



Special negotiation issue

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# en Action

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## *On the whole*

### A highly acceptable agreement



Hardly one month ago, delegates attended a Federal Council meeting to discuss the proposed tentative agreement. At the time, delegates examined, analyzed and adopted this tentative agreement, with a 95% vote in favour, convinced that it responded to nurses' needs.

However, since then, employers' associations made a turn-about on the duration of the provisions concerning access to positions. Rather than have you vote without knowing the exact content of certain provisions of the agreement in principle, the Executive Committee and the Negotiating Committee decided to suspend the referendum and to convene the Federal Council, if necessary. And indeed, a Federal Council meeting was held on Thursday, March 2.

Thus, at this special Federal Council, though disappointed to see that employers' associations did not keep their word, the members of the Executive Committee and those of the Negotiating Committee recommended that delegates accept the agreement in principle. We believe that this agreement is, on the whole, highly acceptable. After a question and clarification period, delegates confirmed the acceptance of the agreement in principle by a strong majority.

Without having won their point completely, the negotiating team nevertheless succeeded in putting more teeth in the agreement on the duration of the provisions concerning access to positions. In contrary to the wish of employers' associations, these provisions will not automatically come to an end after one year. The employer will have to give a notice to the union if he wishes to put an end to them, which will make it possible in each institution to extend these provisions for the duration of the collective agreement.

Access to positions was, and is still, a priority. What we won is a step in the right direction. Now, employers will have to take responsibility

for bringing into question the new mechanism for the granting of assistant head nurse positions and withdrawing certain provisions that could help to retain nurses who are presently employed and thus help to counter the nursing shortage.

The decision of the Executive Committee, Negotiating Committee and delegates to recommend the acceptance of the agreement in principle is not an endorsement of the employer associations' turn-about, and we believe that we could use this period of time to bring the management of our institutions to come around to our demands. According to several delegates, the directors of Nursing in several institutions have already agreed to apply the new provisions concerning access to positions for the entire term of the collective agreement.

In closing, it is important to remember that, at the end of this long bargaining round which lasted two years, we now have in hand an agreement in principle, won through a difficult struggle, which has enabled us to obtain significant gains. At the risk of repeating myself and notwithstanding what our colleagues of other union organizations think, I must say that some of our gains even opened the way for the settlement in the public sector. We have reason to be proud of our struggle, our gains and our solidarity.

I want to thank the negotiating team for their great work once again. The ball is now in your hands.

President



## AGREEMENT IN PRINCIPLE

*Referendum  
March 16, 2000*

Delegates decided that the referendum on the agreement in principle would be held on March 16. Keep an eye on your bulletin boards for additional information on the vote.

As for information on the new provisions concerning the mechanism of access to "assistant" positions, ask your local union team. There will probably be a local general assembly.

**YOUR PARTICIPATION IN THE VOTE IS IMPORTANT;  
THE ISSUE AT STAKE IS YOUR COLLECTIVE AGREEMENT.**

# Access to positions *Still an important breakthrough*



Before presenting more specifically the provisions concerning access to positions in the agreement in principle, Mrs. Lina Bonamie, 4th Vice President and executive officer in charge of negotiations, reviewed the chronology of events since the last Federal Council meeting with the delegation.



## *A FEW FACTS*

In the days that followed the conclusion of the agreement in principle, the Federation came across a communiqué from the *Association des hôpitaux du Québec* that specified that the mechanism for granting positions of Assistant Head Nurse and Baccalaureate Assistant Head Nurse would only be in effect for one year, beginning on the date of the coming into effect of the collective agreement.

Considering that this was a new element that had never been discussed at the bargaining table, the Federation immediately asked to meet representatives of the *Ministère de la santé et des services sociaux* and employers' associations to clarify the situation as soon as possible. The management party refused to review their position, claiming that it had always been clear that the mechanism would be in application for one year. The Federation then contacted the *Ministère de la santé et des services sociaux*.

During a meeting with the minister, the representatives of the Federation argued that the issue of access to positions was very important for all nurses. They also indicated that this turn-about aroused feelings of deception and bitterness among nurses, not to mention the fact that the image of the government and its representatives would once again be marred by their refusal to keep their word. Finally, the representatives of the Federation reiterated that it would be unfortunate that the agreement in principle be brought into question, on account of the employers' turn-about, since the agreement had until then been well-received by nurses.

Moreover, in order to be able to continue exercising pressure and to ensure that the agreement in principle on which members would vote would be the same as the one concluded, the Executive Committee decided to postpone the February 24 referendum. Thus, the presidents of affiliated unions were informed of the situation and of the postponement of the referendum on February 18. On the same day, the Federation held a press conference and a flyer was sent out to all institutions.

The management party and the Federation upheld their respective understanding of the agreement in principle. Given this deadlock, and conscious of the fact that the content of the agreement in principle should also be taken into consideration, the Federation decided to convene the management party in order to see if it would be possible to find new grounds for agreement on the question of access to positions.



The results of these talks were presented to the delegates at the Federal Council. The latter, although bitter and shocked by the employers' turn-about, nevertheless agreed by a large majority, after analysis of the agreement as a whole, to recommend the agreement in principle with the modifications introduced regarding the duration of the new mechanism for the granting of assistant positions.

## *NEW PROVISIONS*

- Firstly, the rules for the granting of assistant positions contained in the agreement in principle, as already presented, remain the same, that is to say: an evaluation grid which takes into consideration training, experience and personal skills.
- The mechanism for the granting of positions will be in application for a minimum period of 12 months. This 12-month period will begin on the date of the first posting of an assistant position in institutions. Moreover, all positions which are posted, newly-created or which become vacant during this period will be subject to this mechanism.

*The 12-month period will therefore only begin when an assistant position is posted. As long as no such position is posted, the 12-month period will not begin.*

*Moreover, this mechanism will not apply only to posted positions, but also to any position which becomes vacant during the 12-month period. Thus, if such a position becomes vacant during this period, the mechanism for the granting of positions will apply regardless of when the employer decides to post it.*

- Thirty days before the end of the 12-month period, or any time afterwards, the employer or the union must give a 30-day notice if he wants to reconsider the mechanism. Following this notice, the local parties must meet and negotiate the rules that they

intend to follow for the granting of these positions. If there is no agreement, the rules stipulated in the collective agreement presently in effect will apply. Failing a notice to reconsider, the mechanism for the granting of positions will remain in effect.

*Thus, it will be up to each local employer or each local team to put an end to this mechanism. Employers will no longer be able to escape their responsibilities; if they want to put an end to the mechanism for the granting of positions, they will have to say so. They will no longer be able to hide behind the provincial parties.*

- Finally, the parties at the Quebec level will be able to agree, in the framework of their work on the classification of nursing jobs, to extend the duration of the mechanism for the granting of positions. They will also be able to agree on a new mechanism.

*If the parties at the Quebec level decide to extend the 12-month period, this extension will apply automatically in all institutions.*

*If the parties at the Quebec level agree on a new mechanism, this amendment to the collective agreement will apply only after it has been ratified locally.*

**This new information concerning the duration of the provisions concerning access to positions, in addition to that presented in the last issue of the *FIIQ En Action* and the document *Renewal - Collective agreement: agreement in principle*, make up the agreement in principle. If you accept it, this will become FIIQ nurses' new collective agreement.**



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