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April 2, 2014

## Open Letter to Premier Stephen MacNeil

### Unifor Responds to Introduction of Essential Service Legislation in Nova Scotia

Dear Premier:

We write to express our union's profound opposition to the proposed legislation; Bill No. 37 - Essential Health and Community Services Act, introduced yesterday by your Government. This legislation, under the guise of responding to a possible nurses strike of 2,300 registered nurses at the Nova Scotia Hospital and the Queen Elizabeth II Health Sciences Centre, would effectively end free collective bargaining and sweep the entire health and community services sector and between 35,000 and 40,000 employees in the Province into a regime of forced interest arbitration and essential services provision. Unifor represents more than 4,000 workers in health care and community services in Nova Scotia. We take great pride in ***negotiating*** collective agreements in the health care sector. Yet this legislation penalizes our members who have worked hard to build a responsible and respectful labour relations legacy in the sector.

Your Government has regrettably quite effectively catapulted a legitimate local concern around a potential work stoppage at area hospitals into a cynical opportunity to deny the most fundamental and basic rights of tens of thousands of workers from one end of the province to another. This is but another example of a government holding to the belief that "behind every crisis lies an opportunity". At its worst, this is simply a disproportionate and disingenuous parlay of the situation with NSGEU into broader concealed policy options and choices around public sector collective bargaining.

Where is the due process of notice, consultation, and discussion with labour and employers around such fundamental aspects of labour relations in the province? This Bill will be rushed through the legislative process - drafted, introduced, debated and enacted in literally hours. Yet the very core issue contained in the proposed legislation runs completely contrary to past sober analysis of like disputes in health care as recently as 2007 when the government of the day abandoned efforts to legislate away the right to strike in health.

Where is the compelling public interest in denying fundamental right to workers? There has not been a hospital strike by our union in Nova Scotia since 1991 and the Industrial Inquiry (Kydd Commission) that examined the factors resulting in that strike concluded that “the settlement of collective bargaining negotiations can best be encouraged by the absence of any specific emergency services legislation, and the absence of a reason to enact ad hoc emergency legislation whenever a hospital strike looms”. Essential services and interest arbitration does not prevent workplace conflict and in this political climate may indeed only exacerbate such conflict.

Where is the commitment to fairness, equity and impartiality? Health and community sector workers in Nova Scotia, like workers across Canada, are experiencing an unprecedented attack on their living standards. They bear a growing burden shouldering the cuts imposed by both federal and provincial governments. As a society we applaud their dedication and commitment daily to patients, residents and clients and acknowledge their essential role in providing care. Nova Scotia cannot afford the illusion that somehow we can conscript these workers to care – if they are not treated with dignity and respect, we as a province ought not to expect them to treat others with dignity and respect.

As our union stated during the Vancouver port dispute last month, stripping workers of their right to negotiate fair working conditions is not political leadership. Political leadership is displayed by actively and earnestly seeking a resolution that works for all involved, but that wouldn't be done if neither the Minister responsible nor the Premier take workers' rights seriously. We call on the Premier to set aside this legislation; and get directly engaged with the Minister and parties involved until a negotiated resolve acceptable to all is found.

Sincerely,



Jerry Dias  
National President  
jd:rlcope343



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