

Health Care Strike **Vote**

Information package

Presidents message



NSGEU President Jason MacLean

After more than a year, and nearly forty bargaining and conciliation dates, we still do not have a new collective agreement for our health care members.

What has become even more frustrating is that since January the bargaining committee has witnessed a serious slow down in process from the employers. In fact, the employers have tabled proposals clawing back significant rights and benefits.

This booklet was prepared to answer your questions and provide you with the dates and times of the many town halls that will take place, both in person and by phone in the coming weeks.

Over the past year I have had the opportunity to meet many of you and I have heard you tell me how long and frustrating the bargaining process has become. I encourage every one to attend a town hall, get engaged, share information, have conversations and turn out to vote.

This is your chance to cast a vote and have your voice heard.

This is the first time a province-wide strike vote for health care workers has ever taken place. You all know that health care is in crisis, and we want a fair collective

agreement.

The government needs to stop attacking health care workers and instead address the crisis in health care.

It has become clear that the NSHA and IWK are taking advantage of the restructuring in health care and will do everything they can to take away as many of your benefits and rights gained over decades of collective bargaining.

Your bargaining committee is asking that you give us a strike vote to protect these hard-earned benefits and to send a message to the employers and Stephen McNeil that you want these negotiations taken seriously.

We believe a strong strike vote is the only way to conclude a fair collective agreement on your behalf.

In solidarity,

Jason MacLean
President, NSGEU

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Why your bargaining committee needs a strike vote

By now you are likely aware that the Health Care Council of Unions is going to conduct a province-wide strike vote to back its demands in collective bargaining with the IWK and NSHA.

Here's why.

The NSGEU Members of your Health Care Bargaining Unit are providing you with this information package to help you better understand the new process and to explain why we need you to send a message to the NSHA, the IWK and the provincial government by giving your committee a strong strike vote mandate.

In 2014 and 2015, the provincial government made a number of significant changes to the way bargaining for health care workers is conducted in Nova Scotia (See the attached backgrounder entitled "A Recent History of Health Care Bargaining In Nova Scotia").

The Health Care Council of Unions Bargaining Committee spent nearly 40 days at the bargaining table attempting to negotiate a new collective agreement on your behalf. The Council Committee, made up of three elected representatives from CUPE, one from Unifor and six from the NSGEU, worked very hard during this time to retain key benefits that existed in each of the Unions' collective agreements.

The Council of Unions noticed a significant slow down in bargaining by the Employers in January of 2018. In fact, the Employer began to introduce brand new proposals designed to take away benefits and rights from health care members.

Here are just a few examples:

- In January the NSHA and the IWK tabled proposals to take the short term illness plan away from members who had it and replace it with the accumulated sick leave plan. The Council has tabled a proposal moving all members to the short term illness plan;

- The Employers also tabled a new proposal that would allow them to transfer employees in the province where they think they are needed. So, for example, a lab technologist who worked their entire career at the MacKenzie Building could be told to report to the Aberdeen in Pictou for the week because they were needed there;

- The Employers refused to table their proposals on the cost sharing of retiree benefits. The Council of Unions has tabled a single proposal that would give all current employees a cost share of retiree benefits past age 65;

- The province passed legislation in 2015 which freezes wages for the first two years of a new contract and provides minimal increases in the third and fourth year of a new agreement (0% in year one, 0% in year two, 1% in the third year, and 1.5% in the fourth year, with an additional 0.5% on the last day of the fourth year.).

- This wage restraint pattern will mean that many health care workers at the NSHA and the IWK will be the lowest paid in the country; and employers tabled a proposal that gives them complete control of your health and dental benefits. This would allow the Employers to make any changes they wished to your benefits plan. The Council of Unions tabled a proposal that requires Union agreement to any changes.

- It has become clear to your Bargaining Committee that the NSHA and IWK are taking advantage of the restructuring in health care and will do everything they can to take away key benefits and rights gained over decades of collective bargaining.

Your bargaining committee is asking that you give us a strong strike vote mandate to protect these hard-earned benefits and to back your bargaining demands at the table. We believe this is the only way to conclude a fair collective agreement on your behalf. ■

The history of health care bargaining in Nova Scotia

Prior to September of 2014, collective bargaining for health care workers in Nova Scotia had proceeded in the same way for decades.

Four Unions, NSGEU, CUPE, NSNU and Unifor, each represented their own members in bargaining. Each Union negotiated agreements that over time came to represent the priorities of their memberships.

In 2014 and 2015 the Provincial Liberal Government led by Stephen McNeil passed several pieces of legislation aimed at

sharply reducing the bargaining power of the health care Unions and their members.

In March of 2014 the province passed essential

services legislation. That law was an attempt to weaken the Unions bargaining power by requiring a dramatic increase in the number of health care workers who would have to remain at work in the event of a strike. It left the final numbers to be negotiated by the Union and the Employers before a strike could take place which created a significant delay in the current round of bargaining. Essential services took many months to negotiate allowing the Employers to almost ignore Union proposals as there was no threat of imminent job action.

In September of 2014 the province introduced another new law. The Health Authorities Act created the NSHA

and the IWK.

This new law also initially attempted to force health care members into Unions that were not of their choosing. After losing that fight, the Premier agreed to allow health care workers to stay with their Union and instead created four Councils of Unions.

The law created the Health Care Council, the Support Services Council, the Administrative Professionals Council and the Nursing Council. (See the document

entitled “Key Facts; Nova Scotia Councils of Unions” for further details on the makeup of the Councils).

Each Council was tasked with negotiating single collective agreements for their bargaining units at

the IWK and the NSHA. Each Union would continue to administer the agreements for their own members between rounds of bargaining. This work involved having the Unions combine 55 collective agreements into single agreements for each of the two new Employers.

The Unions undertook that work in 2015 and completed it in the summer of 2016. The Unions chose to lead bargaining with the Health Care Bargaining Unit in October of 2016.

But before bargaining even began, Premier McNeil introduced a third new law. This law limited wage increases in the public sector to 0% in year one, 0%

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in year two, 1% in the third year, and 1.5% in the fourth year, with an additional 0.5% on the last day of the fourth year. That law also froze the retirement allowance for all public sector employees effective April 1, 2015.

Emboldened by what they saw as a weakened bargaining position of health care workers, the NSHA and the IWK spent almost 40 days of bargaining trying to take away key rights and benefits that health care workers have negotiated over the past 40 years.

The Council of Unions and your bargaining committee, in the meantime, bargained each day unwilling to concede to these demands. In January 2018, the Employers’ introduced new demands aimed at reducing your rights and benefits even further (see the attached

document entitled “Health Care Bargaining Update; Why Your Bargaining Committee Needs A Strike Vote” for some of those details).

It has become clear to your Bargaining Committee that the NSHA and IWK are taking advantage of the restructuring in health care and will do everything they can to take away benefits and rights gained over decades of collective bargaining.

On March 21, 2018, your bargaining committee informed the Employer that it was going to seek a strike vote. The Committee then sent an update to all 6,500 members across the province asking that you give us a strike vote mandate to protect these hard-earned benefits. ■

Essential services backgrounder

The Council of Unions began essential services negotiations in late 2015. Those negotiations continued at the same time that the parties were bargaining for new collective agreements.

The essential services legislation allows the parties to refer any areas of disagreement to the Labour Board for a final decision.

On March 27, 2018, the Council referred outstanding issues related to the essential services agreement at the IWK to the Labour Board. The Board has 30 calendar days to make a decision on the issues.

The parties agreed on the numbers of people who should remain at work in some areas at the IWK but were not in agreement on others. The parties also disagree on some of the processes required to manage the strike including who does the scheduling, how quickly disputes will be resolved and what functions people should perform during a strike.

Negotiations for an essential services agreement at the NSHA are ongoing. However, the outstanding issues of disagreement for the NSHA agreement will likely be referred to the board in the coming weeks. ■

Status of proposal update

The Council of Unions and the Employers are negotiating new collective agreements for the IWK and the NSHA. This document provides an update on the status of negotiations for each Article in those agreements.

Your Bargaining Committee will answer questions related to further details on each Article at our upcoming meetings. Please check the list of meetings in this update and attend the one nearest you. A link to the Council's original proposals were emailed to members in October of 2016. If you want to review those original proposals, they are available at nsgeu.ca

The Council of Unions and the Employer both used the collective agreement for NSGEU Local 42 as the base agreement when they tabled their original proposals. The parties each then added further proposals that amended that agreement. The Council's proposals generally added language from other existing agreements in place for CUPE, Unifor, NSNU and other NSGEU collective agreements.

The list below identifies those Articles where the parties have reached complete agreement on the entire Article. Many sections of the remaining Articles are agreed in part because of the ongoing negotiations or because both the Employer and the Council tabled the same language. They are listed below as "not agreed" because some parts of the Articles remain outstanding.

Not included in this list are the MOAs and Appendices that accompany the collective agreement. Some progress has been made on those items, but many of them depend upon agreement of a related collective agreement article. ■

Article name	IWK status	NSHA status
Article 1. Interpretation and Definitions	Not Agreed	Not Agreed
Article 2. Recognition	Agreed	Agreed
Article 3. Application	Agreed	Agreed
Article 4. Future Legislation	Agreed	Agreed
Article 5. Management Rights	Agreed	Agreed
Article 6. Rights and Prohibitions	Agreed	Agreed
Article 7. Union Information	Agreed	Agreed
Article 8. Information	Agreed	Agreed
Article 9. Appointment	Not Agreed	Not Agreed
Article 10. Job Posting	Not Agreed	Not Agreed
Article 11. Checkoff	Agreed	Agreed
Article 12. Stewards	Agreed	Agreed
Article 13. Time Off for Union Business	Agreed	Agreed
Article 14. Hours of Work	Not Agreed	Not Agreed
Article 15. Overtime	Not Agreed	Not Agreed
Article 16. Standby and Callback	Not Agreed	Not Agreed

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Article name	IWK status	NSHA status
Article 17. Vacations	Not Agreed	Not Agreed
Article 18. Holidays	Agreed	Agreed
Article 19. Leaves	Not Agreed	Not Agreed
Article 20. Group Insurance	Not Agreed	Not Agreed
Article 21. Illness Injury Benefit	Not Agreed	Not Agreed
Article 22. Performance Review	Agreed	Agreed
Article 23. Discipline & Discharge	Agreed	Agreed
Article 24. Notice of Resignation	Agreed	Agreed
Article 25. Grievance Procedure	Agreed	Agreed
Article 26. Arbitration	Agreed	Agreed
Article 27. Joint Consultation	Agreed	Agreed
Article 28. Travel	Not Agreed	Not Agreed
Article 29. Retirement Allowance	Not Agreed	Not Agreed
Article 30. Pensions	Not Agreed	Not Agreed
Article 31. Health and Safety	Agreed	Agreed
Article 32. Job Security	Not Agreed	Not Agreed
Article 33. Transition Support Program	Agreed	Agreed
Article 34. Pay Provisions	Not Agreed	Not Agreed
Article 35. Re-assignment	Not Agreed	Not Agreed
Article 36. Employer's Liability	Agreed	Agreed
Article 37. Casual Employees	Not Agreed	Not Agreed
Article 38. Long / Short Assignments	Not Agreed	Not Agreed
Article 39. Part-Time Employees	Not Agreed	Not Agreed
Article 40. Job Sharing	Agreed	Agreed
Article 41. Amendment	Agreed	Agreed
Article 42. Pay Plan Maintenance	Agreed	Not Agreed
Article 43. Successor Rights	Agreed	Agreed
Article 44. Pre-Paid Leave	Agreed	Agreed
Article 45. Workload	Not Agreed	Not Agreed
Article 46. Term of Agreement	Not Agreed	Not Agreed

How to vote

On Monday, April 23rd you will receive an email with voting instructions including a link and a PIN number. If you click on the link, you can use your PIN to vote on the employer's final offer. You will also receive your voting instructions by mail. Included in the voting instructions will be the option to vote by phone.

Electronic voting will be open until noon on Monday, April 30th.

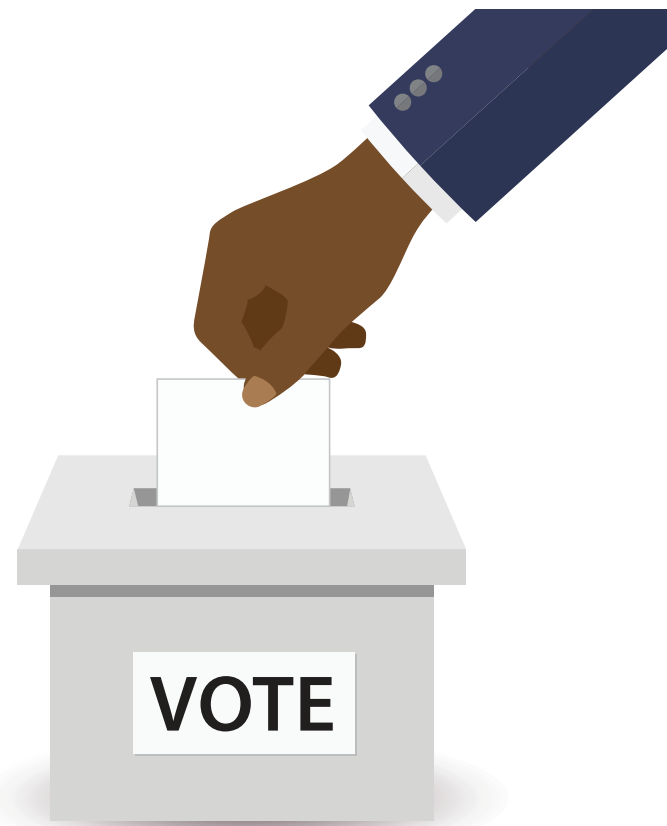
If you do not receive the voting information before noon on Monday, April 23rd, please call the NSGEU office at 902-424-4063 or toll-free at 1-877-556-7438.

We also ask that you talk to your co-workers and ask them if they have received the voting instructions. If they haven't, you can remind them to check their junk mail folder, or ask them to please call the NSGEU.

All Unions (NSGEU, CUPE, UNIFOR, NSNU) will conduct their own vote, however, every union will vote on the same question and all votes will be counted together.

The result of the strike vote will be communicated on April 30th. ■

On Monday, April 23rd you will receive an email with voting instructions including a link and a PIN number.



Health care strike vote info sessions, dates & locations

- April 9** Berwick 6-8 pm at St. Anthony's Parish Centre, 120 Mill Street, Berwick, it is the long building attached to the Church – enter through the Parish Centre doors.
- April 10** Musquodoboit 7-9 pm Musquodoboit Harbour Recreation Centre & Library, Studio Sand Dollar Library Room, Village Plaza, 7900 Hwy # 7, Musquodoboit Harbour NS B0J 1L0
- April 11** Sheet Harbour: Sheet Harbour Recreation Office: Blue Water Building 22756 Highway #7
- April 12** Truro 6-8 pm Truro NSGEU Office 120 Esplanade Street
- April 13** Halifax 12-2 pm Location: Tupper Building Dalhousie 5850 College Street

Dartmouth 7-9 pm NSGEU Conference Centre
- April 15** Antigonish 6-8 pm at Claymore Inn, 137 Church St
- April 16** Port Hawkesbury 12-2 pm Maritime Inn, Port Room

Sydney 6-8 pm NSGEU Sydney Office Classroom on 2nd floor
- April 17** Dartmouth 7-9 pm NSGEU Conference Centre
- April 19** Halifax 12-2 pm Location: Tupper building Dal 5850 College Street

New Glasgow 5-7 pm First United Baptist Church, Sanctuary on Main Level. Access is corner of Park St and East River Rd will be through the rear entry into the Community Room.
- April 20** Bridgewater 6-8 pm Location Days Inn Conference Centre 50 North Street, Bridgewater
- April 22** Yarmouth 3-5 pm Yarmouth NSGEU Office 59 Hawthorne St.
- April 23** Windsor 7-9 pm Hants County Community Centre. 78 Thomas St
- April 24** Amherst 5-7 pm Wandlyn Inn Trans Canada Highway 104, Exit 3

Key Facts: Nova Scotia Councils of Unions

The Four Councils were created through the Health Authorities Act in April of 2015.

The Councils conduct collective bargaining and essential services negotiations with the IWK and the Nova Scotia Health Authority on behalf of 24,361 unionised health care workers.

The Nova Scotia Council of Health Care Unions

Lead Union Negotiator – NSGEU

Deputy Lead Union Negotiator - CUPE

Membership Total; 6,506 (5,692 at the NSHA, 814 at IWK)

- NSGEU – 3,808 (Bargaining Committee Members 6)
- CUPE – 1,940 (Bargaining Committee Members 3)
- Unifor – 751 (Bargaining Committee Members 1)
- NSNU – 7 (Bargaining Committee Members 0)

The Nova Scotia Council of Health Administrative Professional Unions

Lead Union Negotiator – CUPE

Deputy Lead Union Negotiator - NSGEU

Members total; 4,213 (3602 at the NSHA, 611 at the IWK)

- NSGEU – 2,979 (Bargaining Committee Members 7)
- CUPE – 1,195 (Bargaining Committee Members 3)
- Unifor – 35 (Bargaining Committee Members 0)
- NSNU – 4 (Bargaining Committee Members 0)

The Nova Scotia Council of Health Support Unions

Lead Union Negotiator – Unifor

Deputy Lead Union Negotiator – NSGEU

Membership Total; 4,029 (3,689 at the NSHA, 340 at the IWK)

- NSGEU – 1,853 (Bargaining Committee Members 5)
- CUPE – 1,093 (Bargaining Committee Members 3)
- Unifor – 1,082 (Bargaining Committee Members 3)
- NSNU – 1 (Bargaining Committee Members 0)

The Nova Scotia Council of Nursing Unions

Lead Union Negotiator – NSNU

Deputy Lead Union Negotiator – NSGEU

Membership Total; 9,613 (8,543 at the NSHA, 1,070 at the IWK)

- NSNU – 5,149 (Bargaining Committee Members 11)
- NSGEU – 3,507 (Bargaining Committee Members 7)
- CUPE – 484 (Bargaining Committee Members 1)
- Unifor – 473 (Bargaining Committee Members 1)

Strike vote: frequently asked questions

Q: Why are we taking a strike vote?

A: It has become clear that the NSHA and IWK are taking advantage of the restructuring in healthcare and will do everything they can to take away as many of your benefits and rights gained over decades of collective bargaining. Your bargaining committee is asking that you give us a strike vote to protect these hard-earned benefits and to back your bargaining demands at the table. We believe this is the only way to conclude a fair collective agreement on your behalf.

Q: What will I gain by voting YES for a strike?

A: A vote to strike will send a message to the Employers and government that they need to take negotiations seriously. A vote to strike will apply pressure on the Employers that they need to come to the table prepared to finalize a fair collective agreement. Without a vote to strike your bargaining team have no leverage at the table and the Employers will continue to table concessions and drag the process out even longer.

Q: What happens next. Are we going on strike soon?

A: The Council of Unions will take its direction from you, the members. What we are hearing is that more than a strike you want a deal. This is part of that process. With a mandate to strike your bargaining team will have more leverage and pressure at the negotiating table. There are dates set for April and May and this strike vote is helpful towards negotiating a new collective agreement.

Q: Why we are working with other Unions?

A: In 2015, the Liberal government passed legislation that created a Council of Health Care Unions, this council would be made up of NSGEU, NSNU, CUPE and Unifor. The legislation also created four bargaining units; health care, nursing, service support and administrative professionals. Each bargaining team is made up of members from each of the four Unions with the majority union being the lead. NSGEU is the lead Union

in the Health Care Council. The Council of Unions has been working on your behalf to get a new collective agreement that is fair to all members.

Q: How long before essential services is complete?

A: There are two essential services agreement that need to be in place before a legal strike happens. One for the NSHA and one for the IWK. Negotiations for an essential services plan for the IWK reached an impasse and the Council of Unions has referred the outstanding issues to the Nova Scotia Labour Board for their ruling. This means that the Labour Board has 30 calendar days (from March 28) to hear from the Employer and the Council of Unions and then they will settle all remaining issues. At the end of this process the IWK will have an essential services agreement in place. The NSHA negotiations continue, however, that agreement will also soon be sent to the Labour Board for them to rule on.

Q: The Employer says the Unions are to blame for the delay. Is this true?

A: In 2014 the Liberal government passed legislation creating the province-wide NSHA. It forced all the unions to take fifty collective agreements and turn them into a single health care agreement for the NSHA. The four affected Unions spent several months negotiating exactly what benefits should be in that single agreement. That time and work was critical in ensuring your bargaining committee was able to develop an agreement to propose at the table and ensure no hard-earned benefits were lost. The Employer's statement is referring to this time frame and is misleading members by making it appear nothing was happening. Since January of this year, the Employer has significantly slowed the pace of bargaining and has tabled a number of proposals aimed at taking away your hard earned rights and benefits. ■

Health Care

Strike **Vote**

Starting on April **23**

NSGEU