



HOSPITAL EMPLOYEES' UNION

# NEWS RELEASE

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## HEU welcomes expert panel's support for stronger successor rights for B.C. workers

*Extending successor rights to include contract-flipping will protect care delivery and workers*

B.C.'s largest health care union is welcoming an expert panel recommendation that would promote continuity of care for seniors, improve hospital services and protect workers when nursing home operators and health authorities change or "flip" subcontracts for care aides, housekeepers, dietary workers, and other staff.

Today, Minister of Labour Harry Bains released the report and recommendations of an expert panel convened to review B.C.'s *Labour Relations Code*. Those recommendations include an expansion of successor rights to include cases where employers change subcontractors.

Current successor rights protect workers' employment, negotiated collective agreements, and union membership in limited circumstances where businesses are sold or transferred.

The Hospital Employees' Union has called for those protections to be extended to cases where an employer subcontracts care or support services in nursing homes and hospitals – and switch those subcontractors.

"Contracting-flipping results in entire staff teams being fired. They may be invited to reapply for the same job at a lower rate of pay, and with the loss of their union and any benefits related to the length of their service," says HEU secretary-business manager Jennifer Whiteside.

"In some cases, workers have been fired and hired several times in the same facility, where care home operators seek to avoid unionization and keep wages low."

"In B.C. nursing homes, this practice has undermined care for vulnerable seniors who depend on continuity in their care relationships. The negative impact of contracting out and contract-flipping on care has been raised by both B.C.'s ombudsperson and seniors advocate.

"In our hospitals and care homes, lack of successor rights has made the work more precarious and unsafe, lowered wages, and resulted in a recruitment and retention crisis as workers seek more secure and better paid work. The workers impacted by these practices are highly racialized and overwhelmingly female.

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“Stronger successor rights will provide more stability in seniors’ care and in health care generally – for workers and for nursing home residents and patients,” says Whiteside.

“We commend the expert panel for making this recommendation and urge the government to move quickly to implement this recommendation into law, and to ensure that it has the broadest possible impact in sectors of the economy that experience contract-flipping.”

The panel – as part of its recommendation to strengthen successor rights – also recommended that the changes are retroactive to the date of the report (August 31, 2018) to prevent contracts from being cancelled to avoid the change.

The union is still reviewing the potential impact of the extensive changes to the code proposed by the expert panel.

But HEU is supportive of a number of proposals by the panel that restore balance to the labour code including measures to assist workers to exercise their right to join a union, and to reach first collective agreements.

Whiteside noted laws brought in by the BC Liberals in 2002 and 2003 to facilitate health care privatization specifically exclude health care workers from successorship rights and *Labour Relations Code* provisions. HEU continues to call for the repeal of those discriminatory statutes.

The expert panel has recommended that provisions in those laws that are inconsistent with their recommendations be repealed.

The HEU has close to 50,000 members working across B.C. in a wide range of occupations and in a variety of hospital, residential care and community-based services.

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