



BULLETIN

## President's report to 2016 Regional Meetings

September 28, 2016

Your elected HSA representatives and staff have been hard at work since the union's 45th convention in May. The upcoming regional meetings will be a good opportunity to provide updates on that work, and a chance for stewards and other activists to connect and discuss the issues in your region.

In preparation for those meetings, please take a few minutes to review some of the important work HSA has been involved in.

### Member engagement and raid defence campaign

Delegates to our May convention passed a resolution calling on HSA to put resources and effort into defending the union and its members from poaching by the BC Nurses union (BCN), which is seeking to expand its membership by getting HSA members to join them. There would be no difference for HSA members, in terms of who bargains their contract. BCN does not bargain for health science professionals – by legislative edict, they only negotiate contracts for nurses.

Support for the fight for our members also extended to the national level, when convention delegates to our national union, NUPGE (National Union of Public and General Employees), overwhelmingly passed a resolution condemning the BCN's raiding practices and committed to working with and providing resources to HSA to defend our members.

We know that service and profile are important to our members, and our work is committed to ensuring the best possible service to members, and a continued focus on elevating the profile of health science professionals on the multidisciplinary health care team. We are working with other unions in the BC Federation of Labour and the National Union of Public and General Employees (NUPGE) on the "Know a Nurse" campaign to encourage all union members to talk to nurses about the leadership of the BCN's refusal to work together with other health professionals and union members to support all working people.

### Steward resources project

At the May convention, delegates approved an increase in dues to provide additional support for members, and for stewards working to support their colleagues at the worksite. Our stewards continue to ask for better resources to help them efficiently and effectively handle union business. One initiative underway that promises to help with these challenges is the Steward Portal, a web-based toolkit offering all stewards online access to union e-mail, discussion forums, online education and electronic grievance handling.

The concept we presented at convention was received with excitement. Following convention, we immediately began the careful planning required to further scope and cost this project. We are excited to report that planning is on track to be completed by year end and we intend to begin development in early 2017. The Steward Portal is targeted for release during the second half of 2018 and we know stewards are eagerly anticipating the implementation.

## **NUPGE convention**

Following on the heels of HSA's convention, HSA's Board of Directors represented the union at NUPGE's triennial convention, where a new president and secretary-treasurer were acclaimed. Larry Brown was acclaimed as the new president, having previously served as the union's secretary-treasurer, and taking over the helm from long-time President James Clancy. Acclaimed to the position of secretary treasurer was Elisabeth Ballermann, who served most recently as President of Health Sciences Association of Alberta (HSAA/NUPGE). As previously mentioned, delegates to the NUPGE convention supported HSA's resolution to defend against BC Nurses' poaching of members, to adopt a campaign to defend and improve community services for all Canadians, and to follow a twin-track approach to working against privatization across the country: The first track of the twin-track strategy is to fight privatization at the bargaining table; the second track is to fight privatization in the community by engaging allies and the public in campaigns to enact legislation that ensures that all the details of any proposed privatization scheme are publicly disclosed, studied, and debated.

## **Supreme Court of Canada win**

At the NUPGE convention, HSA was also able to report on the union's precedent-setting and important victory at the Supreme Court of Canada on behalf of members who acquired cancer while working at Mission Memorial Hospital.

The Supreme Court of Canada has found that two HSA members and an HEU member who were diagnosed with breast cancer while working in the laboratory at Mission Memorial Hospital are entitled to workers' compensation coverage. Their employer, Fraser Health Authority, fought their claims for more than a decade.

The members were denied workers' compensation because they couldn't make the case that they developed cancer as a consequence of their work. HSA appealed, and our members' claims were accepted at appeal at the Workers' Compensation Appeal Tribunal.

For the next ten years their employer fought through the courts against these women's right to workers' compensation. They said there wasn't enough proof; they said no one could say with absolute scientific certainty that the women got cancer at work. The BC Supreme Court and BC Court of Appeal sided with the employer. We took the fight right up to the Supreme Court of Canada. And we won that important fight for our members. The court ruled that the burden of absolute proof isn't on the workers. It ruled that the Appeal Tribunal had the authority to accept the claims based on the information that convinced them that the environment in the lab and Mission Memorial Hospital was at least a contributing factor to the cause of the cancer.

It's an important victory for our members. It's an important victory for the historic compromise we as a labour movement fought for when workers gave up their right to sue employers for getting sick, hurt, and killed at work.

## **Activity on resolutions from the 2016 convention**

Delegates to the convention debated a number of resolutions. In this report, I have outlined some of the work we are doing on those. A few other highlights include continued government relations work with a training session and workshop for our Constituency Liaisons responsible for regular lobbying of their MLAs, a submission to the BC Legislature's all-party Select Standing Committee on Health, work on the provincial recruitment and retention committee to address the continuing challenges associated with shortages in the health science professions. Plans are also underway for the launch of our membership-produced video contest. The delegates at convention also instructed HSA to carry out a diversity audit of our membership to ensure we understand who our members are, and that we practice inclusivity.

## **Violence Prevention update**

An important area of work HSA has been pursuing since the convention is our continued involvement in pushing for a coordinated provincial approach to the problem of violence in health care workplaces - both in acute and community settings.

HSA is working closely with government, and with other health care unions, on the development of a workplace violence prevention protocols. HSA is taking leadership in coordinating a meeting with the Ministry of Health and health care unions to focus on violence prevention as it pertains to non-nursing professions - especially in the residential care, community and home support sectors. I anticipate being able to report out on that progress at our regional meetings, and look forward to discussing your experiences.

## **Medicare/private clinics court challenge**

Right now, there's a legal challenge in motion that could erase Canadian Medicare as we know it - resulting in a two-tier, US-style health care system.

Dr. Brian Day, owner of Vancouver's for-profit Cambie Surgery Centre and the leading proponent of privatized health care, launched a constitutional challenge in 2009 that is going to court in September 2016. This challenge aims to break Medicare in Canada by striking down provincial health legislation that limits the for-profit delivery of medically necessary services, claiming that these rules violate the Canadian Charter of Rights and Freedoms.

Parties in the case, including the BC government, are calling this the most significant constitutional challenge in Canadian history. Although this case is being heard in British Columbia, experts agree that the case will be appealed and end up in the Supreme Court of Canada - that's why it's important to everyone in Canada.

Clearly, there's a lot at stake. That's why HSA has been supporting the BC Health Coalition as an intervenor in this case. In addition to significant financial support over the past several years, HSA has been a key player in the BC Health Coalition, with member Edith MacHattie currently serving as co-chair.

The BC Supreme Court level is the pro-Medicare side's chance to influence the outcome of this case. Our intervenor group has secured a strong legal team including leading constitutional and health litigators Steven Shrybman and Joe Arvay. All advise that our participation at the BC Supreme Court level is essential because the evidence and facts provided at the trial stage in B.C. will be the record upon which a Supreme Court of Canada decision will be made.

When you come to your Regional Meeting we will give you the most up-to-date information on some of the ongoing items covered in this report, and you will have the opportunity to bring up and discuss other issues.

I look forward to seeing you soon!

Val Avery,  
President

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