

## COMMISSIONER'S UPDATE #2

February 22, 2019

To: All Unionized Health Care Workers in Manitoba

As Commissioner, my job is to implement the changes to the union structure required by The Health Sector Bargaining Unit Review Act (HSBURA), sometimes referred to as Bill 29. My goal is to do so through a fair vote in which unionized employees are informed and involved.

My first update was distributed in October by the unions. This update is again being sent out by the unions and at my request, also by the employers. You may get two copies but the content of both will be identical. Because employers are also distributing the update, some non-union employees may receive it. That's okay. Understanding the process will be helpful for everyone working in health care whether or not they are directly involved. However, only unionized employees will be able to vote.

I am setting up a website to assist with future communications. It will contain union contact information and copies of Commissioner communications such as this update. You will be able to access it at [www.bill29commissioner.com](http://www.bill29commissioner.com) in the very near future.

Q When will the votes be conducted?

A The votes cannot be scheduled until the conditions for successful votes are in place which I expect will be in the next few months. The plan is for the votes to be conducted in two phases:

- Phase 1: votes for the bargaining units in the rural Regional Health Authorities (Northern, Southern Health-Sante, Interlake-Eastern and Prairie Mountain)
- Phase 2: votes for the bargaining units in the WRHA and Shared Health

Q Why has this process taken so long?

A The legislation became effective in May 2018 when I was appointed. Since then, a number of issues have been resolved by the hard work of the parties but more work remains to be done. The health field is large and complicated:

- 6 employers organizations grouped together for labour relations purposes.
- 13 unions that represent approximately 49,000 employees working in over 300 work locations and included in over 190 bargaining units each with its own collective agreement.
  - After implementation, there will be 36 bargaining units. Each of the 6 employers organizations will have between 5 and 7 bargaining units.
  - Over 1250 unionized classifications will be slotted into these new bargaining units by the unions and employers. Your classification will determine which bargaining unit you are in.

Q How will the votes be conducted?

A In discussion with the unions and employers, an independent third party was selected to conduct the votes electronically. This will allow employees to vote from anywhere. If employees are on leave such as vacation or sick leave or not scheduled to work when the votes are being held, they will be able to vote by either logging in to a voting website or by using a touchtone phone. Detailed instructions will be provided later in the process.

In the past, some representation votes required that employees attend at a polling station on a particular day to vote in person. The expense and inconvenience of that approach will be eliminated. Similarly, by using this process, there will be no need for mail-in ballots.

Q What will I be voting on?

A The ballot will contain a list of unions (in random order) that are eligible to be selected. Employees in a classification in that new bargaining unit will have the opportunity to vote for one of those unions. The union that receives the most votes will be the successful union. That union will be responsible for representing all employees in the new bargaining unit regardless of which union represented those employees before the vote.

To be clear, employees are only voting on the question of which union will represent them in the future. Your existing collective agreement and the pay, benefits, seniority and working conditions set by that agreement will continue to apply after the vote regardless of which union is successful. Those provisions will continue to apply until a new collective agreement is negotiated by the successful union.

No one from any union or employer can guarantee what will be in the new agreement or when it will be achieved.

Q Is the voting anonymous?

A Yes. The voting process is completely anonymous. Unions, employers and their representatives will never know how anyone voted. The parties will know WHO voted but not HOW anyone voted. This is similar to government elections where parties are made aware of who voted but not how they voted.

Q When can collective bargaining begin?

A Collective bargaining cannot begin until after the votes have been conducted and the successful union has been determined. How soon bargaining for a new collective agreement can begin after the votes will be up to the successful union and the employers organization. However, given the size and complexity of each new bargaining unit, preparing for bargaining will be a complicated process for both unions and employers.

Q How can I become “informed and involved”?

A Getting informed can involve contacting unions to get information and to ask questions, attending meetings that unions may hold in your area and accessing the website that I will be introducing.

Getting involved will be easier than ever before. There will be a voting period during which employees can vote from anywhere by using any computer, smart phone or touchtone phone.

Finally, I would remind you that the unions and employers have committed to avoiding doing anything that would have a disruptive impact on services to patients and their families. As important as these votes are, it is also very important that the process does not become a distraction from everyone’s job responsibilities.

**Robert Pruden**  
**Commissioner**