Dear Unifor members

I am very pleased to report and recommend a new structure for collective bargaining in the acute care sector of health care in Nova Scotia. This new structure will see the four health care unions bargaining together and ensure that Unifor members get to remain proud Unifor members.

Unifor played a leading role in the entire health care restructuring ordeal. We took a principled stand and we stuck to it. Our goal was to ensure the interests of our members were protected so they could continue to deliver the best possible health care to Nova Scotians. I believe we did that.

As you are aware, the past year has been filled with much uncertainty, upheaval and twists and turns for our health care members. Two pieces of legislation introduced by the government have had a severe impact on your rights. The first was Bill 37, which infringes on your right to strike and forces public sector workers, including in health care, to negotiate essential services language. The second was Bill 1, which sought to restructure health care by taking union members from one union and “assigning” them to another. This was a gross violation of our freedom of association rights and long-standing labour law principles – the right to belong to a union of your own choosing.

Talks with the premier’s office followed three interim decisions by the mediator/arbitrator James Dorsey, who refused to do the government’s bidding as outlined in Bill 1 and assign workers to unions. The four unions in the acute care sector of health care (Unifor, NSGEU, CUPE and NSNU) reached the deal with the Nova Scotia government on March 13.

The critical points of the agreement are:

- You will continue to be a member of and represented by Unifor
- You will continue to be covered by your own collective agreements until new collective agreements are bargained between the employer and the unions
- In the future the unions will bargain together in a council of unions for a single collective agreement that applies to all unionized employees in each of the groups, or four collective agreements in total

Combining the strength of all the unions in collective bargaining and in negotiating essential services, I believe will make us all stronger. Given the government’s austerity agenda, having all the unions on the same page is a very positive development.

This was a huge victory for workers’ rights; a victory that saw the government abandon its plan to take union members from their unions, and a victory that
was celebrated by the labour movement across the country. All eyes were on Nova Scotia during this battle.

I want to recognize Arbitrator James Dorsey Q.C., on behalf of Unifor and its members for maintaining his principles in the face of government pressure to simply follow its legislation and appoint one union to each bargaining unit. It was his dedication to labour law principles that made an agreement possible.

I want to thank our National Officers and National Executive Board whose support was unconditional, showing why being part of such a bold and diverse union is so important.

And I want to thank our legal counsel, Barry Wadsworth, whose brilliant defense of our members and union made a huge difference during the mediation and arbitration process.

Finally, and most especially, I want to thank you – our local leaders and members. You travelled from near and far, you spoke up and spoke out, and you showed the whole province the power and heart of health care workers.

Yours in solidarity,

Lana Payne
Atlantic Regional Director

Unifor members rally at Grand Parade in downtown Halifax to protest anti-worker legislation.
Bill 1 agreement facts

Timeline

2014

SEPTEMBER 25: Government throne speech announces health union merger, turning nine district health authorities into one plus the IWK.

SEPTEMBER 26: Liberals introduce Health Authorities Act (Bill 1), which set out four categories of workers and stipulated each shall be represented by one union. For the next week, Unifor members and those from other unions and labour organizations rallied outside the Nova Scotia Legislature to protest the violations of workers’ rights and freedoms.

OCTOBER 2: Bill 1 becomes law.

OCTOBER 9: The unions suggest James Dorsey to mediate the dispute between health unions and province. The province and the employer agree.

NOVEMBER 18: Mediation fails to produce an agreement, so arbitration begins.

DECEMBER 9-14: Formal arbitration hearings take place.

DECEMBER 15: Nova Scotia government extends arbitration at Dorsey’s request.

2015

JANUARY 19: Dorsey delivers decision, but it does not assign unions to bargaining units. Report sets out principles including that unions for new bargaining units must have employee support.

FEBRUARY 20: Dorsey delivers second decision, still refusing to assign unions as the government wants. Health Minister attempts to fire Dorsey, promises to introduce legislation to designate union membership and is opposed by the unions.

FEBRUARY 25: Dorsey delivers his third decision.

MARCH 3: Premier McNeil takes over from Health Minister. Government and unions agree to negotiate a settlement.

MARCH 13: An agreement is reached with the government and a deal is announced.
Details of the new agreement

1. The members of each of the four unions will continue to be members of their same unions when the change to the Provincial Health Authority is made. At the IWK, the unionized employees will continue to be members of their same unions.

2. Each of the four unions will continue to be the bargaining agent for the members they currently represent and will administer the collective agreement on behalf of their members as they always have. Grievances will be processed in the usual manner, unless they affect all of the unions.

3. There will be four bargaining units for all unionized employees in the Acute Care sector: Nursing, which includes LPNs; Health Care, which is primarily clinical care employees; Administrative Professionals (formerly Clerical); and Service Support.

4. The Unions will form four Councils and jointly conduct collective bargaining so that there are four collective agreements, one for each of the four bargaining units, that will apply to both the Provincial Health and the IWK.

5. Each of the four Councils will have a lead negotiator and lead spokesperson for collective bargaining selected by the lead union for that Council. In the Nursing Council the lead union will be NSNU; in Health Care it will be NSGEU; for Administrative it will be CUPE; and for Support it will be Unifor.

6. All Acute Care members in all four unions will be entitled to vote on any strike or ratification vote for their unit.

7. The agreements already reached between the four unions and the employers regarding the integration of seniority and the continuation of collective agreements until new ones are negotiated will be respected.

Contact us:

- Unifor Canada
- @UniforTheUnion
- HealthCareNS@unifor.org
- You can also find Lana online at:
  - @LanaMPayne

Local 4600 President Susan Gill and Lana Payne at the Legislature during health care protest.

Unifor team at arbitration hearings: (back row) National Representative Susan Taylor, Local 4600 Financial Secretary Shauna Wilcox, Local 4600 President Susan Gill, National Representative Linda MacNeil, Local 4606 Business Agent Jim Mott, (front row) Unifor Lawyer Barry Wadsworth, Atlantic Regional Director Lana Payne.