



HSA delivers submission to Labour Relations Code Review Panel

April 3, 2018

March 29, 2018 – Tonie Beharrell of HSA’s legal department presented HSA’s submission to the BC government’s Labour Relations Code Review Panel, which took place in Surrey last Thursday. The submission outlines 14 recommendations regarding reform to the *Labour Relations Code*.

From March 21-April 16, the government is hosting 9 public regional consultations across BC. HSA’s recommendations pertain to the acquisition of bargaining rights, unfair labour practices, successorship, certifications, and the code’s general provisions.

“The current legal landscape does not reflect, in spirit, workers’ Charter-protected rights to freedom of association,” said HSA President Val Avery. “Our comprehensive recommendations seek to restore greater fairness to the province’s labour relations system.”

Beginning in 2001, the BC Liberal government initiated significant changes to the code that weakened workers’ ability to join a union and eroded collective bargaining rights.

Among HSA’s recommendations include the repeal of bill 29 and bill 94 in their entirety, which remove union protections for health care workers. Implemented in 2002, the *Health and Social Services Delivery Improvement Act* – later deemed unconstitutional by the Supreme Court of Canada – allowed the government to violate health care contracts and community social service contracts and contract out union jobs to private service providers.

It struck out collective agreement provisions that provided a union with successorship rights, and prevented the future negotiation of such provisions. Bill 94 expanded the scope of bill 29, providing similar employer rights to private contractors in the health sector.

“Under bill 29 we saw HSA members stripped of severance benefits, job protections, and wage parity measures fairly negotiated into collective agreements. The harsh legacy of bill 29 still ripples across the health and community social services sectors,” said Avery.

While many of bill 29’s provisions were later invalidated as a result of the Supreme Court decision, certain remaining articles still weaken successorship protections.

HSA’s full submission to the Labour Relations Code Review Panel can be viewed [here](#).

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