**Collective Bargaining and Essential Services Update #4: March 22, 2018**

As you may have already heard, the Healthcare Union Council representing about 6500 employees across Nova Scotia Health Authority (NSHA) and at the IWK Health Centre (IWK) is now planning for a strike vote as part of its current collective bargaining strategy. Negotiators for NSHA and IWK were made aware of the Healthcare Bargaining Unit’s plan late yesterday during contract negotiations that are being assisted by a provincial conciliator.

The employers are disappointed with the Union Council’s decision to call for a strike vote, as there is still much more to be negotiated. The employers also remain strongly committed to a negotiated settlement through the current conciliation process.

At this point we know that the Union Council has not asked the provincial Conciliator to declare an impasse in negotiations. While that could change, the employers remain focused on additional conciliation sessions with the Healthcare Bargaining Council in April and May. Please note that there can be no legal strike action until Essential Services agreements are in place, which is not yet the case.

From the start, both parties identified that these negotiations would be complex as we reduce and consolidate almost 50 collective agreements down to four agreements per employer (4-NSHA, 4-IWK). While we agree that little progress has been made, we disagree that the employers are delaying or slowing the progress of negotiations. Employers are not working to take back benefits from employees.

The current collective agreements (contracts) with the unions expired between October 2014 and March 2015. Until new agreements are jointly negotiated with NSHA, the IWK and Council of Unions, the current agreements will continue to apply.

The following provides a factual update in the process to date, as well as corrects some misinformation.

**Collective Bargaining Update**

We are working within a new labour structure created almost three years ago by Government through t*he Health Authorities Act*, *2015*. It established NSHA and re-designated IWK as the two Health Authorities and created four new bargaining units for each employer (8 in total). Four Union Councils representing our unionized employees act as bargaining agents for the purposes of collective bargaining. A lead union is named for each of these four bargaining groups:

* NSNU leads nursing bargaining (includes Registered Nurses and Licensed Practical Nurses)
* NSGEU leads healthcare bargaining
* CUPE leads administrative professional bargaining (formerly clerical)
* Unifor leads support services bargaining

***Healthcare Bargaining***

* From May 2015 to summer 2016, NSHA/IWK was unable to secure bargaining dates from the Council.
* In June 2016, in an effort to commence bargaining, NSHA/IWK jointly filed a complaint with the Labour Board regarding the duty for employers and unions to bargain in good faith.
* Through this process, the Councils agreed to set bargaining dates for the Health Care Bargaining Unit. On October 3, 2016 the parties met to exchange initial proposals and set bargaining dates.
* In March 2017, following little progress, the parties had successful mediation to advance bargaining, with agreement on 26 bargaining days.
* On October 11, 2017, following 17 days of bargaining in which very little was settled between the parties, NSHA/IWK requested a conciliator be appointed to assist the parties in concluding an agreement.
* As of March 21, 2018 14 days of conciliation have taken place and continues with dates in April and May 2018.  While some progress is being made, there are many proposals still on the table to be negotiated. They include: Group Benefits, Sick Leave, Employee Mobility, etc.

***Nursing Bargaining***

* In November 2017 NSHA and IWK wrote to the Council of Nurse Unions to request bargaining dates.
* In December 2017 a meeting was held with the Council of Nurse Unions to discuss our letter of request to set down dates. The Council declined to set dates, but agreed to another meeting in February 2018.
* Since then, bargaining dates have been set for June 2018 for the initial exchange of proposals.
* The Employer is now seeking a firm commitment of dates into the fall 2018.
* Like the situation with the Healthcare Bargaining Unit, the lack of a new collective agreement for Nursing is impacting staff and the employer’s ability to meet operational needs.

***Administrative Professional and Support Services Negotiations:***

         At this time, bargaining has not started.

**Essential Services Agreement Update**

***Health Care Update***

* Under the Government’s *Essential Health and Community Services Act,*an Essential Services agreement must be in place before there can be any legal job action, like a strike.
* Like current contract negotiations, these are complex discussions requiring extensive review around all operational areas and staffing levels. Levels that will ensure the ongoing delivery of safe, quality patient care if there was a labour disruption.
* As per the *Health and Community Essential Services Act*, NSHA/IWK developed framework documents to guide the implementation of plans, as well as initial staffing plans.
* In April 2016 NSHA/IWK tabled its essential services documents with the Council.
* Between April 2016 and June 2017, 11 meetings were held between the parties on the employers’ Healthcare plans, with no meaningful feedback from the Council.
* In June 2017 NSHA/IWK indicated we would not schedule further dates until the Council provided comprehensive responses to the employers’ plans.
* By January 2018 the Council provided more detailed responses and the parties met in March 2018 to discuss.

***Nursing Update***

* The Council of Nurse Unions has provided formal notice to begin discussions on establishing an Essential Services Agreement.

* The Employers are reviewing our Essential Services Staffing Plans for Nursing. Dates will be scheduled with the Council of Nurse Unions to review and discuss these plans in order to reach an agreement on an Essential Service Plan for Nursing.

**Next Steps for NSHA/IWK**

The employers are committed to negotiating collective agreements that are fair to our employees, the employers, and to Nova Scotians - the taxpayers. Our agreements must help us remain sustainable in terms of the costs. Equally important are consistent terms and conditions of employment that will allow us to function effectively as two employers.  In the case of NSHA, this means being able to function as one provincial employer not hampered by the former geographic boundaries of the DHAs, and the significant variations in employee terms and conditions.

Currently, having multiple collective agreements in place for the same bargaining units while we function in a restructured health system remains a challenge.  This limits mobility, consistency, and our ability to ensure fairness among the bargaining unit. We are hopeful that once the four collective agreements are in place for each employer (NSHA and IWK), employees will experience greater consistency and we will be better able to ensure an integrated, patient-centered provincial health system.

There is still much work to be done. That success will strengthen our joint responsibility to the people we serve every day in the communities across Nova Scotia and the Maritimes.

The status of our progress will be shared in future updates.