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# HEALTH CARE BARGAINING 2012

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**BULLETIN NO. 12 – August 2014**

## **CUPE Seeks Interest Arbitration**

In our last bulletin we provided an update on the status of bargaining between your union, the Canadian Union of Public Employees, and your employers. In the last update, we informed you that throughout June we met with your employers through a mediation process. This process is where a neutral third party helps to settle outstanding proposals by acting as a “middleman” between the two parties. While we were able to achieve resolution to a number of issues at the mediation table, we are still unsatisfied with a number of key issues that remain outstanding.

As a result, we have agreed to participate in *Interest Arbitration* to rule on these outstanding issues. By taking our proposals to an arbitrator to determine, we feel we have a much greater chance of success.

## **Q & A:**

### **1. What is Interest Arbitration?**

- The arbitration process involves both the employer and your bargaining team. We argue our case to an arbitrator who has been agreed to by both sides. It is very similar to a court of law, but for labour issues only. The arbitrator will listen to both sides and will judge them based on their arguments and what is “reasonable”. The arbitrator then decides on the outcome of each outstanding proposal based on these arguments. Given the difficulty we have had trying to negotiate a reasonable settlement with your employers, we are optimistic about the arbitration process. We know that our arguments are strong, and believe that we can achieve significant gains for our members through this process.

### **2. Does this mean we will strike?**

- By submitting our outstanding proposals to Interest Arbitration we will no longer need to strike. The arbitrator will have the final say on all outstanding matters, based on what he/she deems reasonable. By going through the interest arbitration process we will not legally be permitted to strike over the outcome of the arbitrator’s decision. Because of what is outstanding, we feel this is the best approach.

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### 3. Will we vote on the contract?

- Because the outcome of the Interest Arbitration process is determined by an arbitrator, both sides must comply with the ruling. This means there will be no vote on the contract. While this is quite different from our normal process, rest assured that this is a legal, legitimate labour relations practice that is intended to resolve issues without having to go on strike. The PHCC considered all options carefully in coming to this decision. We are committed to doing everything we can to achieve the best possible collective agreement for you. At the end of the day, you deserve a better contract than what you have now – and we feel we can achieve this.

### 4. Why is this taking so long?

- We agree that two years is too long to negotiate a new collective agreement. We have done everything possible to get you a fair agreement. We have bargained directly with your employers, through a conciliation officer, through a mediation officer, and now through the Interest Arbitration process. We even filed an Unfair Labour Practice against the employers to try to get them to meet with us in good faith. We are fighting through every possible means available to us in order to get you an agreement without having you go on strike.

### 5. Have other health care unions done this?

- CUPE is fighting to the very end. MGEU accepted the employers' proposals back in January, but have stalled the ratification of their agreement because they are waiting to see what happens with CUPE. We are leading the way, and fighting for our members because we know you deserve better. By presenting our case to an arbitrator, we are getting "our day in court", and we believe we will achieve fairness.

We will keep you updated as the Interest Arbitration process continues.

### Here is what you can do to help:

- 1) Talk to your co-workers and share this bulletin.
- 2) Visit [phcc.cupe.ca](http://phcc.cupe.ca) for news and updates.



### **Your Provincial Health Care Council and Bargaining Committee is:**

Val Sobiak (Chair), Gwen Bennett, Debbie Boissonneault, Marion Butterfield, Morgan Chagnon, Barbara Greengrass, Demi Kuzyk-Bernier, Judy Lavallee, Ric McAlpine, Marie Nixon, John Reynolds, Randy Roache