



# Newsletter

---

## HEU negotiates improvements to Bill 29 bumping language

**T**HE HOSPITAL EMPLOYEES' UNION has agreement from B.C.'s health employers to improve members' bumping options severely curtailed by Bill 29 in January, 2002.

These improvements replace flawed changes to the bumping language that were made by the provincial government after they imposed a contract on HEU members last month.

The changes are effective June 1 and are not retroactive.

Bill 29 stripped out bumping rights and replaced them with a very limited provision establishing two kinds of workers – those with more than five years seniority and those with less. HEU convinced the Labour Relations Board in 2002 to expand those rights to include a dovetailed seniority area.

Old bumping "rights" for those with more than five years seniority provide that they can only bump a position they are qualified to perform and capable of performing which is held by an under five-year employee within the dovetailed seniority list. If there is no employee with less than five years seniority, the senior worker is out the door. Under five-year employees can only bump the most junior employee in the dovetailed seniority list.

Under the improved rules, if you are given lay-off notice and want to consider bumping:

- The employer must give you a copy of the worksite and dovetailed seniority lists;
- You have to decide where you want to bump (your choices are limited depending on whether you are under or over five years of seniority). If your bump is at your worksite you will have 48 hours after getting the list to tell the employer. If the bump is at another site you will have seven days from when you receive the dovetailed seniority list;
- And to successfully bump any position it must be in a classification that entails performing duties you are qualified and capable of performing.

If you have more than five years seniority:

1. You can choose to bump any position at your worksite with less than five years seniority. However, you can look at bumping those with more than five years seniority on site if there is not a comparable job held by an under five-year worker.

-OVER-



2. You are allowed to bump someone with more than five years seniority if there is no "under five year" bump available that is comparable. Under those conditions, you must first look at bumping the most junior employee (with over five years seniority) whose comparable position is at your worksite.
3. If no comparable worksite positions are available, you can then bump the most junior employee at your worksite, or at the other sites on the dovetailed seniority list.

If you have less than five years seniority:

1. You can bump the most junior employee in a comparable position at your worksite;
2. If no comparable positions are available at your worksite, you can bump a non-comparable position held by the most junior employee at your worksite or you can bump a comparable position at another site in the "dovetailed" seniority area.

These bumping changes are not retroactive. And there is no dovetailed seniority list that applies to affiliated. In those cases, the revised bumping language will apply at the worksite only – not another site within the dovetailed seniority list area.

The improvements to the bumping language are based on provisions contained in last years tentative framework agreement and are attached.

May 27, 2004