



## LRB decision on LPN seniority

The Labour Relations Board released a decision Monday that confirms an agreement reached between affected unions and health employers on the impact of Bill 18 on LPN seniority.

Bill 18 moved LPNs from the Facilities and Community bargaining units to the Nurses bargaining unit effective April 15, 2013, but the legislation was silent on the issue of LPN seniority. The Health Employers Association of B.C. applied to the LRB for a determination of this issue.

Monday's decision reflects an agreement by HEABC, the Facilities Bargaining Association (led by HEU), the Community Bargaining Association (led by BCGEU) and the Nurses' Bargaining Association (led by the BC Nurses' Union).

Individuals who held only an LPN position in either the Facilities or Community bargaining units effective April 15, 2013 will have all their seniority and service ported to the Nurses bargaining unit effective that date.

This applies to roughly 90 per cent of all LPNs who were formerly in the Facilities bargaining unit.

These LPNs will have no ongoing rights under the Facilities or Community collective agreements. All their seniority and service rights will be held in the Nurses bargaining unit.

For those who held an LPN position and also held a position (regular or casual) in another classification, the question of seniority is more complicated. In this instance, the LRB agreed that no individual worker should be either worse or better off because of Bill 18.

As a result, seniority for this group will be "set" for both positions at the April 15, 2013, level. And going forward, seniority will accrue based only on the hours worked in the corresponding bargaining unit.

So seniority accrual from that date forward for a Facilities (or Community) job will be based solely on hours worked in the Facilities (or Community) positions. And LPN hours worked from the date forward will only accrue to seniority hours within the Nurses bargaining unit.

There are a number of issues remaining relating to service-related accruals and banks for members who remain entitled to work in Facilities or Community classifications – whether as a regular part-timer or a casual. The LRB has reconvened the parties to deal with these questions on October 28<sup>th</sup>.

*October 22, 2013*

