004
- Won the right to have an HEU PWD representative on the CUPE National and CLC Working Groups.



The Committee at Work

All of our committee members live with disabilities. Some members are working with a disability, and some are off of work on WCB, LTD, CPP or Unpaid Leave. Some disabilities are visible.

We educate each other, our co-workers and our union. We provide resources and support to each other and to members with disabilities throughout the union. We work to advance the union's goals around disability issues, and work in solidarity with others outside the union.

How to join the caucus & Standing Committee

Every HEU member who has a disability is welcome to join our caucus. We have a standing committee of nine members who are elected at HEU equity conferences.

Equal Opportunities Sub-Committee

Each of HEU's four equity committees sends a spokesperson to the Equal Opportunities Subcommittee (EOC), a subcommittee of the Provincial Executive.

How to Join Mailing List

We send our newsletters to our members, other unions and disability organizations across the country.

Keeping in touch with members with disabilities – particularly workers on LTD – is a challenge. If you would like to be on our mailing list, or know of someone else who should be, please call the provincial office at 604-438-5000 or toll free at 1-800-663-1813 or go to our website at www.heu.org.

Educational Activities

Members of our committee are available to provide information, resources and our stories as part of HEU's union educational activities. We have made presentations to shop steward seminars, the provincial executive and HEU staff. We have also contributed to course content at HEU summer school.

The committee has members all over the province, so there is almost always a member available to make a presentation to your local.

Bargaining

Bargaining continues to be a central part of the committee's work. The committee sends a delegate to HEU wage policy conferences, and mobilizes to advance the work and lives of HEU members through collective agreements

DESCRIBE OUR PROCESS

Toll free support line

The committee offers support and connects members to each other through the toll free support line. Messages are picked up regularly by the equity officer.

Solidarity knows no boundaries



The People with disAbilities Committee works in solidarity with the other HEU equity committees to help build a stronger union.



The First Nations Committee seeks to educate all HEU members about First Nations culture and raise awareness of First Nations issues within the union. Any First Nations member (off or on reserve, status or non-status) is welcome to participate.



The Lesbian and Gay Committee works to improve and enhance awareness of lesbian and gay issues. The committee provides support to guarantee HEU members a safe, positive, and harassment-free workplace.



The Committee for Ethnic Diversity aims to break down barriers to develop a better understanding among HEU members. The committee provides support to ethnic diversity members, and education on issues of race and discrimination.

To set up an awareness session about equity issues for your local, contact HEU provincial office.

Disability is a union issue

In the world of work, people with disabilities have long been discriminated against by society. Employers have refused to hire people with disabilities, or have forced them into menial, low-paying jobs. Workers who become disabled through injury or illness have lost their jobs.

As a result, economic equality and independence have been out of reach for many people with disabilities, and many live in poverty, including some of our members.

For HEU members, disability and discrimination is a serious concern: health care workers suffer more non-fatal, on-the-job injuries and illnesses than any other group of workers.

HEU has worked hard on these issues, and many advances have been made. But there is still a long way to go before people with disabilities become equal members in Canadian society, at our workplaces and in our union.

HEU members' experiences

“I’m sharing my story so others will not make the mistakes I did. Even though my specialist told me I had to quit working, I would wrap my swollen joints in tensors and go to work. It wasn’t until I ended up in ER that I accepted I had to re-evaluate my choices.”

— long term care attendant, Port Alberni

“As I work, I’m finding my job easier to handle and I find ways to do things better and faster. The real challenge I face is my employer’s attitude: she doesn’t trust me to know what I can and can’t do, and complains to other workers that I am too slow.”

— food services worker

“People should never feel their disability is a burden or that they are no longer part of the team.” — Vancouver member

“The lack of information about LTD is very frustrating. I need a knowledgeable advocate.” — member in the Kootenays

“Being diagnosed with my disability was devastating at first, but I’ve been able to reprioritize my life and realize what was really important to me. I slowly got the courage – with support from the PWD committee – to go back to school after 15 years. Every cloud has its silver lining. I have a new future and some great friends.”

— part-time cleaner, Armstrong

“I’d like to have a support group at work.”

— long term care aide, Prince George

“I frequently hear staff members say that an elderly resident can ‘hear when she wants to.’ They do not understand the complexity of hearing impairment, and are not open to explanations from people who have experienced the problem.” — Vancouver Island member

“Laughter is the best medicine. It’s great when my co-workers can approach a problem with a sense of humour.”

— hospital worker in Dawson Creek

“I was tilting a barrel of liquid detergent onto a dolly. I had to bend over, as there were hanging bags of dirty linen overhead. It started to fall, and I jolted the dolly to stop it. That was the split-second that lead to major back surgery and two years off work.” — member in Victoria

“People can’t see the pain. A co-worker said ‘Must be nice to take advantage of the system.’ I laughed it off, but it hurt me deeply. I have not had a decent night’s sleep in years, unless I’m drugged up. The side of my face is numb. The muscle spasms in my neck, back and arm are like a red hot poker. Their comments just add to the stress.” — hospital truck driver

“By helping others, I help myself.” — laundry worker and PWD committee member

“Years ago, people would have hidden at home because of ‘embarrassing’ disabilities. Society is changing. With advances in medical and technical aides many more people are able to work. This benefits not only the individual and their families, but society as a whole.” — Vancouver Island member

“When I use the mechanical lift for transferring patients, some co-workers will say ‘We don’t have time. Just lift the patient.’”

— long term care aide, Prince George

“I was a very active union member before going off on LTD. I want to continue to be active.” — Vancouver member

“There is a great need for knowledgeable assistance for members who face the arduous task of applying for LTD. Unless you have had to travel this road, you can’t know how disillusioned and bitter one can become. Frustration is one of the tactics the employer uses – our members need added support.”

— member returning to work in Genelle

“I’d like the occasional phone call, so I don’t feel so isolated. And I’d like to be reminded when there are local union meetings.”

— long term care attendant, on LTD for three years

“WCB cut me off when I was at my worst. Papers to fill out, meeting more doctors, taking more pills... But always the pain.”

— Vancouver Island member

“We need more time to make the transition back to work.”

— Vancouver member

“Confidentiality is an issue. I have to keep telling my rep not to put me on speaker phone.” — member in the Kootenays

“Disability is like facing a death of someone you love. You’re in denial, then depression, anger, and feelings of unworthiness, loneliness, and lack of self-confidence. Our members need to know this is part of the process, and they’re not losing their minds.” — member in Cranbrook

“My support group, the regional office and the equity committee have all been a big help.” — Vancouver member

“Being denied LTD can mean losing your union membership. This should be addressed at the next HEU convention.”

— part-time cleaner, Armstrong

“Thank you to the people who had the insight and the ability to make the union more aware of people with disabilities, and understand that they can be a vital part of this union.” — Vancouver member

How to help end discrimination

Every person living with a disability is different, so it is important to not make assumptions about how people live, or how they feel, about their disability. It is also important to recognize that discrimination is compounded for people who experience other forms of discrimination, such as their race, gender, age, religion or sexual orientation.

Members of the People with disAbilities Committee put forward these thoughts to help you become a better ally to co-workers and people in your community who are living with a disability.

- If there is something you want to know, just ask. Don't make assumptions about what a person with a disability feels or what kind of assistance they might need.
- Become more aware of disability issues in general. There is a wealth of material available to help you further your understanding.
- Be aware of the language you use and take care to not label people.
- Give your support to co-workers who are entering Return to Work programs. Let other co-workers and your employer know that you are committed to accommodating and supporting a worker's safe return to work.
- Choose sites or adjust spaces at work, union and social functions to ensure they are accessible to people with disabilities.
- Be active in workplace injury prevention.
- Keep in touch with co-workers away from work because of a disability.

Duty to accommodate

Under human rights law, there is a duty for employers and unions to take reasonable measures to accommodate people with disabilities. Sometimes that means removing systemic barriers or adding new equipment so that people with disabilities can be hired. Sometimes it means adjustments so that workers who have been ill or injured can return to their jobs. At other times, it means that workers are retrained to do a different job.

Duty to accommodate is a complex and evolving issue. Each case requires a creative approach and sensitive education of all those affected. Whether a member is a new employee, at work with a disability or returning to work after injury or illness, staff representatives should be there to help throughout the process.

The duty is to take reasonable measures to accommodate to the point of undue hardship. These measures must be proven and can be challenged. HEU and employers have expressly adopted the principles of the BC Human Rights Code in collective agreements. The duty to accommodate may be the subject of a grievance.

Benefits for injured or ill HEU members

1. WorkSafeBC

Almost all workers in BC – including all HEU members – can file a claim with the Workers' Compensation Board if they are hurt or sick because of their work. WCB benefits include medical costs and lost wages (90% of your net pay) for as long as your disability lasts. Most HEU collective agreements also provide for injury on duty leave for regular members.

2. Long Term Disability

Some HEU collective agreements include Long Term Disability programs for injured or ill workers away from work for long periods. Members on LTD receive a percentage of their lost wages.

3. Other Benefits:

Canada Pension Plan Disability Benefits

Employment Insurance Sick Benefits (up to 15 weeks).

Return to Work programs

Some HEU collective agreements set out the process for returning ill or injured workers to their jobs, or retraining them for new ones.

For all of these programs, keep these points in mind:

- take notes – what happened, who you talked to, what the doctor said, what you were told by the employer, and how you felt each day
- ask for copies of documents regarding your illness or injury, your claim for benefits, your medical visits or your employment situation
- get support from a friend or advocate – if necessary, ask them to go with you to meetings
- keep in touch with others, and don't allow your illness or injury to isolate you from co-workers or the union

Ask your staff representative for more information. If you need support, call the People with disAbilities toll free phone line (see page 26).

Contacts

The HEU People with disAbilities Committee

By phone: 1-800-663-5813, extension 7192. Lower Mainland 604-456-7192, press 4. Messages are picked up regularly by the equity officer.

Mail: People with disAbilities Committee, c/o Hospital Employees' Union, 5000 North Fraser Way, Burnaby, BC V5J 5M3

On the internet: www.heu.org (click on to Human Rights).

Call the committee phone line for more information.

Hospital Employees' Union

Provincial Office (Burnaby site)

5000 North Fraser Way, Burnaby, BC V5J 5M3

tel: 604-438-5000 or toll free 1-800-663-5813 • fax: 604-739-1510

e-mail heu@heu.org • website: www.heu.org

Northern regional office (Prince George)

tel: (250) 564-2102 or 1-800-663-6539 • fax: (250) 562-3645

Okanagan regional office (Kelowna)

tel: (250) 765-8838 or 1-800-219-9699 • fax: (250) 765-0181

Vancouver Island regional office (Victoria site)

tel: (250) 480-0533 or 1-800-742-8001 • (250) fax: 480-0544

Kootenay regional office (Nelson)

tel: (250) 354-4466 or 1-800-437-9877 • fax: (250) 352-6999

Vancouver Island regional office (Courtenay site)

tel: (250) 339-3698 or 1-800-624-9940 • fax: (250) 339-3673

Organizations

The BC Coalition of People with Disabilities offers information, advocacy, support and services for people with disabilities. The Coalition has a wide range of resource materials, from a brochure about transportation (gas tax rebates, parking placards, discounts), to a manual on *Advocacy Without Burnout*, to information on housing and applying for CPP.

The Coalition can also connect you to other organizations that work around a specific disability issue.

BC Coalition of People with Disabilities

204 - 456 West Broadway, Vancouver, BC V5Y 1R3

tel: (604) 875-0188, TTY: 875-8835.

www.bccpd.bc.ca

Publications

Transition magazine is published eight times a year by the BC Coalition of People with Disabilities.

Contact *Transition* through the BCCPWD, listed above.

Abilities is a Canadian lifestyle magazine for disabled people. It is published quarterly, and is available in audio or disk format.

Abilities, PO Box 40202, Station BRM B, Toronto, ON M7Y 5J1.

The Strategy is published by the BC Office for Disability Issues. This free magazine is quarterly, and is available in audio or disk format.

The Strategy, PO Box 9567, Victoria BC V8W 9K1.

The labour movement

Many unions have committees and staff devoted to disability issues. Here are a few places to start.

The **BC Federation of Labour** and the **Canadian Labour Congress** both have qualified staff working on disability issues. Call the Fed at (604) 430-1421 and the Pacific Region of the CLC at (604) 430-6766.

CUPE has a disability working group that includes a representative from HEU. Call the People with disAbilities Committee for more information.

The **Public Service Alliance of Canada**, has been a leader in the labour movement on issues of disability. Resources available include a 125-page book on Disability Action in the PSAC, and a guide for people with disabilities on completing tax returns, written by the folks who process your forms, downloadable from www.psac.com

Legal protection from discrimination



The collective agreement

The collective agreement is a legally enforceable document. All HEU collective agreements include protection from discrimination and set out the process for making and resolving a complaint. If this process does not result in a satisfactory resolution, the complaint can go through a legal procedure – such as a grievance or arbitration – as set out by BC’s labour laws.

The BC Human Rights Code

British Columbia has a human rights code that protects from discrimination because of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age or because of unrelated convictions or offences. The code includes areas like employment, wages, accommodation and services, including unions and associations.

The Canadian Human Rights Act

The Canadian Human Rights Act protects from discrimination on the federal level, such as a government policy or a national employer. The Act protects on the grounds of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and conviction for which a pardon has been granted.

The Charter of Rights and Freedoms

Canada’s Constitution, in the Charter of Rights and Freedoms, protects from all discrimination, including race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. As it is the supreme law of the land, all laws in Canada must comply with it.