



Message from Atlantic
Regional Director
Lana Payne

Highlights

- Review of NS legislation changes
- Actions Unifor has taken
- Update on Essential Services negotiation

Update on McNeil Government's Continued Attack on Workers' Rights

For two solid years, the McNeil government has led a legislative assault against Nova Scotia workers and their unions that would have made even Stephen Harper blush.

It has been a very challenging time for unions and their members especially workers in the public sector including those employed to deliver high-quality health services to the people of Nova Scotia.

Unions have been forced to defend their members and the right to fair collective bargaining time and time again.

The latest was the government's wage restraint legislation introduced just days before Christmas. Unifor strongly opposed the legislation during Law Amendment hearings.

Unifor, which represents over 12,000 members in Nova Scotia, also pointed out the chilling impact legislated wage freezes in the public sector will have on collective bargaining in the private sector.

Make no mistake, private sector employers will be emboldened by this legislation which will no doubt suppress wages for more than the 75,000 workers directly impacted by the law. It will also pose for even tougher rounds of private sector bargaining. It will spread like a virus, with private sector employers expecting to achieve wage restraint too.

This law came after two meetings with the Finance Minister who demanded the unions who represented more than 75,000 workers in the public sector accept wage freezes and five-year agreements.

The unions patiently pointed out that this was not collective bargaining and merely represented a continuation of the lack of respect his government has shown towards the rights of workers.

Your right to a fair bargaining process

It is important to remind ourselves that it has been through fair collective bargaining that we have achieved so many hard-fought gains that make up your working conditions today including pay and benefits. Without access to fair collective bargaining, the scales become tipped in the employer's favour.

Fundamental to your right to belong to a union is to be able to bargain fairly and freely with your employer. But many of the laws introduced by the McNeil government have interfered with that or have been blatant violations of this Charter right.

Indeed it is important to point out that the attack on workers and their rights has been breathtaking in its scope and impact.

From health care workers to university employees, no one has gone unscathed.

McNeil's attacks on workers

The government has been relentless - using its majority and the powers of the Legislature to take away rights, interfere with collective bargaining, or just dictate terms and conditions of your contract.

Here is a list of the anti-union bills:

1. December 2013 - Amendments to the Trade Union Act eliminating positive changes to first-contract legislation, making it tougher



Left: Atlantic Regional Director Lana Payne stands with National President Jerry Dias on the steps of the Nova Scotia Legislature. Right: Unifor members have loudly and consistently protested anti-union bills.

to get a first contract if an employer wishes to stall the process.

2. March 2014 - Bill 30: Essential Services Legislation for Home Support workers. This bill acted as a "back-to-work" piece of legislation and forced unions to negotiate essential services before a strike or lock-out could occur. Prior to this, there was no essential service legislation in the province of NS.
3. April 2014 - Bill 37: Essential Health and Community Services Bill. This bill requires unions to "negotiate" essential services for some 35,000 public sector workers. Essential service agreements must be completed before a strike can be legal. The process to negotiate these agreements is heavily weighted in favour of the employer and reduces the effectiveness of strike action given the number or high percentage of people who will likely end up being deemed essential. This means they go to work every day performing their duties while a smaller number hold up the picket line.
4. October 2014 – Bill 1: This legislation attempted to take workers from one health care union and give them to another.



But the legislation provided for arbitration and Arbitrator Jim Dorsey refused to do the government's bidding. This forced the government to reach an agreement with the 4 health care unions where members got to remain with their own unions and the 4 unions will bargain collective agreements together through the formation of bargaining councils. This work is currently underway. It is a very complicated process as in addition to combining 49 collective agreements in the acute care sector into 4, the unions must also negotiate essential services agreements as required in Bill 37 for dozens of workplaces covering 25,000 health care workers in the acute care system.

5. May 2015 – Bill 100: University Accountability and Sustainability Act. This bill basically allowed universities who said they faced severe financial difficulties to suspend collective agreements and ban strikes.
6. December 2015 – Bill 148: Public Service Sustainability Act. This law imposes 4-year agreements on some 75,000 public service employees (or those who were paid with government funding) and dictates two

years of wage freezes as well as the elimination of retirement allowances for any workers hired after April 2015 and the capping of this benefit to whatever had been accumulated to that date by current employees.

Nova Scotia labour lawyer Ray Larkin, who has been working with the unions in responding to the various pieces of legislation, noted that it is obvious that the government is trying to divide workers by driving a wedge between public sector workers and the public and workers in the private sector.

The question remains whether this strategy by the government will be successful in the long term and whether the government can continue to mask its lack of economic solutions for Nova Scotia with a sustained attack on unions and unionized workers.

The Premier and his government have said that all of these attacks are necessary because of the province's financial situation.

Putting the question of the province's financial situation aside (it isn't nearly as bad as the government would have everyone believe), unions negotiate every day with employers who may be struggling financially or are having a bad year. We take these things into account at the negotiating table, where they should be dealt with.

Instead, this government has used threats and its legislative powers to get what it wants.



Left: Image of balloons that can be ordered from the national office to promote Unifor's Health Accord campaign. For more information, and to order petition postcards to share with members, visit www.unifor.org/healthaccord

Unifor represents over 4,000 workers in both the acute and long-term care sectors, but we also represent hundreds of other workers who depend on government funding and who have been adversely impacted by various pieces of legislation and new laws targeting the rights of workers.

As mentioned above, Bill 37 severely limits the right to strike and demands essential workers be determined before a strike can be legal. Determining the percentage of a certain classification or workplace that must be essential or needed to deliver emergency care is a complicated and tedious process. Staff representatives with the four health care unions

We need to get this fair and right this first time because once essential service agreements are in place they are very difficult to change. A labour board would likely only accept exceptional changes in working conditions or workplaces as a rationale for altering the agreements.

What has Unifor been doing?

We have had dozens of meetings with the other unions to carefully and thoroughly sift through all of the collective agreements in the health care classifications to ensure there is a common understanding of the benefits and language in each agreement. This must also take place for the numerous agreements in the nursing, service support and clerical classifications.

On top of this work, our staff has been working on a framework for essential services legislation.

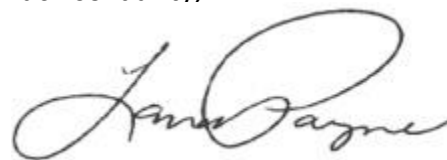
Your union has been working with other unions in the public sector and we are collectively planning and developing a multi-pronged campaign. This includes possibly challenging some of the laws passed by the NS government in the Supreme Court of Canada, as well as an action plan to push back against the relentless attacks by the government.

In the meantime, I want to thank you for your patience, support and solidarity over the past two years. Our Bill 1 victory was very much a result of our fightback.

I know many of you have many questions about collective bargaining as your contracts have expired. We hope we have addressed some of your concerns at recent meetings, and we will continue to keep you informed as our work progresses.

Again, thanks for all you do for the citizens of Nova Scotia and for building our union.

Much solidarity,



Atlantic Regional Director

