



---

# HEALTH CARE BARGAINING UPDATE

---

## **BULLETIN NO. 19 - September 18, 2015**

### **RETRO PAY UPDATE:**

#### **BACKGROUND**

On August 27, 2015, CUPE learned that a number of CUPE health care locals would not be receiving all of their retro pay on time. Members at Health Sciences Centre, Grace Hospital, Seven Oaks General Hospital, Concordia Hospital, St. Paul's Home, and Riverview Health Centre were affected by the delay.

Members were advised by the Employer that they would receive all of their retroactive pay by September 11, 2015, instead of August 28<sup>th</sup>.

The WRHA's delay was despite receipt of an April 30, 2015 interest arbitration decision to settle bargaining, and CUPE believes the delay violated provisions in local collective agreements.

#### **ACTION BY CUPE**

CUPE let the Employer know that the delay was completely unacceptable, and pushed for action.

In response, the WRHA took responsibility for its failure to pay in time, and issued a detailed written apology to members.

CUPE has investigated legal and labour relations options to hold the WRHA accountable for failing to meet its obligations. Shared services in health care must meet the terms of our collective agreements.

#### **Outreach and Rally**

CUPE issued a bulletin to members on August 28<sup>th</sup>. Local 1973 held a rally at Concordia Hospital the same day, to speak out against the delay and to call for respect for health care support workers. Locals contacted their human resources departments to call for respect and get answers for members.

#### **Legal Action**

On August 28<sup>th</sup>, CUPE contacted the arbitrator who ruled on the interest arbitration, to advise of the Employer's failure to meet the 120 day deadline contained in the collective agreements. CUPE sought legal advice and advised the Employer that we would go to the Court of Queen's Bench for enforcement of the arbitration award if retro payments were not made.

Three locals have filed grievances challenging the delays.

over ↗

## **NEXT STEPS**

We want to ensure that CUPE members are treated with respect, and receive fair and reasonable redress and resolution.

**Outstanding Issues** - Two groups of members have not yet received retro pay. Anne Ross Day Nursery (Mount Carmel Clinic, Local 2343) members have not yet received their wage adjustment and retro pay, and the local has grieved this. DSM members (Local 4214) have received a portion of special wage adjustments and retro pay, and an agreement was reached with the Employer to provide the remaining amounts once the wage increases for related classifications in the health sector are confirmed (a wage parity issue).

**Errors and Inaccuracies** - CUPE has heard reports that some eligible members may not have received retro pay for the long service increase. Please contact your local executive if you believe you are missing long service pay.

If you believe that your retro payment was not accurate, please contact your local executive. Requesting a breakdown of the amounts is a good first step, and your local can walk you through the process.

**File a Grievance** - Members who experienced hardship as a result of the delay are encouraged to contact their local executive as soon as possible, to discuss filing an individual grievance.

Examples of hardship could include financial consequences because of reliance on retro pay for bills or debt payment (NSF fees, fines, penalties, interest accumulation, reconnection fees in the case of disconnected services), or the inability to cover needs like child care, food, housing, utilities, and transportation due to the delay. If you intend to file an individual grievance, please be sure to provide your local executive with evidence of the financial hardship you suffered as a result of the Employer's late payment (i.e. bills, letters, fee statements, etc.).

We will post any updates at [phcc.cupe.ca](http://phcc.cupe.ca), and circulate them to your local executive.

**Health Care Support Workers Week** is October 5-9.

Join us! Contact your CUPE local to find out about activities in your workplace and community.

**Let's keep working together for RESPECT for health care support workers!**

EC/jk/cope 491  
Sept 18 15