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August 5th, 2004

Bargaining concludes: nurses will vote September 30 on proposed contract changes

Policy discussions made major headway on key nursing issues - Then negotiations resulted in agreements on Long Term Disability, bumping language, mileage allowance, OH & S agency

1. The Nurses' Bargaining Association (NBA) has reached a tentative agreement with HEABC on a short list of changes to the Provincial Collective Agreement, following a series of bargaining sessions that concluded yesterday (July 29).
2. BCNU members will vote September 30 on the contract changes which are outlined in this bulletin. More detailed information will be mailed to all members prior to the ratification vote.
3. The contract changes were negotiated under the Framework Agreement reached with HEABC in May. The Framework Agreement ensured there would be no rollbacks in wage rates, benefits, or time off provisions for RNs and RPNs and no increase in total compensation.
4. In addition, the Framework Agreement provided for high level nursing policy discussions which took place in June and early July. The policy discussions, which occurred away from the bargaining table, involved senior health authority officials and senior nursing managers and were chaired by Assistant Deputy Minister Anne Sutherland Boal.

Results of Policy Discussions (June 4 - July 7)

Phased Retirement and New Grads

5. The policy discussions resulted in a letter of understanding providing for a system of phased retirement for senior nurses working full time, and a method of facilitating the employment of new nursing grads. Participation in the program is entirely voluntary both for nurses and their employers.
6. The program would enable nurses 60 years of age and older, who are working full-time and who are eligible for a pension under the Municipal Pension Plan upon retirement, to remain in their positions but convert to part-time for up to three years. Their pension

contributions would continue and their calculation of pensionable service would continue as if they were continuing to work full-time.

7. At the same time, the employer could hire a new nursing graduate, educated in British Columbia, into the remaining part of the senior nurses' FTE, without going through the normal vacancy posting procedure. The new grad would be eligible to move into the rest of the FTE once the senior nurse sharing the position retired from the workforce.
8. These arrangements will not be established in areas such as Ambulatory or Day Clinics or Infection Control.

Policies on converting casual and overtime hours to regular hours and creating flexible shift scheduling

9. Health authorities agreed to a project and a process for reviewing the use of casual and overtime hours and converting to regular hours where appropriate. The policy discussion group will reconvene in January to review progress on this initiative.
10. The health authorities also agreed on a policy which aims to make shift scheduling a tool to improve the quality of nurses' working life. The health authorities will develop implementation plans with timelines no later than April 2005, and the Ministry of Health will establish a shift scheduling secretariat (project team) to investigate various shift scheduling software and programs to assist nurse managers in improving shift scheduling.

Speciality Training

11. The government has agreed to funding for an additional 600 nurses to receive specialty education courses. A nurse's working group will convene in September to review how best to allocate these funds.

Hours of work

12. HEABC withdrew their proposal for a 37.5 hour work week. Therefore, any potential savings that might have resulted (eg. reduced overtime costs) were not available at the bargaining table to fund any monetary improvements.

Results of bargaining (July 14-July 29)

Occupational Health and Safety Agency for Health Care

13. The government has agreed to continue the letter of understanding establishing OHSAH as a joint union-management agency and to fund it for three more years.

Mileage allowance and electronic pay stubs and electronic posting

14. HEABC agreed increase the mileage allowance paid to nurses required to use their personal vehicles from the current 44 cents per kilometre to 45 cents/kilometre effective October 1, 2004 and to 46 cents/kilometre effective April 1, 2005. This matches increases paid to employees in the Public Service.

15. In return the NBA agreed that employers could implement a system of electronic pay stubs and electronic job postings. The provisions are subject to privacy legislation. Employees who are away from the worksite for two or more consecutive pay periods may request and receive a paper statement of wages mailed to their home. Employers will ensure employees have reasonable access to electronic posting information and a copy of each electronic posting will be emailed to the steward coordinator at the worksite.

New bumping language

The parties agreed to new bumping language to come into effect January 1, 2006 when the bumping provisions of Bill 29 expire. The language retains the expanded access to positions for displaced nurses outside their own worksites as provided by Labour Relations Board decisions that followed Bill 29.

Displaced nurses may bump into any comparable position in the worksite for which they have seniority. Comparable will mean a position that is within your regular field of practice, within 0.2 FTE of your current FTE and does not change your status. Where there are no comparable positions in the worksite, the nurse will gain access to the Dovetailed Seniority List Area (DSLTA) as defined by the LRB. In the DSLTA the nurse may bump any employee with less than seven years seniority. If there is no such comparable position, the nurse may bump into a comparable position held by the junior nurse with more than seven years seniority at a worksite of the employee's choosing.

There was a compromise on the length of time nurses have to make these choices. Within the worksite they will have up to seven days. If they need to look at positions on the DSLTA list, they will have an additional seven days. The PCA language that was in effect prior to Bill 29 provides for 14 days, but Bill 29 - which will remain in effect until December 31, 2005 - requires a decision within 48 hours, and within five days in the DSLTA.

Long term disability

19. The NBA achieved a significant improvement in the Supplementary Monthly Benefit (SMB) for the 400 or so nurses who went off on long term disability before 1998. This benefit was scheduled to expire on March 31, 2005. The improved SMB will be calculated based on 100 per cent of the difference between what the nurse earned when she went off on LTD and the 1999 wage rate (instead of 25 per cent of the difference that prevailed before).
20. Unlike the former SMB, the new SMB benefit will be paid to all nurses receiving LTD through the Health Benefits Trust, including those who are eligible for early retirement and those who earn rehab income.
21. To achieve this improvement, BCNU has agreed to self-fund the SMB for 2005-07. The method of funding will be determined by delegates to the next BCNU Convention which will be held in March 2005.