

LAW AMENDMENTS COMMITTEE

Red Room, Province House

Monday, March 30, 2015

1:00 p.m.

Bill #69 - Health Authorities Act (amended)

1:00 p.m.

1. Joan Jessome, President
NSGEU
2. Janet Hazelton, President
NS Nurses Union
3. Rick Clarke, President
NS Federation of Labour
4. Danny Cavanagh, President
CUPE, NS Division

2:00 p.m.

5. Ian Johnson
6. Shawna Boudreau
7. Jim Burnham
8. Patricia MacDonald
(did not attend; Shawna
Boudreau read her
submission)

Law Amendments Committee

Bill 69 – Amendments to the Health Authorities Act

Janet Hazelton, President, Nova Scotia Nurses' Union

March 30th, 2015

Good afternoon. The Nova Scotia Nurses' Union is a professional union representing approximately 7000 Licensed Practical Nurses, Registered Nurses and Nurse Practitioners in Nova Scotia's hospitals, long term care facilities, adult residential centers, VON branches and Canadian Blood Services Centres. On behalf of the NSNU, thank-you for the opportunity to speak to this legislation.

In the first place, I am here to speak in favour of the amendments to the *Health Authorities Act*. The amendments provide what the four health care unions have asked for all along – the opportunity to continue to represent our current membership and collaborate on collective bargaining within the new amalgamated DHA structure.

It is extremely unfortunate that it took us so long to get to where we are today, especially since we were in virtually the same position last summer with the Union's Bargaining Association Model. None of this was necessary. If government had given us the opportunity, we would have been open to the minor adjustments that differentiate the new model from that one. We were not given that opportunity. Instead, the *Health Authorities Act* forced all parties into a contentious round of mediation and arbitration.

Even after this, the Unions were in the midst of discussing a way forward that would avoid moving members between unions. It was around the inception of those 11th hour talks that we received news from the Premier that he was ready to accept a collaborative model from the Unions.

This whole process has been unfair to health care workers who are the backbone of our most important public institution, who show up for work at all manner of hours and who deal with all manner of situations because they know that patients depend on them. Nurses welcome our newborns and comfort our dying and do every sort of task in-between, from administering life saving treatments to accompanying patients in their most intimate and

humbling moments. Ask a nurse or other health care worker about his or her stressors on a good day, and you are in for a very long conversation. The uncertainty of the *Health Authorities Act* was an absolutely unnecessary addition to this stress.

We did not ask for this. The new labour relations model will require transparent cooperation and collaboration from all parties. In spite of everything that has happened, we are ready to bargain together to get the best possible deal for health workers in Nova Scotia, one that will keep nurses and other health professionals in this province.

On behalf of the Nurses' Union, I urge passing of this Bill so that we can turn the page on this dark chapter and move on to continue servicing the members who spend their lives caring for Nova Scotians. Thank you.

Submission to
The Law Amendments Committee
By
Ian Johnson
Servicing Coordinator/Policy Analyst
Nova Scotia Government and General Employees Union
About

Bill 69 – Health Authorities Act (Amended)

Monday, March 30, 2015

Introduction

- Here to make an individual submission on bill 69 as I did earlier on Bills 30, 37, and 1.
- I am the Servicing Coordinator/Policy Analyst at NSGEU. However, I want to talk about this Bill and the whole process that led to this Bill from 20-30 years' experience in labour, health policy and here at the Legislature.

Very Rushed and Problematic Legislative Process

- I have been and continue to be deeply disturbed by how Bills 30, 37, 1 and now, Bill 69 have been developed and moved through the Legislature.
- In my 30 years in and around this place, I have never seen anything like this past year.
- What bothers me especially is that for something as important as health care restructuring including labour relations, we have yet to really see a commitment by the government to take the time necessary to allow for broad public input and review of these four pieces of legislation and the detailed plans for a restructured health care system.
- I know the government set a deadline of April 1 when the new consolidated system is to take effect. But I ask you to consider what is the real value of this deadline of April 1 if the necessary groundwork and consultations are not completed.
- No clearer was this the case than with these four bills. Only when the government was forced to see that its plans to impose a new health union representation system, was in tatters and the possibility of lengthy and expensive

legal action at end of February and early March, did they come around to the idea of actual talking directly with health unions and having a “constructive dialogue”. Until then, we had a government determined to impose its will and what it thought was the right course.

- Even now when there is an agreement between the unions and the government, the government seems to be rushing it through the legislative process.
- On every one of the Bills, the public is given very little (if any) notice of the Law Amendments process, and those that want to participate are forced to wait potentially a long time before they can speak and when they can finally speak, only for 5-10 minutes. Worse still, there has been a time limit and cut-off for how long presentations imposed by the government majority on this Committee.
- On Bill 1, we also had the spectacle of the Premier announcing that there would be no amendments, even before this Committee finished its hearings and its consideration of possible amendments.
- At every stage, the government seems determined to rush and take the minimum time possible.

Unnecessary Security Measures

- Connected with the rush and dictatorial actions of the government is the many additional security measures being implemented during the past year. In my 20-30 plus years, I have never seen anything like it.
- Yes, I understand the need to ensure safety and security of MLAs, staff and members of the public. But I think the present set-up has reached the point where members of the public, especially our NSGEU members are not welcome in this place.
- Everything seems designed to actively discourage and prevent people from coming here and meeting with MLAs. I recommend that the whole security system here needs to be reviewed from this perspective.

Labour Relations Impacts

- Yes, an agreement was reached to allow Bill 69 to come forward. However, given the rushed and dictatorial process followed leading to it, I am wondering how well the new system will work. I am especially concerned with the unnecessary burden of having to negotiate essential service agreements.
- There may be a significant reduction of bargaining units with Bills 1 and Bill 69, but there remains a very complicated and time-consuming process to achieve these essential service agreements that will drag out the whole bargaining process in the way the government said was happening with 50 bargaining units.

- In my view, if the government is serious about improving the labour relations environment in this province, it should rescind and eliminate Bills 37 and 30.

Impact on Front-Line Workers

- I am also very concerned about the impact of these bills on the morale and future plans of our frontline health care workers themselves. Contrary to what the Premier and the Minister have said, our members and those of other unions do care about who represents them and how their bargaining structure operates.
- What we have seen with this legislative turmoil is a much greater sense of uncertainty, stress and low morale among front-line health care workers, and more discussion by them of plans to move out of their chosen professions and even, to leave this province.
- During the past year, I heard many warnings given to this Committee and all MLAs on Bills 30, 37 and Bill 1, and yet, the government chose to press on with its plans.
- Let's face it, health care is still, primarily a direct, person-to-person system that relies on trust and good will. When that trust and good will is seriously eroded and damaged, it will take a long time to restore and maintain trust and good will, no matter how the health care system is structured.

Health Policy Impacts

- In a few days, the new consolidated, restructured health care system will officially take effect.
- However, I remain concerned that this model of one or two health authorities has yet to be fully publicly debated or tested. We have seen some serious issues arise in Alberta and New Brunswick where this model has been implemented. In fact, Alberta is apparently moving back to having 8-10 operational districts after years of having a centralized system.
- In this province, we had a centralized system through the Department of Health until 1994. Then, we moved to regionalization without decentralization until this year. Now, we are moving back to centralization with some regionalization with the four management zones, and virtually no decentralization.
- The government has not apparently learned that to make any significant structural change in health care, literally years of transition and supports will be required with little or no cost-savings and a great deal of anxiety and uncertainty.

Conclusion

- In conclusion, during the past year, we have had a very rushed, problematic and dictatorial legislative process with Bills 30, 37, 1 and now, Bill 69.

- The recent agreements may be historic, but that is mainly due to the significant uncertainty, stress, and unnecessary struggle which the four Bills have created.
- There may be a significant reduction of bargaining units with Bills 1 and Bill 69, but there remains a very complicated and time-consuming process to achieve essential service agreements that will drag out the whole bargaining process. Bills 30 and 37 must be rescinded.
- The legislative turmoil of the last year has created an unprecedented level of uncertainty, stress, and discouragement among front-line health care workers, which could lead to many people moving out of their chosen professions and even, leaving this province than ever before.
- The government has not apparently learned that to make any significant structural change in health care, literally years of transition and supports will be required with little or no cost-savings and a great deal of anxiety and uncertainty.
- We will probably need to re-visit the move to setting up one provincial health authority in a few years' time as has happened in Alberta.
- I again urge that the whole security system here at the Legislature needs to be reviewed from this perspective of how it is actively discouraging people from attending and participating in the Legislature.
- I would also urge again that a Hansard record of the proceedings of this Committee be prepared and posted as is done for all other Standing Committees to my knowledge.
- All in all, in my view, our democratic system is much the worse for what has happened during the past year.

I appreciate this opportunity to speak with you. I welcome any questions or comments from Committee members.