



Nova Scotia Federation of Labour, CLC

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February 14, 2014

Mr. Stephen McNeil
Office of the Premier
7th Floor, One Government Place
1700 Granville Street
P.O. Box 726
Halifax, NS B3J 2T3

Mr. Leo Glavine
Minister of Health and Wellness
Department of Health and Wellness
17th Floor, Barrington Tower
1894 Barrington Street
P.O. Box 488
Halifax, Nova Scotia, B3J 2R8

Dear Premier and Minister Glavine:

Merger of District Health Authorities

We are writing to propose a straight forward approach to the labour relations aspects of your plan to create a single Provincial Health Authority to replace the present District Health Authorities. This approach will permit a smooth transition to a single health authority while minimizing disruption of the employment rights of front line employees who provide acute health care services to Nova Scotians.

From previous discussions with the Minister of Health and Wellness we understand that your government will bring forward legislation in the fall which would create a Provincial Health Authority. Reorganizations in public services since 1994 have all included protections for employees to preserve their employment rights as they transition to a new organization. One of the clauses which is usually included in legislation reorganizing public services is a provision that the new entity is a successor employer to the present employers under Section 31 of the *Trade Union Act*. We expect that any legislation creating a Provincial Health Authority will include these standard provisions.

In order to avoid the disruption of employee rights in their workplaces because of creation of the Provincial Health Authority, we propose that the merger legislation also include a provision that neither the Authority nor any of the Unions representing its employees may apply to the Labour Board to modify the existing bargaining units without the consent of all parties.

This approach would facilitate the reorganization of the District Health Authorities, but avoids the reorganization of bargaining units and the disruption of the collective agreement rights of the employees delivering front line services. The Unions representing bargaining units would continue to represent their members in bargaining with the Provincial Health Authority.

Although there are presently 49 bargaining units of employees of the District Health Authorities, the Authorities and the Unions involved do not bargain 49 separate agreements.

The Canadian Union of Public Employees, the Nova Scotia Nurses Union and Unifor each bargain at a single provincial table for their members employed by the District Health Authorities other than Capital

Health. NSGEU bargains at a single table for employees of the District Health Authorities engaged in public health, drug addiction and continuing care outside the Capital District. There are four bargaining units represented by the NSGEU at Capital Health. As a result, there are actually less than ten agreements covering employees of the nine District Health Authorities.

This approach to bargaining has consistently generated collective agreements for the employees who provide services in our hospitals. While it preserves the right to strike, strikes have been extremely rare and very brief. This approach to labour relations would provide the Provincial Health Authority with the ability to predict and plan for labour relations and collective bargaining based on the experience since the District Health Authorities were created. In contrast, a reorganization of labour relations has the likelihood of not only creating turmoil during the transition but a potential for eventual province wide strikes. You have championed the right to strike for health care employees in the past. We are asking you to maintain a system which preserves it.

As the heads of all the public sector health care unions in Nova Scotia, NSGEU, CUPE, NSNU and Unifor represent more than 20,000 health care members. Our members - nurses, health care workers, clerical and support staff – want to focus their efforts on delivering front line health care. They do not want to enter into a protracted battle over benefits and the provisions of collective agreements that they have negotiated over several decades.

We believe that our approach to the organization of labour relations in the new Provincial Health Authority will provide security to employees in the acute care sector and make the merger of the District Health Authorities smooth and successful at the front line of delivering care to Nova Scotians and we anxiously await your response to this positive approach.


As reflected in our approach, we take this matter very seriously and in fact are scheduled to meet again on the 24th of February on this matter. A response to this approach for that meeting would be very positive and greatly appreciated.

Yours truly,


Nova Scotia Government and General
Employees Union


Canadian Union of Public Employees


Nova Scotia Nurses Union


Unifor


Nova Scotia Federation of Labour

/jw/Unifor Local 4005