

## Bargaining: what it means for you

May 22, 2012

### WHAT IS THE HSA CONTRACT?

Collective agreements that govern the working conditions and compensation for HSA members working in the public sector expired on March 31, 2011. The union is working now on behalf of HSA members to negotiate new collective agreements.

Until new collective agreements are reached, the terms and conditions of the expired agreements continue.

In the public health care and social services sectors, HSA represents members covered by four collective agreements.

- **Health Science Professionals** ... approximately 14,000 HSA members are covered by this agreement. These members are the health science professionals who work in hospitals and communities delivering specialized services. HSA leads bargaining, and the bargaining committee includes representatives from all the unions who have members covered by this contract (This includes CUPE, HEU, BCGEU and PEA). HSA staff and members participate on this bargaining committee. Employer interests are represented by the Health Employers Association of BC (HEABC). HEABC receives its mandate from the provincial government, and bargains on behalf of all the health authorities. Health authorities are represented on the bargaining committee.
- **Registered Psychiatric Nurses** ... approximately 600 RPNS are represented by HSA and are covered by the Nurses collective agreement. The BC Nurses Union represents the majority of members covered by this contract, and leads bargaining on behalf of all the unions. HSA members interests are represented on the bargaining team by two representatives ... an HSA member and an HSA staff person. Employer interests are represented by the Health Employers Association of BC (HEABC). HEABC receives its mandate from the provincial government, and bargains on behalf of all the health authorities. Health authorities are represented on the bargaining committee.
- **Community Social Services** ... approximately 800 members work in this sector, working at 16 different agencies across the province, including transition houses, child development centres, family services agencies, mental health facilities, young offenders programs and alcohol/drug programs. The BC Government and Service Employees Union (BCGEU) leads the bargaining, and the bargaining committee includes representatives from all the unions with members covered by this contract. HSA members interests are represented on the bargaining team by two representatives ... an HSA member and an HSA staff person. Employer interests are represented by the Community Social Services Employers Agency (CSSEA). A majority of funding for programs comes from the provincial government, and agencies are represented on the bargaining committee.
- **Community Health** ... approximately 600 HSA members work in this sector. They are front-line community health caregivers, working in a range of occupations and are employed by community-based health agencies across the province. BCGEU leads the bargaining, and HSA members interests are represented by an HSA member and an HSA staff person. Employer interests are represented by the Health Employers Association of BC (HEABC). HEABC receives its mandate from the provincial government, and bargains on behalf of all the health authorities. Health authorities are represented on the bargaining committee.

THE BCGEU HAS VOTED IN FAVOUR OF A STRIKE. I AM IN COMMUNITY SOCIAL SERVICES. DOES THAT MEAN WE ARE GOING ON STRIKE?

- The recent strike vote announced by the BCGEU is for the unions direct government service contract. This is for workers who are direct employees of the provincial government, including Ministry staff and Liquor Distribution Board workers. No HSA members are covered by this collective agreement.

HOW DO YOU DECIDE WHAT TO NEGOTIATE FOR?

- Long before the expiry of a collective agreement, or contract, members covered by that contract are given the opportunity to have input into what they want their bargaining representatives to negotiate for.
- The union will often do surveys of the membership to understand what the memberships priorities and concerns are. Those surveys help the union get input from members who might not be able to attend union meetings in person, and they also help members start to think about what changes they would like to see in their contract.
- If you have an idea that you want to see the union take to the bargaining table, you are invited to take your idea to your local union meeting. There, members just like you vote on proposals. At a local union meeting, you also elect representatives to a provincial bargaining conference.
- At the bargaining conference, all the proposals passed at the local union meetings are considered by the delegates to that conference. The members elected to represent their colleagues at that conference then set the priorities for bargaining, based on the types of proposals that members have put forward. Those members elect a bargaining committee of representative members. They provide a voice for members, and professional negotiators work with the committee to bargain with the employer bargaining committee.

HOW LONG DOES IT TAKE TO NEGOTIATE A COLLECTIVE AGREEMENT?

- It can be very fast, or it can take a long time. It is not uncommon for collective agreements to take several months to be concluded ... or even more than a year.
- This year, for example, bargaining in all four of the public sector collective agreements where HSA represents members started between December 2011 and February 2012. All the contracts in those sectors expired March 31, 2012. No new contracts have yet been agreed to.
- Generally speaking, when negotiations begin, their goals are in conflict. The goals of management are to reduce costs and operate with as few restrictions as possible. The goals of the union are to improve wages and working conditions. The objective in collective bargaining is to achieve a contract that employees and employers agree can work to meet the interests of both.
- As collective agreements evolve, they become increasingly complex, particularly in contracts that include thousands of members working in varying jobs and professions.

HOW DO I GET TO TELL YOU IF I AGREE WITH A NEW COLLECTIVE AGREEMENT?

- In HSA, if the bargaining committee achieves a collective agreement, it recommends the agreement to the Board of Directors. The Board of Directors, made up of representatives elected by HSA members, then decides whether it recommends acceptance or rejection of the collective agreement, and puts the agreement to a vote of all members. Every member has an opportunity to vote in favour or against the proposed agreement.

SOME UNIONS TAKE STRIKE VOTES. WHAT DOES THAT MEAN, AND DOES HSA DO THAT?

- In an ideal world, strikes would not be necessary. Employees and employers would meet at the bargaining table, and discuss bargaining proposals based on reason, justice and mutual respect. They would use objective data and negotiate a settlement.
- In reality, that is often what happens. But sometimes there are different points of view about what is - reasonable," -just," and -objective."
- A strike vote can be an important instrument to give a bargaining committee a tool at the bargaining table that tells employers and the government that members are serious about the changes the union is working for in negotiations. It is a clear message that members are prepared to strike to support their position.
- In HSA, a bargaining committee may go to the Board of Directors and recommend that the Board of

Directors call for a strike vote among members to back their position at the bargaining table. The Board of Directors can also call a strike vote without a recommendation from the bargaining committee. All members have an opportunity to vote in favour or against going on strike.

IF HSA GOES ON STRIKE, THEN PATIENTS AND CLIENTS SUFFER, HOW CAN WE GO ON STRIKE?

- In British Columbia, "Essential Services" legislation is in place to prevent an immediate and serious danger to the health, safety, or welfare of the residents of BC. That means that no lives will be at risk, but HSA members may withdraw non-essential service to apply pressure at the bargaining table.
- All unions who represent members working in health care are required to provide essential services.
- HSA is currently involved in negotiating what constitutes "essential services" on a site by site and department by department basis. If the union and facility can't agree on what is "essential", the Labour Relations Board has the power to assist in determining appropriate staffing levels.

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