

Reviewing our progress to strengthen negotiations



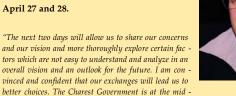
THE GAINS

SPECIAL ISSUE ON NEGOTIATIONS

The Federation continues to be the favourite union association among nursing care and cardiorespiratory professionals. The delegates were informed of the latest results obtained. As we go to press, 16 institutions in the third wave had opted for a FIIQ-affiliated union.

- CLSC-CHSLD des Pave-d'en-Haut
- lewish Rehabilitation Hospital
- CHSLD Bayview Inc
- Montreal Chinese Hospital
- CLSC-CHSLD du Haut-St-François
- · CS de la MRC de Coaticool
- Carrefour de la SSS du Val-St-François
- Santa Cabrini Hospital
- . CSSS du Haut-Saint-Laurent
- RSSS des Basques
- Centre Maria-Chapdelaine
- CSSS de la région de Rivière-du-Loup
- Centre de santé des Etchemins
- CSSS de la Haute-Gaspésie
- Réseau de santé de la Matapédia
- CSSS de Kamouraska

The context, the local negotiations and the latest results of the affiliation votes were the three essential points of President Jennie Skene's opening remarks at the Special Federal Council on the Negotiations on April 27 and 28.





point in its mandate and has imposed changes with which we must deal. It is now up to us to make decisions to give ourselves the basis for beginning the negotiations under the best possible conditions for our members."

As the President reminded the delegates, the sociopolitical and union context is constantly shifting. "The reperussions of Bill 30 on our organization have been enormous. It compels us to make major changes through which we must find our own way of operating which will allow us to meet expectations and satisfy the needs of all nursing care and cardiorespiratory professionals. That is our major challenge," the President continued. "For this purpose, it will be essential, among other things, that the negotiations take place under the best possible conditions for us. It is necessary and urgent to prepare the ground and arm ourselves with appropriate tools so that we can take the reins in the negotiations, achieve our priority objectives and obtain what

The President recalled that decentralization of the negotiations has already been an issue for several years. "We need only remember the 1998 round of negotiations, when decentralization was the priority of the CPNSSS, the employer negotiating committee. A few months later, the Parti Québécois Government ordered the employer associations to renounce decentralization as a priority demand at the bargaining table." The Liberal Government's arrival in power in Quebec gave reason to expect that the debate would be revived. A few months after its election, this expectation became a reality and Bill 30 was adopted.

The President also pointed out that, in general, the organization is very satisfied with the results of the votes. The known results of the third wave are not consistent with those of the first two waves, but the President reminded the delegates that wherever the FIIQ finished second, it was already in a minority. "The game has only been postponed," she told the delegates affected by these results. "On the other hand, we managed to vin victories in institutions where we were in the minority. Congratulations to the union reps for the work accomplished. It's very important to remember this for the votes ahead. We must never give up and admit defeat. The Federation is the best choice for nursing care and cardiorespiratory professionals and we must make every possible effort to get the message across. The Executive members and the consultants are there to support you. Don't hesitate to ask for help if necessary."

At the end of the Federal Council, the President reminded the delegates that their decisions regarding decentralization had no other objectives than to ensure a victory on the negotiating priorities. She also explained that "the decentralization of negotiations in favourable and acceptable conditions does not necessarily entail that we call into question all employees' rights as some alarmist people claim. The FIIQ will always be there to negotiate, for all nursing and cardio-respiratory care personnel, issues such as retirement, job security, salary insurance, the grievance settlement procedure and the quantum of annual vacations to name but a few. She looked forward to meeting everyone again at the June Convention, at which the debates and decisions will make it possible to build the future togethe.

Decentralization:

some key dates

1960

- The Hospital Insurance Act is adopted.
- The health and social services network begins to develop.
- The labour movement experiences major growth.
- The many different unions seek to band together to increase their bargaining power and standardize working conditions.

1964

- The Labour Code is adopted.
- The right to strike is recognized for public service and public sector employees, except for police officers, firefighters and peace officers.

1966

- The Quebec Government intervenes directly in the negotiations after a strike is called, entering into the collective agreement for the entire province in place of the employers.
- During the negotiations, the unions partially achieve their objective of standardization of working conditions.
- A first step toward centralized negotiation of collective agreements is taken.

1071

- The Act respecting the process of negotiation in the education and hospital sectors is adopted.
- The Government legally becomes a party to the negotiations.
- This Act confirms that the negotiations are conducted through bargaining agents representing the union and employer associations.

1985

- The Act respecting the process of negotiation in the public and parapublic sectors receives assent in June.
- This Act creates an opening to partial decentralization of the negotiations by providing for a series of matters which can be the object of local arrangements and the possibility for the national parties to agree on matter
- possibility for the national parties to agree on mattes which can be negotiated at the local level.

 Section 57 of the Act is never applied, since the par-

1001

 A very gloomy period in the economy and in labour relations

ties do not agree to decentralize any matters.

- The economic recession and the crisis of public finances serve as the backdrop to the Bourassa Government's discourse.
- The spectre of Bill 160, harshly applied against the FIIQ nurses following their September 1989 strike, still haunts union members in the health-care sector.
- After publicly showing their discontent, the unions reluctantly accept the government proposal to extend the collective agreements for six months with a salary increase.

1992

- A tripartite committee, composed of the government, the employer associations and union organizations, is set up to examine the process in force and try to reach a consensus on the thorny issue of decentralization of the negotiations in the health and social services sector.
- In October, the FIIQ delegates adopt the common platform developed by the union organizations, which redefines the process of negotiation.
- This approach does not have the desired outcome, but allows a better understanding of the impacts of decentralization on the negotiations.

1998

- Decentralization of the negotiations is the priority of the CPNSSS, the employer negotiating committee.
- The union organizations resist and mobilize to counter the employer associations' offensive.
- The FIIQ insists on resolving the difficulties relating to the nursing problem and negotiating its draft agreement to reach a settlement before summer 1999. It is in total disagreement with the proposal that decentralization of the negotiations be the issue for this round of negotiations.

1999

- In April, the Government of Quebec orders the employer associations to renounce decentralization as their priority demand at the bargaining table.
- These associations then transfer their struggle for decentralization to the very centre of the discussions with the CPNSSS.
- After the collective agreement comes into force, the employer associations resume their lobbying. The Clair Report supports their arguments that the collective agreements are too cumbersome.
- The election platforms of both the *Action démocratique du Québec* and the Liberal Part see decentralization as an answer to the ills a fflicting the Quebec health-care system.

2002

As it begins to prepare the draft collective agreement in fall 2002, the Federation, in its analysis of the context, foresees that the potential coming to power of a Liberal Government in Quebec risks reviving this debate.

2003

Bill 30 is adopted. It decentralizes 26 matters to be negotiated at the local and regional levels.



Delegates greeted, with great enthusiasm and a thunder of applause, the following unions in the ranks of the Federation:

- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires du CSSS Baie-des-Chaleurs
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires du Centre hospitalier régional de Sept-Îles
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires du Centre de santé et des services sociaux de la Côte de Gaspé
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires du Centre de santé de Chicoutimi
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires du Centre de santé et des services sociaux de Montmagny-L'Islet
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires de Drummondville
- Syndicat des professionnelles de la santé du réseau Papineau
- Syndicat des professionnelles en soins de santé du Nord de Lanaudière
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires Antoine-Labelle
- Syndicat des professionnelles en santé du CSSS Deux-Montagnes / Sud de Mirabel
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires du CSSS Rivière-du-Nord / Nord-de-Mirabel
- O Syndicat des professionnelles en soins du Suroît
- Syndicat des professionnelles en soins infirmiers et cardiorespiratoires du CSSS Champlain
- Syndicat des professionnelles de la santé Haut-Richelieu / Rouville
- Syndicat des professionnelles en santé du CSSS Vaudreuil-Soulanges
- Syndicat des professionnelles en soins de santé du Jardin-Roussillon

FIIQ+ positions itself for the negotiations

On the second day of the Federal Council, the Responsible Executive Officer, Lina Bonamie, and the coordinating team of the negotiations shared with the delegates the conclusions to be drawn from the context and the stakes for the next round of negotiations. The discussions in the workshops the day before gave everyone a clear understanding of the challenges to be faced in the months ahead, including those concerning the negotiating schedules and the impacts of decentralization on the negotiations. In addition, the overview of the political, union and internal contexts and the origins of decentralization of the negotiations led the delegates to reach some conclusions.

For example, according to same delegates, the application of Bill 30 and the period of union allegiance votes it has triggered have raised doubts which inevitably will persist for some time. By changing the union representation map in the health-care sector, Bill 30 has greatly destabilized alliances and made interunion solidarity difficult.

As the Responsible Executive Officer explained, since these waves of votes will only end in the fall, it would be utopian, even unrealistic to think of entering into an a græment in principle before they are over: As we know, periods of change of allegiance and negotiations do not go well together. However, as soon as the votes are completed, there will be a rush towards a settlement before the end of 2005, regardless of whether agreements had been made this spring in the education and public service sectors. In power since April 2003, the Government cannot afford to enter the last year of its mandate without having concluded the negotiations with the 500,000 government employees.

Different objectives

Another conclusion is obvious: the different organizations present in the public and parapublic sectors have adopted negotiating priorities oriented to their members' needs. Thus, for the FSSS (CSN) and CUPE-SQEES (FTQ), most of whose members work in sectors of activity targeted by privatization, such as food, laundry and housekeeping services, the issue at stake for the next round of negotiations primarily is protection against subcontracting. The priority for these organizations clearly will be to maintain jobs.

Care professionals face a different reality. The staff shortage is the focus of attention because it severely compromises maintenance of services. For the FIIQ, which represents only health professionals – in fact, it will represent the vast majority of them by the end of the union allegiance votes - the issue at stake in these negotiations is thus to

establish working conditions which, while assuring the quality of life at work, will make it possible to attract the succession and prevent some of them from leaving the network prematurely.

A proactive vision

When the issues differ, the strategies may differ as well. The FIIQ's priority demands, particularly regarding the restructuring of work time, the number one priority, and the stabilization of positions, the number two priority, will require many hours of exchanges and discussions at the national bargaining tables. The attainment of these priorities will also require many amendments to the clauses of the national collective agreements. Moreover, sustained negotiations can be expected at the local level to ensure that the priorities voted by more than 97% of the members can take shape completely in a local collective agreement.

However, despite all the work to be done, the delegates consider that they must act in the best interests of the members by being proactive and taking advantage of the context. The delegates adopted various resolutions along these lines which will make it possible to restart the national negotiations and initiate the local negotiations at the appropriate time.

Decentralization that serves our priorities

Currently, the key factor that hinders the negotiating process and impedes the progress of the work is the decentralization prescribed by Bill 30. All the organizations present in the health and social services sector are running into the same difficulty: negotiating with the CPNSSS on the basis of a national proposal, while the CPNSSS is negotiating on the basis of a decentralized agreement. For the delegates, an approach where the parties negotiate both the container and the contents is the way to arrive at for arriving at a common interpretation of Schedule A.1 of Bill 30 (the 26 matters to be negotiated at the local or regional level).

This approach leaves it up to the bargaining tables to define the division of the matters, without any assurance that the content negotiated at the local level matches with the content negotiated at the national level. For the Executive Committee, the Negotiating Committee and the Federal Council delegates, there is no question of accepting this: the members' interests are at stake

Instead, the delegates are convinced that decentralization of the negotiations to the local level is possible and that an agreement on the meaning and scope of Schedule A.1 will guide the national and local negotiations. To achieve intelligible and sensible decentralization, the delegates decided that the following conditions must be met:



- the decentralization must allow achievement of the negotiating priorities already identified at the local and national levels;
- the content of the national and local sections of the collective agreement that will be made must be consistent;
- the employer must grant leave to the employees who are responsible for conducting then negotiations and for performing the work necessary to prepare for them;
- the parties must participate in good faith in the local negotiating sessions;
- the parties must have enough time to conduct the local negotiations successfully.

Settling at the Quebec level first

Bill 30 provides that the parties must reach an agreement within twenty-four (24) months of certification of the new union. Once these twenty-four (24) months have expired, the employer must request the intervention of a mediator-arbitrator. For the period between the 12th and the 24th month, either party may request the mediator-arbitrator's intervention. However, in the first twelve (12) months, only a joint request by the parties can trigger mediation-arbitration.

Given this framework imposed by Bill 30 and the fact that the content of the national negotiations will inevitably influence the content of the local negotiations, it is important to ensure that the local negotiations not conclude before the national negotiations. Several matters of local jurisdiction depend on a principle which must first be negotiated at the national level. For example, how can an agreement be concluded on the conditions for taking annual vacations if the quantum of these vacations has not yet been agreed at the national level?

Local teams ready to negotiate

Based on these discussions and after arriving at these conclusions, the delegates adopted recommendations to establish a specific negotiating framework. Thus, the Federation was mandated to enter into discussions first with the CPNSSS to agree on the framework within which there could be a decentralization of the negotiations that

FIIQ+ positions itself for the negotiations

would allow achievement of the negotiating priorities. The results of these discussions will then be submitted for approval to the Executive Committee on the Negotiating Committee's recommendation. For the delegates, the following points must be part of this framework:

- an agreement with the CPNSSS on the scope and meaning of Schedule A.1 of Bill 30 establishing the general principles necessary for the application of the major national processes, which are negotiated at the national level;
- a union leave bank for the purposes of the negotiations and their preparation must be available to the unions and the members of the boards of directors or executives of the regional unions;
- an agreement regarding the holding of good faith negotiations in which the local parties undertake, before resorting to the mediator-arbitrator, to engage in discussions for a period of at least one year and not to conclude these discussions as long as the discussions at the national level are under way.

In the light of the agreement reached on the scope and meaning of Schedule A.1, the delegates mandated the Negotiating Committee to review the draft national collective agreement. Thus, once it is decen-

tralized, part of its content will remain under national jurisdiction and part will constitute the draft local collective agreement. This local draft would serve as the basis for the local negotiations in all institutions.

Parallel to this work and to be in full readiness, each affiliated union (local, regional and sectional) will proceed to set up its local negotiating structure in accordance with the orientations presented at the March 2005 Federal Council. Around mid-September, the Federation will hold training sessions on the local negotiations with the permanent members of the committees that will be created. This training will serve, to some extent, as the starting point for the local negotiations.

The delegates also requested specific training for the local representative or the president of the union in the network or the institution and the president of the regional or sectional union.

Taking control of our negotiations

The delegates believe that, since its founding, the Federation and its unions have always been successful in negotiations. Collective agreement after collective agreement, through projects in organization of work, workforce planning and the obligation of accommodation, the Federation, its unions and its members have shown initiative in moving their issues forward, opening defending their proposals and being on the firing line to support their demands. On every occasion, the Federation has always backed up its words with concrete actions. Transparency, militancy and determination are three key words at the basis of every decision and action taken by the union reps and the elected officers.

Despite the difficulties caused by the bargaining unit mergers, it can be affirmed without contradiction that a new union force is emerging in health-care and in the Quebec labour movement. As it emerges from the change of allegiance campaign, FIIQ+ will include almost all nursing care and cardiorespiratory professionals. Federation and its affiliates thus will have the strongest bargaining power in the health-care network. The Federal Council delegates are convinced that the proactive approach they have adopted regarding the negotiations is the best strategy, if not the only strategy, to prevail regarding the priority demands and ensure the improvement of working conditions for all of its members - those who have been part of it for some time already, those who have just recently opted for FIIQ+ and those who will join it in the months ahead.

Delegates have their say

Through discussion workshops on the first day, the delegates were able to share their vision of the current context and reflect collectively on the decentralization of the negotiations. Greatly appreciated by most of the delegates, these workshops allowed them to engage in small-group discussions on issues that closely concerned them. Nine groups were constituted, including one in which the discussions were conducted in English. Each group could count on the presence of a member of the Executive Committee, a facilitator and a secretary who took note of all the comments. "This was a great opportunity to speak up, express our concerns and offer solutions!", many delegates pointed out.

A COMMON INTERPRETATION OF THE CONTEXT

A clear understanding of the current was an essential objective of the workshops to make informed choices. How can decisions be made without a common interpretation of the current situation? The discussions, of course, focused on the Charest Government's decisions and alignments. Everyone agreed that, since its election the Government of Quebec has confronted union organizations with a series of laws, each successively more unjust and unpopular. Despite the court challenges and mass mobilization against the imposition of these laws, the organizations have no other choice than to organize to face the music. For many delegates, the waves of affiliation votes are going well and it is now time to think about preparing for the local negotiations.

THE LOCAL CONTEXT

All of the delegates clearly understood the context in which the organization will have to operate and the stakes involved. The biggest questions they raised concerned the local context. This subject undoubtedly generated the most interventions in every workshop. Everything was put on the table: the fears regarding the members' participation, the employer, the process of negotiation, the Federation, the local teams or the members' diversity. "People are afraid of the unknown," some delegates said. "Sometimes it's worrying," said others. "It's a major challenge," some pointed out. "Why would it be to the employer's advantage to listen to us?" still others mentioned. What emerged from these questions after the workshop?

OUR BARGAINING POWER

Several arguments were raised. The most important was surely the staff shortage context. Nursing care and cardiorespiratory professionals are essential to an institution's operations. It is therefore in the employer's interest to maintain good relations with them. The delegates also noted that competition between institutions will be livelier, even fierce, and that attracting and retaining the workforce will then acquire its full meaning for employers. All the workshop participants agreed that a good knowledge of the work environment, strong mobilization, unfailing solidarity, real consensus building, constant support from the Federation and regular communication are essential factors to the success of the local negotiations. These workshops also led the delegates to become aware of their strengths, on which they can and must rely to carry out their local negotiations successfully. Confidently, some completed their deliberations by adding: "and if we add our expertise to this, anything is possible!"





7™ Regular Convention

June 6, 7, 8, 9 and 10, 2005

The Federation will hold its next Convention in June. This Convention, the seventh since the creation of the Federation in 1987, will be the first since the merger of the bargaining units. It will bring together nurses, nursing assistants, respiratory therapists, pulmonary function technicians, perfusionists, child nurses, baby nurses and extra-corporal circulation technicians who have chosen FIIQ+ to represent them. Everyone is now part of the same team, a team that is bigger and stronger than ever. This Convention will thus be the opportunity to get to know each other and debate issues that challenge and concern every member to the greatest degree. Everyone will have to exchange ideas, reflect and decide on the future of FIIQ+. "Building the future together" is not only the Convention theme but a common future to be developed over these five days of productive debates.

This is a stimulating and energizing challenge for the Federation to lay the foundations of a common project for all nursing care and cardiorespiratory professionals. This will also be the time to elect the members of the Executive Committee and the standing committees. Notices of election and nomination forms for the statutory and standing committees are available to all members from the local teams in the institutions.

Erratum



An error unfortunately slipped by in the last issue of the Information newsletter on the union allegiance campaign included in the April 2005 issue of FIIQ en Action. The representatives were from the CHA and not from the CHUQ. Thus, on page 4, the text that accompanied the photograph should have read as follows:

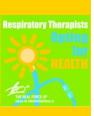
Union representatives of the CHA were satisfied with the result of the vote. The FIIQ will represent all the nursing and cardio-respiratory care personnel at the CHA.

We are terribly sorry for any confusion which this may have caused.

May is Health Month







At the Federal Council, Jennie Skene informed the delegates of the vision the Federation has adopted with the arrival of new members by establishing May as Health Month for all health professionals. She was delighted to point out that Nursing Assistants Day falls on May 5 and Nurses Day on May 12. The FIIQ has added another day to emphasize the important work of respiratory therapists in the health-care network. Ms. Skene reminded the delegates that "our professions involve vital but distinct characteristics which must be emphasized". She therefore announced that May 19 is now designated as Respiratory Therapists Day.

Finally, the President recalled the importance of the chosen theme: "Opting for Health". "We have to take on challenges so that we can practice our profession in a health-care system which today does not always offer the quality of life in the workplace necessary to exercise it fully. It is up to us to opt for health and defend our profession together so that we can provide health care under good conditions."

Enjoy the celebration!

HOME AND CAR

INSURANCE

The company La Personnelle assurances générales has been offering home and car insurance plans at preferential rates to the members of the Federation for several years now. In fall 2003, the Federal Council delegation authorized this company to contact you by telephone. However, it is clear that La Personnelle assurances générales will not disclose the name list of FIIQ members to a third party.

It is important to remember that, by virtue of the Act Respecting the *Protection of Personal Information in the Private Sector*, you can refuse to have your name and personal contact information (personal address and telephone number) transmitted to service providers. Your name will then be definitely removed from the lists transmitted for the purpose of validating that you are a member of the group or for solicitation by service providers with the approval of the FIIQ. Since it has been some time since this notice has circulated and new members have joined the ranks of the Federation, the Executive Committee felt it was pertinent to publish it again.

IF YOU DO NOT WISH YOUR CONTACT INFORMATION TO BE COMMUNICAT-

ED to a company that has concluded an agreement liable to benefit all FIIQ members, PLEASE COMPLETE THE SECTION HEREUNDER and return it to the FIIQ Quebec City office before June 15, 2005:

FIIQ - Québec 1260, boul. Lebourgneuf, bureau 300 Québec (Québec) G2K 2G2

I, undersigned, explicitly refuse that personal information which the FIIQ detains regarding me be used for purposes of commercial prospection and solicitation in the context of agree ments which it concludes for the benefit of its members.

Name
Address
City:
Province:
Postal Code:
Telephone (home):
Telephone (work):
Signature:
Date:

JUNE 6, 7, 8, 9 AND 10, 2005 CONVENTION



To all members of FIIQ-affiliated unions

NOTICE OF ELECTION FOR THE FIIQ EXECUTIVE COMMITTEE

In accordance with the FIIQ Constitution and Bylaws, we notify you that there will be elections at the Convention to be held on June 6, 7, 8, 9 and 10, 2005, in St-Hyacinthe, for the positions of:

- President
- · Nurse vice-president
- Nursing assistant vice-president
- · Respiratory therapist vice-president
- (2) vice-presidents
- Secretary
- · Treasurer
- · Associate Secretary-Treasurer*

NOTICE OF ELECTION FOR THE STATUTORY COMMITTEES

- Election: 3 members (1 president and 2 associates)
- · Union Defence Fund: 2 members
- Internal Audit: 3 members

NOTICE OF ELECTION FOR THE STANDING COMMITTEES*

- Status of Women: 6 members
- · Education-Animation: 6 members
- Journal: 4 members
- · Occupational Health and Safety: 6 members
- Insurance: 3 members
- Youth: 5 members (30 years or less)

FOR THE EXECUTIVE COMMITTEE, THE STATUTORY COMMITTEES AND THE STANDING COMMITTEES

- Candidacies can be submitted until twenty-four (24) hours after the official opening of the Convention;
- To submit your candidacy, you must be a member in good standing of a union affiliated to the FIIQ, complete a candidacy form and return it, along with the "member in good standing certification", to the attention of the president of the Election Committee at the head office of the FIIQ: 2050, rue de Bleury, 4° étage
 Montréal (Québec) H3A 2J5
- It must arrive no later than 5 p.m. on June 1, 2005, or can be handed to the president of the Election Committee at the Convention;
- You can obtain a copy of the candidacy form at your local union office, by calling Dominique Trudeau (tel.: 514-987-1141 or the toll-free number 1-800-363-6541), or by asking the Election Committee at the Convention:
- Candidates must hand in a short text of presentation along with their candidacy forms.

* NOTE:

Please note that notice of modification of the composition of the FIIQ Executive Committee was tabled at the last Federal Council for decision at the Convention. If this motion is adopted, it will have the effect of increasing the number of vice-presidents from 5 to 6 and abolishing the position of Associate Secretary-Treasurer. Motions concerning the standing committees will also be debated, which could have the effect of modifying the number and composition of the standing committees.







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