

## **BRIEF HISTORY OF THE UNION OF PSYCHIATRIC NURSES**

(Updated February 3, 2003)

### **Beginnings of Psychiatric Nurses in Canada**

Our history in labour relations began prior to the formation of the Union. We'll first go back into history, to the very beginnings of psychiatric nurses in Canada and in British Columbia, move to the initial involvement in labour relations, and follow through to January, 2003.

The first school of psychiatric nursing in Canada started in Brandon Manitoba in 1921. This was followed by schools of psychiatric nursing at Essondale, B.C. in 1930, North Battleford, Saskatchewan later the same year, and Ponoka in 1931.

The first psychiatric nurses' association in Canada was formed on September 4th, 1947, in British Columbia. The principals in its formation were Richard Strong, Catherine Murray and a Wilf Prichard. Legend has it that the B.C. Psychiatric Nurses Association was started on the front Lawn of the East Lawn Building at the Provincial Mental Hospital (now Riverview Hospital) with a treasury of \$5.00 borrowed from Ms Murray.

The next to form a psychiatric nurses association was Saskatchewan in 1948, who also received a psychiatric nurses Act and registration the same year. The first psychiatric nurses Act in B.C. was passed in 1952. It was very little more than a companion Act to the Practical Nurses' Act. Both required only a \$2.00 per year license to practice.

### **Getting Involved in Labour Relations**

Psychiatric nurses in B.C. did a lot of work, but didn't make much headway, in those early years. In April 1965, the Association conducted a survey of psychiatric nurses asking if psychiatric nurses wished the Association to become involved in labour representation on their behalf.

(An interesting sidelight was that this move to have the Association involved in labour relations, and in effect break away from the then B.C. Government Employees Association, was strongly opposed by Dwight Wenham. Dwight found himself in charge of the Association's labour activities two years later, and retired in February, 2003 after a life long career as Director of Labour Relations.)

A majority answered yes, and at the Annual Meeting in 1965 the Association was reorganized to carry out three priorities:

- education
- legislation (professional standing through registration)
- labour relations

Joe Dodsworth was the President of the PNABC, Dwight Wenham was the Vice-President and Blanche French the Secretary. Those three spearheaded the priorities, but with voluntary help from many other psychiatric nurses, probably unequaled since that time.

In 1965 all but a handful of psychiatric nurses were direct employees of the Provincial Government. The *Civil Service Act* at that time permitted any occupational group in the Provincial Civil Service, if it had authorizing signatures from the majority of that occupational group, to make a presentation for wages and benefits to the Civil Service Commission.

In 1965, psychiatric nurses employed by the Provincial Government were paid \$30 per month less than sheep herders employed by the Provincial Government. The nurses submitted a proposal to the Civil Service Commission in December 1965 asking for a starting salary of \$426 per month, four weeks vacation instead of two, and overtime payments for working overtime and on statutory holidays.

The meeting with the Civil Service Commission on January 13th, 1966, resulted in a gain of \$10 per month over the rest of the Civil Service, but no improvement in vacations nor overtime and statutory holiday payments. There was an appeal made to the Civil Service Commission, and the vacations were increased to four weeks after five years of service.

Association dues, when the Association first embarked in labour relations, were \$8.00 per year. They were increased to \$13 per year in 1967. Membership was strictly voluntary and there were 739 members.

Dwight Wenham was hired on a part time basis as Executive Secretary of the Association in 1966. The position was changed to a full time position in April, 1969.

### **Mass Resignation of 1967**

The next presentation to the Civil Service Commission was made on December 8th, 1966. The nurses asked for a 25% increase to their \$345 per month salaries. This was going to prove an interesting challenge because the nurses in general hospitals had just settled for a 4% increase. The psychiatric nurses were also asking for one month's starting vacation, statutory holiday pay, and maternity leave, among other things. As late as 1966, women in the Public Service who became pregnant had to resign their employment and apply for new employment following birth of the child.

The Association organized an "Economic Security Campaign" with the help of the Teamsters Union, who assigned Lloyd Whalen to assist full time. Russ Martin had taken over from Joe Dodsworth as President. Martin, Dave Brown and Wenham were in charge of the campaign, but with dozens of volunteers. There was also a loose alliance with the Civil Service registered nurses.

There was heavy community involvement, one hour daily on the Jack Webster talk radio program on CKNW, and a meeting with the Provincial Cabinet on March 29th, 1967. There was still no success, and legend has it that in response to a challenge from the Chairman of the Civil Service Commission that "If you don't like it, quit", all but 32 psychiatric nurses employed by the Provincial Government tendered their resignations to be effective June 2nd, 1967. The loose alliance with the rns broke down and no registered nurses submitted their resignations. By this time, the fight had changed from wages and benefits to a fight over the right to binding arbitration.

Three days prior to the effective date, the Premier, W.A.C. Bennett announced the appointment of a Fact Finding Panel - a technique which had recently been used by a lesser known actor who had recently become Governor of California, to resolve a nurses' resignation in San Francisco.

The Premier agreed the recommendations of the Fact Finding Panel would be “accepted” by the Government.

Negotiations between the PNABC and the Civil Service Commission leading up to the Fact Finding Panel hearings established a new salary differential between classifications, a dual training bonus, overtime payments, four weeks starting vacations, and maternity leave. The Government also promised, through the Civil Service Commission, to introduce Legislation to give registration and professional standing to psychiatric nurses in British Columbia.

The still unresolved issues were heard by the Fact Finding Panel. The Panel ruled in favor of the psychiatric nurses on all points, but, the Government backed away from its commitment and refused to release the report of the Panel. The Government refused to implement any of the benefits, such as shift differentials, but it did follow the recommendations on salaries and increased them by 19 to 33% for psychiatric nurses only. For a period of nine months, the base level psychiatric nurses were paid more than their registered nurse supervisors. Premium pay for eight statutory holidays was also introduced, the first in the Civil Service.

The Association had run out of money before the "Economic Security Campaign" was over, and the Campaign was being financed through donations and collections gathered at the doors at mass meetings, along with a bit of help from Lloyd Whalen's credit card.

Pat Parker began her involvement in labour relations in 1967, first at the local Woodlands/Alder Lodge level and then on Council. The involvement lasted until her retirement in 1998.

The third set of proposals were submitted on December 19th, 1967. The 1968 salaries and benefits granted by the Government were rejected by 92% of the psychiatric nurses, the nurses threatened to resign again, and on July 26th, 1968 the Government agreed to submit the dispute to the newly formed Mediation Commission. The hearings started on September 10th and concluded in October, the findings were generally in favor of the nurses, but the Government refused to implement the award. But, by that time, there was no fight left in the nurses and there was insufficient strength to take on the Government a second time. Members were avoiding meetings, and this was reported in the press. The strength was no longer there.

### **Psychiatric Nurses Achieve Registration**

The Government did keep an earlier promise and in 1968 introduced and passed a registered psychiatric nurses act. But the Government refused to proclaim it, and it sat on the shelf for several years until it was proclaimed in 1974 after a change of Government. Psychiatric Nurses in B.C. achieved the first self governing profession for psychiatric nurses in Canada. The name of the Association was changed to the Registered Psychiatric Nurses Association of British Columbia (RPNABC).

On February 27th, 1969, the Executive recommended the formation of the Federation of Professional and Technical Employees to represent all employees in the Provincial Mental Health Services. That was not one of the Association's better moves and the Federation folded on January 8th, 1970.

In 1969, the Association started pushing for the right to have stewards present when members were being disciplined - the end of kangaroo courts - and along with the BC Government

Employees Association (BCGEA, now the B.C. Government and Service Employees Union - BCGEU) started pushing for bargaining rights.

Kathy Nelson graduated in 1969 and began a 33 year involvement with the labour relations division of the Association and subsequently the Union, lasting until January 2003.

The Association put its major labour relations efforts into enforcement of conditions of employment and grievance representation, to maintain the benefits it did have, rather than in direct confrontations with the Government. Some of the battles over short shift changes and rostering, and the end to kangaroo courts, were spirited to say the least.

### **Bargaining Rights**

The Government changed in 1972, and one of the election promises of the new Government was bargaining rights for Civil Servants. A Commission of Inquiry into Employer-Employee Relations in the Public Service of British Columbia was established on October 19, 1972. The Commission released its report on January 11th, 1973, and recommended there be only two bargaining units - a professional unit, and a general unit representing all others. The first draft of the *Public Service Labour Relations Act* provided for only two bargaining units as well.

The Association appealed to the Provincial Secretary, Ernie Hall on January 29th, 1973 for a psychiatric nurses' bargaining unit. The two nurses associations joined forces in February and met with Provincial Secretary Hall, and pointed out, among other things, that the two nurses' groups outnumbered the rest of the licensed professionals by two and a half to one. Legend has it that representative Nora Paton implied the nurses, because of their numbers, would run the new bargaining unit as a nurses' bargaining unit. An amendment to the *Public Service Labour Relations Act* established a third bargaining unit for nurses.

The Labour Relations Board first indicated there was no provision in the new *Public Service Labour Relations Act* for a joint certification. The Associations sought legal advice. PNABC's legal counsel had recently been appointed to the bench, so this was our first experience with our new lawyer, Ray Cocking. Mr. Cocking, as was his way, was successful, and we received our joint PNABC/RNABC certification on March 8<sup>th</sup>, 1974.

Negotiations began in July 1974 for our first collective agreement in the Public Service. Nora Paton of the RNABC was the chief negotiator, assisted by PNABC's Dwight Wenham, and a new RNABC labour relations officer fresh from Manitoba, Glen Smale. The first Nurses' Master Agreement was signed October 25, 1974. That was the first and only Public Service Nurses' agreement ever settled on time. Representing the psychiatric nurses on that first negotiating committee, in addition to Dwight Wenham, were Jack Hackett, Shirley MacKenzie and Shirley Kenyon.

At about the same time, psychiatric nurses obtained their second certification, that being with the Greater Vancouver Mental Health Services.

In the latter part of 1974, the Government started to open employment opportunities for registered psychiatric nurses outside of the provincial institutions and the Association began representing members employed in community mental health centres.

### **First Steps Taken To Separate Labour Relations From Professional Functions**

In late 1974 and early 1975, the Association's Council was facing the question:

- are we a professional organization with some labour relations responsibilities, or
- are we a labour organization with some professional responsibilities?

The Council found that it was supposed to be the former, but was acting like the latter.

The Courts had also ruled in the case of the Saskatchewan Registered Nurses Association (SRNA) that there was no delineation of the professional and labour functions in the SRNA, and that management nurses were sitting on the Association's Council. The courts ruled that SRNA could not be a Union.

Council recommended a policy to the 1975 Annual Meeting. The policy called for:

The labour relations and professional functions to be clearly defined and separated;

- A Committee on Economic Security would be responsible for labour relations, would consist of members represented in labour relations by the Association, and would be separate from Council;
- Branches were to establish labour relations committees separate from the Branch Executive;
- Labour relations will not be conducted at Association Branch meetings, and the Branch president and Head Steward roles must be separated.

This policy was approved on May 23, 1975, and was the second step towards the formation of a Union.

Labour got its own section in the Association's magazine in the September 1975 issue.

Rita Lachance was first appointed a steward in 1975, a position which she still held in 2003. Rita was also the President of UPN's Local #105, the community local, for many years until leaving the post in 2000.

The Essondale Branch was the first Branch to separate its functions, in January 1976.

On May 28<sup>th</sup>, 1976, the Association's Annual Meeting adopted a labour relations procedure manual. It outlined the rules and regulations to be followed for the labour relations function. These remained in effect until the labour relations bylaws were adopted by the Union's Founding Convention in 1980.

On the bargaining front, negotiations began for the Second Public Service Nurses' Agreement on October 16<sup>th</sup>, 1975 and took 18 months to conclude - April 14, 1977. This set of negotiations saw the employer breaking off negotiations, the appointment of a mediator, a change of Government negotiators in the middle of negotiations, a serious dispute between the rpn's and rns within the negotiating committee, the advent of federal wage controls during the course of negotiations, an employer salary and benefit offer of minus 1%, the Employer's refusal to go to binding arbitration, a strike threat, and intervention of the Labour Relations Board. Following, negotiations, the grievance procedure broke down.

Art Caza was the President the RPNABC then.

The Association's labour relations committee served notice to commence negotiations for the Third Agreement on October 27, 1977. The *Essential Services Disputes Act* was introduced in the Fall of 1977. It permitted health care unions to unilaterally opt for binding arbitration. The Third Agreement took close to two years to resolve, and it was resolved through binding arbitration under the new Act. It was from this arbitration that the Government nurses achieved the 35 hour work week, and, up to that time, the largest salary increase awarded under the *Essential Services Dispute Act* arbitrations. It was during those negotiations we got to know Gary Moser from the Government Employee Relations Bureau (GERB), and renewed our acquaintance with Glen Smale. This was Ross Tremere's first time on the negotiating committee. The arbitration ended on April 4<sup>th</sup>, 1979.

On April 6<sup>th</sup>, the Kermack's Report was released, recommending the end of Psychiatric Nurses as a separate nursing profession. Fortunately nothing came of it.

### **First Director, Labour Relations Hired**

With the separation of the professional and labour relations functions, Dwight Wenham retained his position as the Executive Director of the RPNABC and the first full time Director of Labour Relations was hired on June 16<sup>th</sup>, 1978. That was Bob Ross. Mr. Ross's career ended in the Summer of 1980, and Mr. Wenham left the RPNABC to assume the position of Director, Labour Relations.

The final award concluding the Third Agreement didn't come down until late 1979 and by that time the Union and the Government had already commenced negotiations for the Fourth Agreement. Those negotiations did not last nearly as long as the previous two, but they ended in a strike.

### **Government Nurses' Strike**

The Government nurses commenced a series of escalating strikes on April 9<sup>th</sup>, 1980 the first strike action by nurses in the history of British Columbia. After the second day, the strike action was recessed when the Government appointed an Industrial Inquiry Commissioner. At issue was a general hospital nurses' wage settlement of 44% over three years which the Government was not prepared to match for Government employed nurses. The Commissioner issued his award on May 1st, 1980, but it was not accepted by the nurses. The parties couldn't get negotiations going again, and a ten day strike followed which was resolved on May 26<sup>th</sup> with a compromise. Representing the Psychiatric Nurses at the time was Jack Hackett, George Neeson, Ken Zorn, Ross Tremere and Dianne McDonald. Sam Johnston chaired the strike steering committee with Rita Lachance and Dianne McDonald.

### **Founding Convention of the Union**

Three days later, on May 29<sup>th</sup>, 1980, the Union held its founding convention. The labour relations division of the RPNABC was renamed The Union of Registered Psychiatric Nurses of B.C. (URPNBC). There were approximately 1450 members in the new Union.

Jack Hackett, who was the Association's Chairman of the Economic Security Committee chaired the Meeting. In his address to open the meeting, Mr. Hackett expressed the hopes of the new Union at that time that the labour arm not be isolated from the professional association, that the two organizations complement and support each other, and that every effort be made to continue to work and develop a favorable relationship between the two organizations. He also requested

“...that those involved in the running of our Association maintain a sensitive mature approach to the Union.”

Everyone involved with the Union shared Mr. Hackett's hopes, but after two years of relative harmony, several years of a rancorous relationships followed. It didn't end until the 1986 Annual Meeting of the Association when the entire Executive was replaced. The Union was issued an apology, was paid the money owed to it, and the two organizations started a slow tenuous period, initially of avoidance, then of rebuilding the relationship.

The Founding Convention in 1980 approved a Constitution and Bylaws for the Union, and elected the first slate of Officers: They were:

President: Jack Hackett  
Vice President: Sam Johnston  
Treasurer: Andy McColl  
Directors: Ross Tremere  
Tom Hudson

Andy subsequently served the Union as an Officer in varying capacities, and was the Government Nurses' representative on the Public Service Pension Consultative Committee for many years, and was the Union's longest serving Officer.

Mr. Hackett resigned as President on September 18<sup>th</sup>, 1980, and Dianne McDonald was appointed President by the URPNBC Council on October 30<sup>th</sup>.

The Union's Officers, Council, and volunteers worked diligently to get the new Union operating, and within a few months, the basics for the operation of the Union was established.

### **Union Starts Investment Program to Supplement Dues Income**

Probably the major event of the year was the Union's purchase, jointly with the RPNABC, of a one-half interest in an office building in Coquitlam, B.C., in January of 1981. (Unbeknownst at the time, this purchase had a far reaching beneficial impact on the finances of the Union. The Union bought out RPNABC's half share in November 1984. The Union only needed a small part of the building and the rest had been rented out. The rents enabled an accelerated payoff of the mortgage, on September 1, 1988, and then the excess revenue was used to build a successful investment portfolio. As the Union membership got smaller because of Government downsizing, it had to rely more and more on building and investment income to help pay the bills. As this is being written [January 2003], dues have not covered the Unions expenses for over a decade.)

The Second Convention of the Union was held May 29<sup>th</sup>, 1981, and at this Convention the question of complete legal separation from the RPNABC was brought to the floor for the first time. The Council and the majority of members present still supported retention of ties with the Association, and the motion was defeated. Elected to office were:

President: Dianne McDonald  
Vice President: Sam Johnston  
Treasurer: Jack Hackett  
Directors: Ross Tremere  
Andy McColl

During the time between Conventions, the Union continued to establish and refine its internal workings, and set about creating a Holding Society to hold the Union's interest in the Office building. The URPNBC Holding Society was eventually incorporated in May of 1982.

The Union's news magazine "Spotlite" published its first issue in August, 1982 and continued until 1997.

The Third Convention of the Union was held on May 19<sup>th</sup>, 1982. It was one of our quieter Conventions. Elected to officer were:

President: George Neeson  
Vice President: Sam Johnston  
Treasurer: Ross Tremere  
Directors: Andy McColl  
Jim Boyd

### **Wage Controls Roll Back Salary Increases**

Negotiations for the Fifth Nurses Agreement with the Provincial Government began in late 1982 and didn't conclude until July 1984. They were fraught with difficulties. Several versions of wage control laws were introduced, there was a cessation of negotiations while a provincial election was fought, and this was followed by the introduction of several pieces of restrictive labour legislation (which led to the formation of Operation Solidarity), and an arbitration award. Part of the arbitrated salary increase was turned down under the wage control laws. The general hospital nurses' settlement had been concluded prior to the changes in the wage controls, so Government nurses fell behind their general hospital counterparts. It was Sam Johnston's and Jim Boyd's first time on the negotiating committee. For the first time, Public Service collective agreements had layoff, recall, redeployment, bumping and severance pay provisions, something unheard of up to that time.

The Fourth Convention of the Union was held May 20<sup>th</sup>, 1983. The major issue facing the members was legal separation of the Union from the Association. The resolution passed handily at the Union's Convention, but was defeated at the Association's Annual Meeting the following day in favor of the establishment of a joint committee to work out the details of separation. The joint committee met during the year and the Association's Council agreed to support the separation of the Union.

### **Operation Solidarity**

The main activity for the Union during 1983 was its involvement in Operation Solidarity. The newly elected provincial government in mid 1983 introduced 26 pieces of restraint legislation which went so far as to permit the Government to break collective agreements, prohibit government employees from negotiating matters related to job security (promotion, demotion, transfers, relocations) and hours of work, permitted public sector employers to dismiss employees without cause at the end of a collective agreement, and introduced "ability to pay", as unilaterally determined by the Government, in public sector wage settlements. The B.C. Federation of Labour organized Operation Solidarity which organized huge rallies around the Province, and the Province was headed for a general strike (which was eventually averted). URPNBC was a founding and supporting member from the first meeting, through all the rallies, up to Operation Solidarity's expiration in late 1986.

The Fifth Convention of the Union was held May 17<sup>th</sup>, 1984. Resolutions to separate from the Association passed quickly and overwhelmingly at both the Union's Convention and the Association's Annual Meeting. Kathy Nelson was elected an Officer for the first time.

The last remaining step to separation from the Association was the required Order-in-Council changing the Association's Bylaws to delete reference to the Union. This Order-in-Council was passed September 19<sup>th</sup>, 1984, and came into effect on September 20<sup>th</sup>.

### **Government Starts Divesting Itself of Direct Care Health Services**

1984 was also the year that the Provincial Government started divesting itself of direct care health services. The Corrections Branch informed the Unions it was going to contract out nursing services to private operators, a move in which the Unions were only partially successful in stopping. Pearson Hospital was transferred out of the Public Service in April 1984, and Skeenaview Hospital in Terrace was transferred out in May.

The Union started stewards' training in 1984 with 29 stewards attending workshops in May. Terry Riley sat on Council for the first time, representing members at Tranquille in Kamloops.

URPNBC first applied to affiliate with the Canadian Labour Congress, in 1985. The application was turned down on the grounds that the Union was in the jurisdiction of the BC Government Employees Union and therefore had to affiliate with them first. Also in 1985 the first references to Riverview downsizing appeared. Tranquille in Kamloops, the third largest employer of our members, closed in 1985. Sam Johnston retired from the Union at that time.

The name of the Union was changed to "Union of Psychiatric Nurses" in May of 1985. Along with the new name came a new logo in December, designed by member Peter Gog.

UPN won an important arbitration award in early 1986 which had a positive impact on all Government employees. Arbitrator Alan Hope agreed with UPN and ruled that "employees returning from disability leave who can meet the requirements of establishing fitness to resume work cannot be denied a right to return to active employment status ... to their previous classification in (their) particular institution or work location." The Government had taken the position that employees who had been on LTD for more than two years became "off establishment" and as such did not have the right to return to employment even after being cleared to resume normal duties by their doctor and the government medical services division.

### **More Wage Controls**

The Government's wage control laws became even tighter in 1986, and this had a negative impact on negotiations. By the end of the year, negotiations had bogged down. Under the new wage controls, salary increases were limited to 2.8% per year but had to include increments. Salary increases were permitted to exceed the controls if the employer had difficulty recruiting needed employees. There was a shortage of nurses in general hospitals, so they were permitted to exceed the controls. There was no nursing shortage in the Public Service, so the wage controls were applied. Because of this second time inequitable application of the wage control laws, Public Service nurses' salaries fell even further behind their general hospital counterparts.

There was yet another wage control law, Bills 19 and 20, introduced in 1987. It placed more stringent criteria on "ability to pay", removed public sector union's right to opt for binding arbitration, and strengthened the requirement to provide essential services during strikes in the public sector. Although still not permitted to affiliate, UPN supported the B.C. Federation of Labour's fight to get amendments to the Bills.

### **Consultation Report to Replace Riverview Hospital**

1986 also saw the first of the Riverview downsizing plans in the "Mental Health Consultation Report - a Draft Plan to Replace Riverview Hospital". Riverview was to reduce from 1,306 beds

to 500 during the first three years of the Plan, and eventually down to 300 beds as medium/long term care beds would be provided in four regions of the province. Riverview employed about 40% of the Union's members, therefore this would have a large impact on the size and viability of the Union. The Government also announced that Woodlands and Glendale would close in 1991, having further negative impact on the Union's viability. The Union expressed its concern to the Minister of Health and to the Government Personnel Services Division (GPSD) that no thought had been given as to who the new employers would be or what was to happen to the employees. (Woodlands and Glendale would not make their target date.)

At its' September 8, 1988 meeting, Council agreed to a financial plan for the future. The main provision in the plan called for setting aside funds from investments to help cover operating costs as the number of members declined following downsizing and closures of members' places of employment. Regular written reports to stewards through UPDATE began on October 21, 1988. And in November, Council approved a Legal Expense Assistance Policy (LEAP) to assist members with work related complaints made under the psychiatric nursing legislation, coroner's inquests and criminal charges. The Union self insures.

The Union made the first moves in March, 1989 asking Andy McColl to approach the Superannuation Commission proposing that psychiatric nurses who obtained their psychiatric nursing education at the old School of Psychiatric Nursing at Essondale receive credit for their training time for the purpose of superannuation coverage.

### **A Second Strike By Government Nurses - A Fight Over Essential Services**

It was a foregone conclusion that negotiations for the Seventh Government Nurses collective agreement (covering 1990 to 1992) were going to be tough. Government nurses had been caught under wage controls in 1984 and 1986, both of which general hospital nurses, who had an earlier contract settlement date, avoided. Government nurses salaries had fallen 7.24% behind. General hospital nurses won a huge increase in 1989, which left the Government nurses now needing a 29.5% salary increase to catch up. The second major issue was job security, in face of plans to eliminate the places of employment of most members.

UPN and BCNU started preparing in the Spring of 1989. Kathy Nelson and Pat Parker were authorized to work for the Union full time to be in charge of essential services plans should their be a strike. Negotiations got off to a fast start in late 1989 but little was accomplished. Mediation failed and a strike vote was eventually taken on April 11, 1990 and passed by a 91% margin.

The parties were not able to come to an agreement on essential service levels. The law at the time was that when the parties to a dispute could not agree on levels of essential services, the dispute was to be referred to the Industrial Relations Commission (IRC). The B.C. Federation of Labour had a policy of boycotting the IRC and the Union boycotted the hearings. The Employers turned up demanding high levels of essential services and these were granted by the IRC.

The strike began in June, but the essential services levels were higher than the hospitals' normal staffing levels. The Employers started booking striking workers on overtime in order to meet the exaggerated essential services levels. The strike quickly deteriorated into a battle over essential services levels. The Union defied the IRC orders, and also engaged in various forms of civil disobedience. The Government took the Union to the IRC and to Court on eight occasions in attempts to get orders complied with. Although the B.C. Federation of Labour had a policy of boycotting the IRC, they had no plans in place to assist unions engaged in the boycott, the BCGEU did little to discourage their members from working excess overtime, and the working relationships between UPN and BCNU deteriorated over disagreements on the conduct of the job action.

With the assistance of mediator Vince Ready, the job action was concluded and a contract negotiated after six weeks of increasing bitterness. The members achieved hourly salary parity with health sector nurses, but lost in the bid to retain monthly salary parity. (Government nurses worked a shorter work week which meant lower monthly pay.) There was no progress made on the Union's job security issues.

An assessment at the end of the strike determined that the Union's main strength was in the tremendous resolve and perseverance of the majority of members. The cost of negotiations and the job action was the equivalent of an entire year's income for the Union. The members approved an assessment to replenish the Union's coffers. Stew Johnson first became involved in the Union during the job action, was elected as an Officer later in the year, and eventually became President.

The Union quickly concluded negotiations on behalf of members employed by two non-Public Service employers, the Greater Vancouver Mental Health Services and Terraceview Lodge. Both employers agreed to match the Public Service nurses' salaries.

The Union's membership had dropped to 1,130 because of downsizings and closings of members' workplaces.

### **Woodlands/Glendale Downsizing**

Woodlands and Glendale continued their downsizing, but the closing dates had been extended beyond 1991. The Riverview Hospital downsizing was still being discussed. The latest plan was to close in ten years, one 300 bed facility was to be built in the Lower Mainland and two - 100 bed facilities were to be built in the Interior and Vancouver Island. Over the years, so many plans were announced, cancelled and changed that little attention was paid for another dozen years.

The Officers of the Union elected in 1990 were President: Jim Boyd; Vice-President: Andy McColl; Treasurer: Terry Riley; Directors: Stew Johnson and John Ryan. This was the beginning of Terry Riley's dozen plus years reign as Treasurer.

### **More Strained Relations With BCNU, And More Wage Controls**

Preparations for the next round of Public Service Nurses' negotiations commenced in October, 1991. However, negotiations with the Government did not commence until June 25, 1992. The BCNU had assigned all their people to a potential strike by the Hospital Employees Union in the general hospitals, and would not assign people to the Public Service negotiations until the HEU threat was over.

A provincial election had been held in 1991 and the Social Credit administration was replaced by the New Democratic Party. In February 1992 the new Minister of Labour appointed a labour review panel to review the Province's labour legislation. UPN made two recommendations: reintroduction of the provisions of the *Essential Services Disputes Act* which permitted health care unions to resolve a contract dispute by finding arbitration; and a change in essential services designations so that the Industrial Relations Council (Labour Relations Board) should not designate essential services unless the Council considers there is immediate and serious danger to the health, safety and welfare of persons affected. Neither recommendation was adopted, and the final legislation on these points was heavily weighted to the advantage of the Government, pretty well identical to the law under the previous administration.

The 1992 Convention marked the 25<sup>th</sup> anniversary of the 1967 mass resignation of psychiatric nurses in the Public Service. A special program was held, and Russ Martin, the PNABC

President in 1967, was a special guest. Stew Johnson began an eight year stint as President of the Union.

On August 3<sup>rd</sup>, John Ryan passed away suddenly from a heart attack. John was the President of UPN until April of the current year.

Also in 1992, UPN was engaged in a fight to bring natural justice to Claims Review Committee (CRC) hearings and rulings. UPN had started appealing CRC decisions to the Labour Relations Board, and pressing the Long Term Disability administrator to start giving proper guidelines and direction to the committees. It would take another year, but the Committees were eventually given guidelines, thanks in large part to UPN's activities.

At a meeting with Provincial Government mental health officials on November 13<sup>th</sup>, 1992 the Union was advised that the Government was getting out of being the provider of direct psychiatric care, but would restrict itself to funding and setting standards. First to go would be community mental health centres, and eventually Riverview Hospital. The Government put forward its' "New Directions for a Healthy British Columbia" in January 1993 in which it foretold that all direct health care provided by Government would be transferred to the community.

In 1992 there were 1108 members, of which 170 were employed at Woodlands, but the facility was downsizing, as was Glendale in Victoria. Both facilities were now projected to close in 1996.

In January 1993, BCNU proposed that UPN amalgamate with BCNU. UPN Council, while not closing the door, declined to open discussions.

Louise Gibson commenced employment with the Union as Secretary and Office manager, in February 1993.

Government nurses' negotiations for the Eighth Master and Component agreements, which hadn't started until June 1992, were dragging on. The signs of strain between the UPN and BCNU were showing as both UPN and Government negotiators fingered BCNU for the lengthy delay in reaching an agreement. On July 9<sup>th</sup>, 1993 BCNU's negotiating committee walked out of negotiations in a preorchestrated move, catching UPN and the Employer unawares. BCNU then proposed to the Labour Relations Board that BCNU's 1850 members and UPN's 1050 members vote on which Union would represent them. The Board didn't buy it, but did get involved in November, and orchestrated a settlement based of a UPN proposal that each union represent its own members on the remaining outstanding items. In the interim, between when BCNU walked out of negotiations and the final settlement, wage controls had been imposed again. Both Unions eventually resolved their contracts in April 1994, but they now had to settle for less under with the new wage controls, again missed by the general hospital nurses.

### **Affiliation With BCGEU and BC Federation of Labour**

UPN renewed its' bid to affiliate with the BC Federation of Labour (BC Fed) in 1993. According to BC Fed' rules, in order to affiliate with the BC Fed, we first had to affiliate with the Canadian Labour Congress (CLC) through the BCGEU. The BCGEU affiliation had been rejected in the past, but on March 24th, 1994 UPN Council bowed to the inevitable and authorized affiliation through the BCGEU to the CLC, NUPGE and the BC Federation of Labour. Perhaps the irony is that the affiliation with the BCGEU approved to be the most beneficial, whereas the affiliation with the BC Fed', the original goal, was not particularly helpful.

In March, 1993 UPN Locals 101 (Riverview end) and 102 (Valleyview end) voted to merge as Local 100. Andy McColl became the first president. (The Locals were separated again in January, 1996.)

Ray Cocking retired on April 30<sup>th</sup> after twenty years as the Union's chief legal counsel.

Discussions continued throughout 1993 and 1994 about what the Government's plans were for the future delivery of mental health care, and what impact this would have on UPN's members and UPN. In early 1994 it appeared certain that when UPN's members transferred out of the Public Service, they would have to become members of the Health Sciences Association (HSA).

### **Union Representation In The Health Sector**

The Union's problems and the threats to its survival turned out to be far from over. The Government introduced amendments to the *Health Authorities Act*, Bill 48. It established a commissioner to enquire into trade union representation and jurisdiction in the health sector. The employer structure in health delivery was to change consolidating 700 individual employers to about twenty regional health boards. This would have a serious impact on union representation. Employees could belong to four different unions in a dozen different employers. When all these employers become one employer, which union represents them?

There were 19 different unions representing employees in the health sector. The large Unions whose jurisdiction appeared safe started sabre rattling that they should take over the certifications of the smaller unions. This would have an impact on UPN when our members were transferred out of the Public Service and into the health sector. BCNU made it clear they intended to represent HSA's and UPN's rpn's. In September of 1994, both the Ministry of Health and the BC Federation of Labour tried to assist the Unions to work out their jurisdictional issues. They were unsuccessful and the Government appointed James Dorsey as Commissioner on January 25, 1995 to hold hearings for the purpose of imposing jurisdictions.

### **Quest To Regain Parity For Public Service Nurses - Korbin Process**

A benefit coming out of the Eighth Public Service Nurses' contract was a provision to develop a new classification plan for UPN members in the Public Service, and to establish a salary rate for the new classifications. The Union secured the services of classification consultant Vicki Averil during the Summer of 1994. Six members were appointed to a Classification Review Committee. The Committee's first task was to design, develop and administer a questionnaire to a representative sampling of UPN members, and from the results develop a list of generic job functions, responsibilities, and requirements. These would be compared to other jobs within the Public Service and within HEABC's nurse classification series to determine job matches. The final results would be presented to PSERC and to a third party, Judi Korbin.

In December 1994 the Committee selected 270 members working throughout the Province to complete the questionnaire. Over 60% of the members who received questionnaires responded, and the Classification Review Committee was able to compile its data base. On March 28, 1996 Council approved the findings and recommendations of the Committee for presentation to Korbin later in the year.

### **Program Management First Introduced**

Late in 1994 Oak Bay Lodge in Victoria announced it was implementing a "flavour of the times" called program management. It had already been implemented in a number of general hospitals. It has the effect of eliminating most nursing supervisory positions. UPN was concerned because Riverview and the Forensic Psychiatric Institute could soon follow, and decided to make a stand at Oak Bay Lodge.

### **BCNU Raid Attempt Fails**

On April 20, 1995, BCNU initiated a raid against UPN. It soon became apparent, and BCNU subsequently confirmed they were invited by the Local #100 officials at Riverview Hospital to “organize” UPN’s members. They also had the active support of a former UPN President (Neeson). UPN was now affiliated with the BC Federation of Labour and the Canadian Labour Congress who imposed sanctions on BCNU, with no affect. The BC Fed’ warned UPN that “there is no lie they are incapable of telling”, and that proved to be the case.

However, in the end, BCNU’s support was pretty well limited to parts of Riverview and in spite of expending thousands of dollars and hours, the raid failed. To add salt in the wound, the Labour Relations Board also ruled it was out of time. The support provided to BCNU further marginalized the membership at Riverview from the rest of the Union for many years.

In a last gasp to force rpn’s into their Union, BCNU made two applications to the Labour Relations Board on August 24<sup>th</sup>, 1995. In the first application they applied for certification to represent all Public Service nurses on the basis that they already represented the majority (1800 BCNU members vs 1050 UPN). The second application was that if BCNU won the vote in application #1, then BCNU will represent the majority of rpn’s in B.C. and therefore should be granted the certification to represent the 600 rpn’s outside the Public Service (mostly HSA members) without a vote (called for by Dorsey - see paragraph immediately below). The Board would have none of it and dismissed the applications.

### **UPN Takes Court Action To Preserve Representational Rights**

The Health Sector Labour Relations Commissioner’s Report (Dorsey) to the Minister of Labour was made public on July 7, 1995. The report did not apply to the Public Service. Dorsey recommended a bargaining unit for nurses, and HSA’s dual registered nurses would be forced into BCNU. HSA’s rpn’s, and UPN’s members in the Greater Vancouver Mental Health Services and three small long term care facilities, would be required to vote on whether they wanted representation by HSA or BCNU. UPN’s members in the Public Service would switch membership to the winner when they transferred out of the Public Service, thereby eventually wiping out UPN.

Dorsey recommended that the rest of the pie be divided among the HSA, Hospital Employees Union (HEU), BCGEU, the International Union of Operating Engineers , and the United Food and Commercial Workers. The twelve smaller unions, including UPN, would lose their bargaining rights and certifications in health care altogether. Dorsey’s recommendations were accepted by the Government and made into a Regulation.

The winner take all vote between BCNU and HSA for all 618 rpn’s in the health sector was counted November 8<sup>th</sup>. HSA won the vote by 61%, retained their own rpn members, and they also took over the 71 UPN members employed by Greater Vancouver Mental Health Services. An irony perhaps was that after their raid attempt in the Public Service, and the attempt to get the LRB to force HSA’s rpn’s into the BCNU, BCNU was the Union to lose members. The approximately 50 rpn’s in BCNU who were employed in long term care facilities were transferred to HSA.

BCNU retaliated against HSA in January 1996 with an “rpn’s are not nurses” campaign, demanded from health sector employers that all rpn positions revert to “nursing” (rn) positions when they are vacated, and filed more than 40 grievances against the hiring of and/or promotion of rpn’s. This would have had a disastrous affect on UPN’s members when they transferred to the Health Sector. UPN appealed to Health Minister McPhail to halt the transfers of UPN members until the matter was resolved, but the Minister refused saying it was up to the HSA.

The Labourers' International Union, with the financial support of the UPN, opposed the (Dorsey) Regulation, to the Labour Relations Board and in the Supreme Court. No other Union supported the bid. The grounds for appeal were that the Cabinet did not have the power to require persons to belong to, not belong to, nor change unions. On February 29<sup>th</sup>, 1996, the Supreme Court declared that the Bill 48 Regulation as it applied to decertifying Unions was invalid. The Government immediately appealed. In addition, HEABC applied to the LRB claiming that the Board should use its discretion and decertify the 12 small unions in any event. Of the large Unions, only BCGEU supported the Supreme Court ruling.

The Labour Relations Board took the position that, for the time being, the Supreme Court Order striking down certain sections of the Health Sector Labour Relations Regulation applied only to the Construction and General Workers Union Local #602 (formerly Labourer's International Union). In response, UPN applied to the Supreme Court on April 4<sup>th</sup> for an Order applying specifically to UPN. The Supreme Court deferred hearing the case until the Labour Relations Board considered applications by HEABC to decertify the 12 left out Unions and a BCGEU application that all unions including the 12 be permitted to continue to represent their own members.

The Board ruled on August 6<sup>th</sup> that the Supreme Court ruling striking down certain sections of the Health Sector Labour Relations Regulations applied to all Unions in a similar situation to the Construction and General Workers Union. The Government withdrew its appeal in January, 1997.

### **Woodlands and Glendale Closed**

Glendale in Victoria closed the last week of March of 1996. All UPN members who wanted placements in other facilities were accommodated. The Minister of Health ordered a halt to Riverview's downsizing because of a lack of adequate community resources. Woodlands downsized steadily during 1996 and officially closed on October 31<sup>st</sup>. It was a sad day for the Union because Woodlands had employed psychiatric nurses from the first days that there were psychiatric nurses. The closing was accomplished without the layoff of any nurses.

Delegates to the 1996 Convention approved an Oath of Obligation which must be taken by all persons who are elected to any position in the Union before they assume their duties.

### **Community Mental Health Nurses Transferred To Health Sector**

Transfers of Public Service mental health centres to the health sector commenced on April 1<sup>st</sup>, 1997. On March 27<sup>th</sup> HSA, HEABC and UPN agreed that UPN would continue to represent its members transferred to the health sector until the Labour Relations Board made its ruling on jurisdiction.

In May 1997 the Government repealed many sections of the *Health Authorities Amendments Act* and in August 1997 passed Bill 28. UPN would have its members previously transferred to HSA returned, and would be permitted to continue to represent its members transferred from the Public Service to the health sector. The amendments changed the definition of "nurse" to an rn or an rpn, thereby bringing an end to the BCNU's "rpns are not nurses" tactic. Rpns were removed from the Para-medical Professional Bargaining Unit and placed in the Nurses' Bargaining Unit. The NBA would be comprised of 23,000 BCNU members along with approximately 1,000 rpns in UPN and HSA.

UPN got its certifications back on December 4, 1997, and was included in the Nurses' Bargaining Association (NBA) with BCNU and HSA. The Labour Relations Board issued Articles of

Association in April 1998 which governed the conduct of the NBA, imposed upon it a duty of fair representation, and a mechanism for settling disputes between the Unions.

On February 28, 1996 Andy McColl informed Council that the Public Service Pension Advisory Board had approved that in certain circumstances, time spent as a student psychiatric nurse in the former School of Psychiatric Nursing at Essondale could be counted for superannuation purposes.

### **Korbin Recommends New Classification Plan For Government Members**

The Classification/Equity Review Committee established in 1994 made its' first presentation to adjudicator Judi Korbin on September 3<sup>rd</sup> and 4<sup>th</sup>, 1996. The Committee presented Korbin with internal comparisons with other occupations in the Public Service and external comparisons with nurses in the health sector (HEABC). The extensive study showed that most UPN members were entitled to an equity adjustment. Korbin issued an interim report on December 18, 1997 recommending an interim pay equity salary adjustment of 3.79% for UPN members in the Hospital Component. There was no recommendation for Community Component members nor BCNU members. Korbin's recommendation wasn't binding, and the Government refused to implement the increase.

Judi Korbin issued her second and final report on October 19<sup>th</sup>, 1998. She recommended that PSERC and UPN revise the classification specifications for both the UPN Community and Hospital Nurse series "based on descriptions developed by the UPN", and negotiate placement of the new specifications on the wage schedule. Korbin recognized in her report that Government nurses' salaries had fallen behind because of the inconsistent application of the wage control laws since the early 1980s.

Public Service members ratified the Ninth Public Service Nurses' Agreement on April 4<sup>th</sup>, 1997. Salary increases were limited because of the continuing wage controls, but the members obtained in charge pay. Now senior nurses would receive some small compensation for being in charge of a ward.

Spotlite, the Union's bimonthly news magazine ceased publication following the May-July 1997 issue in a disagreement over editorial policy and the lack of editorial guidelines.

By August 1997 the Union had lost the battle to stop the introduction of program management at Oak Bay Lodge. Riverview announced it was set to proceed with program management there. The plan was to eliminate all head nurse and nursing supervisor positions, and replace them with 17 program managers. UPN did not oppose the introduction of program management, in return for the placement of all displaced incumbents, the promise that the program managers would remain in the bargaining unit, and the retention of the 17 lieu days for the program managers.

### **First Health Sector Negotiations Leads To Job Action**

On March 24<sup>th</sup>, 1998 HSA and UPN were included in health sector nurses' negotiations with the BCNU as the Nurses' Bargaining Association. Progress was slow and the Unions were making job action preparations by September. The NBA counted a strike vote on October 14<sup>th</sup> and although UPN members didn't support it, a majority of BCNU and HSA members did. Strike notice was served on October 21<sup>st</sup>. The main issues in dispute was a Union proposal for increased staffing ratios, and more regular positions created - a stop to the casualization of nursing.

A work-to-rule campaign started October 17<sup>th</sup>, followed by a Province wide ban on nursing duties, a rotating overtime ban, and some study sessions. In the end, Brian Foley was appointed

by the Government, and made recommendations to resolve the dispute. The nurses accepted Mr. Foley's recommendations in January, 1999. Under the new contract RPNs were guaranteed the right to work and promotion in psychiatric, intermediate and long term care workplaces, and merged seniority lists where they are not currently merged. UPN members were changed to the HEABC/NBA collective agreement effective April 1, 1999.

UPN had been able to find stewards and contacts for all but two small Regional Health Boards and Community Health Service Societies. The provincial job action was not well organized at times. Although many of the UPN stewards and contacts were new and this was their first job action, they were superb in carrying out their duties on behalf of their members. UPN Council on January 28<sup>th</sup>, 1999 passed a resolution recognizing their efforts.

In May 1998 UPN and BCNU agreed to Articles of Association to govern the joint certification in the Public Service. The two Unions had operated informally for a quarter of a century.

### **UPN/PSERC Develop New Classification Plan - Wage Increase Results**

Public Service Nurses' negotiations commenced on October 21<sup>st</sup>, 1998. The major issue would be Korbin's report and recommendations. There was a problem. Back in 1994 both the UPN and the BCNU negotiated separate provisions for a classification/equity review. UPN got right on it in 1994, did an extensive review, and presented it to Korbin. As of early 1999, BCNU had yet to begin its' review. BCNU refused to be bound by the UPN results, and the Government's negotiators (PSERC) refused to treat UPN and BCNU members differently. In March 1999, BCNU refused to attend further negotiations, and negotiations were suspended.

UPN and PSERC were working jointly in 1999 to develop a new classification system based on the extensive studies UPN had done for presentation to Judi Korbin. It looked like a year long project. Salaries would be based on the new classification specifications, so nobody was in any hurry to pacify BCNU so they would return to negotiations. BCNU finally returned to negotiations on September 29<sup>th</sup>, 1999, but by that time the PSERC/UPN work on developing a new classification series for Public Service nurses was near to being completed.

Long time UPN advocate Andy McColl retired and was honoured at a luncheon on November 19<sup>th</sup>, 1998 for his 30 years service to the Union. He had also been the Public Service nurses' representative on the Public Service Pension Consultative Committee since 1980.

### **Reclassification For Some Health Sector Members**

On May 12<sup>th</sup>, 1999 arbitrator Vince Ready made a ruling on the placement of BCNU's community nurses onto the HEABC/NBA classification series and salaries. BCNU and PSERC had negotiated a provision in the Eighth Public Service Nurses' Agreement that a review be done of community nurses' work and they be placed on the appropriate HEABC/BCNU nurses' classification and salary. UPN had been told this would result in a downgrading of the community nurses so UPN did not agree to a similar classification study. UPN's members were supposed to go into the HSA agreement upon transfer and HSA's collective agreement was separate from the BCNU agreement.

Things changed. UPN retained its members so none went into HSA. And UPN's members in the HEABC jurisdiction were now in the same classification series in what was essentially the BCNU collective agreement. Previous predictions that the BCNU agreed to study would result in the bulk of community nurses being downgraded to the entry level classification proved correct. However, Mr. Ready in his May 12<sup>th</sup> award placed BCNU's geriatric outreach and home support for community living (HSCL) nurses at the second level. This put UPN's HSCL and geriatric outreach nurses behind their BCNU counterparts, and with no mechanism for them to catch up

for another year. In addition, by the terms of the Foley award, all UPN members holding supervisory positions were also placed at the entry level classification, which put them at the same classification, and in some cases a lower classification, than the nurses they were supervising.

In September 1999 UPN began a long series of discussions with HEABC to attempt to have the Union's supervisors, geriatric outreach and HSCL nurses upgraded to their BCNU counterparts. In addition, the Union again secured the services of Vicki Averill to conduct classification appeals on behalf of another several dozen negatively affected members. The next three years were marked with promises made and promises broken, until finally HEABC committed a clear violation of the collective agreement giving the Union an opening to refer the matter for arbitration.

There were more reports during the Summer of 1999 that Riverview Hospital would be transferring to a Regional Health Board. The on again off again pending transfer dates carried on for several more years. As it turned out, as this is being updated in the Winter of 2003, Riverview is still in the Public Service.

### **Major Battle At Riverview**

Riverview Hospital had changed its senior management to managers hired from the health sector, in preparation for a transfer to the health sector. A major battle erupted between the new management and the Unions in the Summer of 1999. The battle was spearheaded by the UPN, lead by Stew Johnson and , Lorraine Ibbitson, with the help of dozens of members. It started when Riverview applied to be transferred to a regional health board. Riverview's employees had previously been promised employment in Riverview's replacement facilities, a promise which could not be kept if Riverview were to be transferred out of the Public Service first. There were serious clinical issues in dispute as well. In September 1999, the Minister of Health appointed Peter Cameron as a trouble shooter.

Then, on May 15<sup>th</sup>, 2000, Riverview advised the Unions it was applying to have the nursing supervisors (p.s. managers) excluded from the bargaining unit. The Union regarded this as a serious double cross of a promise made two years earlier that the p.s. managers would be kept in the bargaining unit in exchange for the Union's lack of opposition to the introduction of program management. Riverview Hospital then used the new classification system for nurses to eliminate the first line supervisor (formerly Nurse 2s) position on June 1<sup>st</sup>, 2000 adding further fuel to the fire.

The Unions involved PSERC, the Deputy Minister of Health, and even the Minister of Health. Rallies were held, barbed memo's and bulletins were exchanged, and the public press became involved. Peter Cameron was appointed again in June 2000, as a trouble shooter. Cameron recommended and the Ministry of Health agreed that a focused study of professional practice issues at Riverview Hospital be conducted. The report was made public on November 15<sup>th</sup>, 2000, and vindicated many of the things the Unions had been saying.

Riverview's management slowly started to implement the recommendations, and things started to quiet down. And, one by one, the main antagonists on the Employer's side were being let go, or their contracts not renewed, and by 2002 all but one of the former top echelon were replaced by career Public Service managers. The new management put the exclusions of the p.s. managers, and the transfer to the health sector, on hold, and relations more or less returned to normal.

Cooperation between the Union and the College of Registered Psychiatric Nurses drew closer and UPN and the College sponsored a joint education day for members on October 14<sup>th</sup>, 1999. This was the first of several over the following years.

## **Korbin Review Results In Equity Increases**

The Public Service Nurses' negotiations which commenced October 1998 finally concluded February 11<sup>th</sup>, 2000. PSERC and UPN had developed a new classification plan as had been recommended by adjudicator Judi Korbin, and salaries had been assigned. Most members were to receive three increment increases of 3.79% while a smaller number received two such increases. Members also received the 2% salary increase permitted under the wage controls.

The BCNU signed a memorandum with PSERC and UPN on February 11<sup>th</sup> that they would recommend ratification to their members, but then started a "Vote NO" campaign without first informing either PSERC or UPN. UPN went to the Labour Relations Board, which ordered BCNU to remove all "vote no" material from the work place and to recommend ratification. The new contract was ratified by a large majority.

UPN went to the Labour Relations Board to have the Public Service Nurses' Articles of Association changed so that BCNU could not longer bring negotiations to a halt simply by refusing to turn up.

The increase in members' salaries meant the Union was able to reduce its dues from 1.25% of salary to 1.1% in October of 2000. The financial statements for the end of 2000 showed that while the Union's dues haven't covered expenses for about a decade, the Union was still in good shape financially. Income from the Union's office building and returns on investments had more than made up for the short fall.

The Union had become more involved in sending UPN reps to labour courses such as the Harrison Labour School, and in 2000 for the first time, sent a representative, Steve Kenneth, to the Labour College of Canada in Ottawa.

## **Strategic Plan To Determine Future Of The Union**

The Director, Labour Relations, Dwight Wenham, advised Council he was retiring early in 2003. The Executive decided on June 15<sup>th</sup>, 2000, to initiate strategic planning to determine what and where UPN would be in five years, and in the future. The Executive believed that before the Union hired a replacement, the Union should first identify what its future is likely to be, or perhaps should it merge with another health care union such as HSA.

The Union employed Einblau & Associates to assist in the process. The first step was to conduct a survey of the Union's membership to help determine which direction the members would like to see the Union go. The surveys were sent out in the Fall of 2000.

The Council held all day workshops over four days in February and March 2001 to go over the survey results, brain storm, and prepare a presentation for the 2001 Convention. Council members agreed it wanted the Union to retain its current functions, and it did not want to amalgamate with another Union. UPN had to improve its communication, particularly to the outside world, and it had to develop and implement plans to get more member involvement in Union activities. Council also made education a priority, particularly recurrent professional education for members. These priorities influenced the selection criteria for the replacement for the Director, Labour Relations. The Union has had difficulty getting its new initiatives off the ground.

## **Second Health Sector Negotiations, Strike, and Huge Salary Increase**

On September 15<sup>th</sup>, 2000, the Health Sector Nurses Bargaining Association (BCNU, HSA, UPN) negotiating committee met to discuss briefly each Union's bargaining proposals. The big issue

was going to be a demand for a hefty salary increase in order to recruit and retain nurses. Even before negotiations started, the NBA was preparing for job action. The Labour Relations Board ordered the parties to have their essential services agreements completed by March 19, 2001. When the strike votes were counted at the end of April, over 90% of the NBA's members supported job action. In March 2001, the Council approved a new job action pay entitlement which was the most generous in the health sector.

The nurses engaged in an overtime ban, rotating study sessions and working to rule. The Employer made an offer in April 2001 which included a 23.5% salary increase for top step direct care nurses as well as a substantial improvement in the night shift and weekend differentials. The nurses voted on June 5<sup>th</sup> and rejected the offer. On June 19<sup>th</sup> the new Government passed legislation to implement a 60-day cooling off period. The Employer made a substantially similar offer on July 16<sup>th</sup>, and this was not accepted by the nurses' negotiating committee either. On August 9<sup>th</sup>, the Government again passed legislation, and this time imposed the Employer's last offer as settlement of the HEABC/NBA collective agreement.

The Union remained committed to offering stewards' training, and a three day workshop was scheduled for May of 2001. And it again sponsored a joint education day with the CRPNBC, and agreed to cosponsor the World Congress for Psychiatric Nurses in May, 2002.

### **UPN Takes Issue With Vancouver Sun Article On Woodlands**

The Union took on The Vancouver Sun in a complaint to the BC Press Council in 2001. In its' April 14<sup>th</sup> issue, the Sun engaged in some particularly offensive journalism with a columnist's story about alleged systemic physical and sexual abuse at the former Woodlands, allegedly committed by and covered up by employees. The Union knew for fact that some of the allegations were out and out lies. The Union sent a denial, which was ignored, and a complaint was made to the BC Press Council.

The Press Council hearing was held on September 19, 2001. It was a travesty, an unbelievable farce, and a complete denial of natural justice. Even at that, the Council in its' ruling gave a superficial mild wrap on the knuckles to the Sun and it had to print a partial retraction. In early 2002, the Union discovered that the Sun columnist who was the author of the "expose" was actually on a committee of the Executive of the special interest group which had allegedly provided the reporter with her sources. The Union complained again to the Sun and to the Press Council. The Sun took it seriously this time and replaced the reporter. The Press Council did nothing.

During the 2001 election campaign, the new Premier announced a change in the previous Government's plans and reintroduced the promise of a Riverview replacement facility for Kamloops. This put back on the front burner the commitment by PSERC and the former Government that Riverview employees would have first right to the Kamloops jobs, and the right to transfer.

Stew Johnson retired from the Presidency of the Union in May, 2001 following his retirement from the Public Service. He was UPN's longest serving President. Taking over the helm was Lorraine Ibbitson, the incumbent Vice-President and President of UPN Local #102. Also elected or re-elected to office in 2001 were Steve Kenneth, Vice-President; Terry Riley, Treasurer; and Aaron Crowhurst and Dave Wharton as Directors.

### **Government Nurses Piggyback On Health Sector Salary Increases**

Public Service nurses' negotiations began on July 17<sup>th</sup>, much earlier than normal, amidst fears that the new Government may reintroduce wage controls. Amidst that fear, BCNU attempted to

add to their entitlement on the negotiating committee, causing a delay until the dispute was resolved by a labour umpire. Negotiations finally resumed on January 29<sup>th</sup> and 30<sup>th</sup>, 2002, but did not conclude until June 26<sup>th</sup>. The salary increases were surprisingly large, considering the Government's budgetary induced cut backs, working out to a 24.1% increase over the life of the three year agreement for direct care nurses on the top step and for the most senior supervisory positions. First line supervisors received an increase of 28.5% and community nurses received a 26.3% increase.

### **Government Attacks Health Sector Unions - Reaction Muted**

In February 2002, the Provincial Government used its' legislative powers in a major onslaught against the health sector unions. Bill 29 over road security provisions in the collective agreements and permitted non clinical services to be contracted out. It also changed the layoff and bumping provisions of the collective agreements, vastly reduced severance entitlement, and gave employers far reaching powers to transfer employees against their wills.

The reaction of organized labour, even the health sector unions, was fairly muted. There were a number of protest rallies, but nothing to make the Government change its' will. Bill 29 did not apply to the Public Service, which retained much superior layoff, recall and severance entitlements.

On April 23<sup>rd</sup> the Government announced a large number downsizings and closings in the health sector but it appears only one UPN member was negatively impacted.

### **UPN Starts A Web Page**

UPN got a web page in February 2002. It was <[www.upnbc.org](http://www.upnbc.org)>.

Following the audit of the Union's 2001 financial records, the Finance Committee drafted more stringent finance policies after "advice" in a letter from the auditor advising Council of the need for more stringent financial controls. 2002 ended with the Union's spending under control.

Long time UPN activists Ross Tremere and Gerrit Van Staalduinen retired from employment and the Union in April of 2002. Both Ross and Gerrit had been active in the Union for most of their nursing careers. During that time they served the members as stewards, Local Officers, on negotiating committees, and as Officers of the Union.

The Union was involved in two grievances/arbitrations in 2002 where the members' lack of candor with their Employers lead to a greater penalty than the actual act for which they were being disciplined. The arbitrator wrote that "the initial lack of candor on the part of the grievor, with both the Employer and the Union, is a serious form of misconduct which goes to the very heart of the trust relationship between a professional employee and both their Employer and Union. Such misconduct cannot be trivialized..." The Union advised the members through Updates and Bulletins, and it was a large part of the Director, Labour Relations address at his final Convention in May.

### **Dwight Wenham To Retire**

There was a roast for Dwight Wenham at the 2002 Convention. Speakers were: Ray Cocking, retired, the Union's legal counsel for 20 years; Glen Smale, Provincial Labour Standards Branch and formerly with the RNABC/BCNU; Annette Osted, Executive Director of the College of Registered Psychiatric Nurses of Manitoba; Donna Higenbottam, Executive Director of the CRPNBC; and Greg Wood, Manager, Labour Relations for PSERC.

In keeping with the members' input in the survey in the Fall of 2000, the Union contributed \$5,000 to the Douglas College Foundation to establish an endowment fund to provide bursaries to psychiatric nursing students. It also provided \$5,000, funded by a contribution from the Director, Labour Relations, in grants to students in psychiatric nursing who are family members of members of the Union, or who are current members enrolled in a post-diploma program in psychiatric nursing.

The number of nurses in the Public Service continued to decline. By April 2002 there were only 753 left, of which just over 2/3rds were UPN members. UPN had approximately 370 members in the community health sector.

In September 2002 the Union turned over its' investment portfolio to Dominion Securities to handle. It had been managed in house by Mr. Wenham prior to that.

### **Bid To Preserve Riverview Members' Jobs**

With the downsizing of Riverview Hospital on the go again, and the announcement of two replacement facilities in Kamloops for 2003 and 2004, the Union again contacted PSERC to have prior job commitments kept. PSERC and the previous Government had promised the employees they would have first crack at the Kamloops jobs. PSERC involved the BC Mental Health Society and HEABC in discussions in September, then met with representatives of UPN, BCGEU and BCNU in December and again in January 2003 to attempt to find a way to have the commitment kept.

In September 2002, Union representatives met again with the CRPNBC to discuss establishing education programs in conjunction with the CRPNBC, to assist UPN members with the Continuing Competency Program. This was one of the main priorities identified by the members in the survey. Agreement was reached in principle, but it is still in limbo as this history is being updated (January 2003).

On October 16<sup>th</sup>, the three year old dispute over the reclassification and back pay for UPN member supervisors, geriatric outreach and HSCL nurses in the health sector was resolved, just five days before the dispute was to be heard at arbitration. HEABC agreed to reclassify 39 of 54 members involved, and to pay retroactive pay back to April 1, 1999. The remaining 15 members on which there was no agreement would have their appeals heard by Vince Ready. Those who were successful would also get retroactive pay to April of 1999.

Riverview confirmed it was involved in a significant downsizing, at a meeting with officials from the Unions on October 16<sup>th</sup>. The target this time is closure in five years time. No nurses were negatively impacted at the time, but some BCGEU positions were declared redundant.

### **Director, Operations and Member Services Hired.**

Council decided to change the name of the staff position to "Director, Operations and Member Services", studied and drafted a position description in the Fall of 2002, and started recruiting. Douglas McLaren was selected on January 23<sup>rd</sup>, 2003, and commenced employment on February 24<sup>th</sup>. He had a 17 year career in various positions, including Executive Vice-President, with the Seafarers' International Union of Canada. He left that position in 1994, operated his own labour relations consultant business for four years, and immediately prior to his employment with UPN, was a Senior Labour Relations Advisor with the Children and Women's Health Centre of B.C.