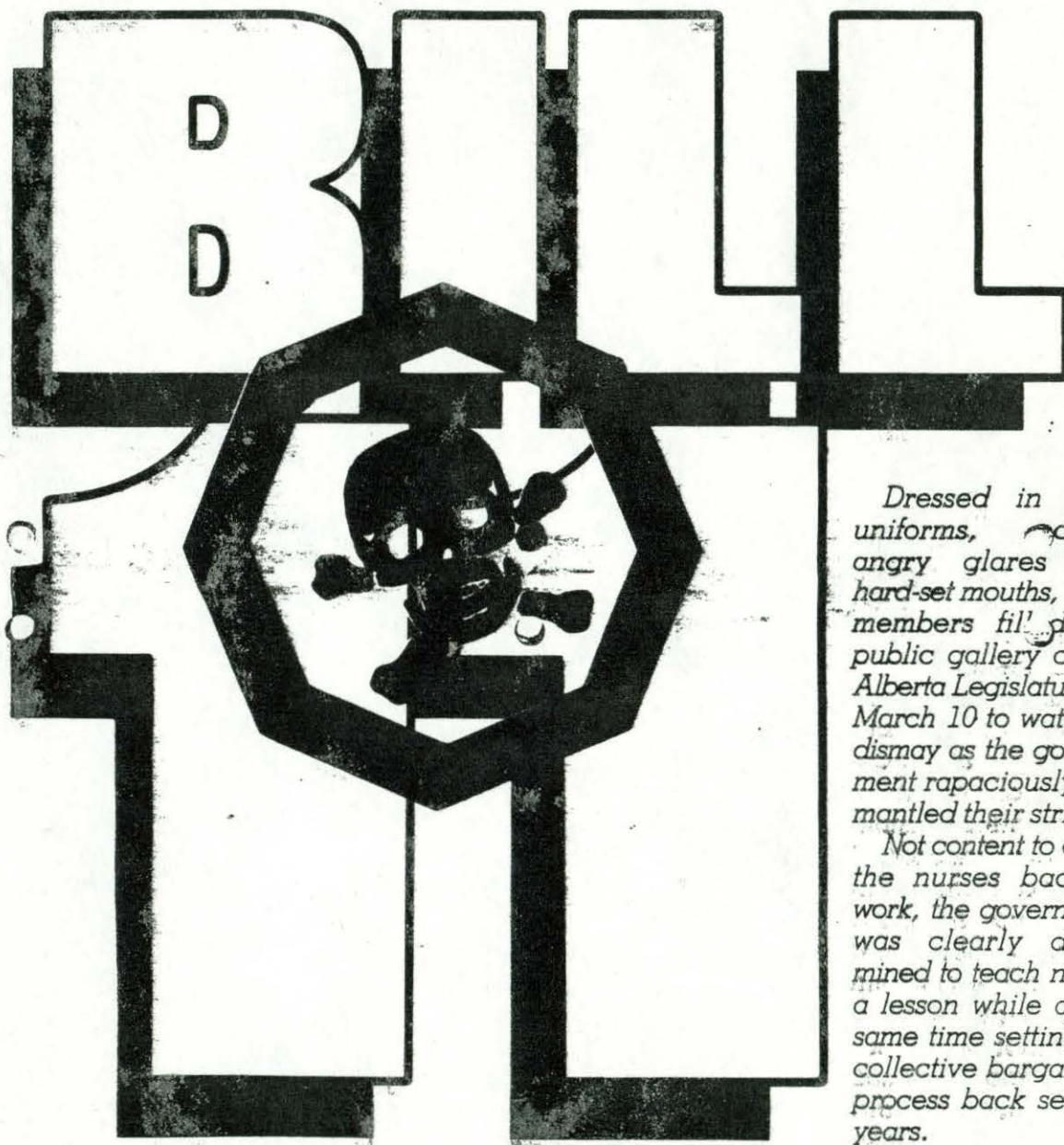




## NEWS BULLETIN

Vol. 6, No. 1

APRIL 1982



*Dressed in their uniforms, sporting angry glares and hard-set mouths, UNA members filled the public gallery of the Alberta Legislature on March 10 to watch in dismay as the government rapaciously dismantled their strike.*

*Not content to order the nurses back to work, the government was clearly determined to teach nurses a lesson while at the same time setting the collective bargaining process back several years.*

**Govt was clearly determined to teach nurses a lesson. . .**

**INSIDE:**

- UNA Annual Meeting
- Health Unit negotiations
- Young sets Tribunal

*Described by New Democratic Leader and MLA Grant Notley as one of the "slopiest pieces of legislation" ever presented to a Legislative Assembly Bill 11. . .*

continued on 2



... the Health Services Continuation Act, contained articles which undermined the union and its decision-making process.

The core of Bill 11 was to order striking nurses back to work but the more fleshy parts of the Act stripped UNA members and those associated with UNA (as employees or legal advisors) of their fundamental rights - the rights of free speech and association.

In a letter to the Premier Peter Lougheed, ten professors from the Faculty of Law at the University of Alberta underscored Notley's distaste for the legislation by describing it as Draconian.

In their letter to Lougheed the professors questioned why

Yet, on March 9, one day later, the Minister of Labour attempted to receive unanimous consent from the Legislative Assembly so that he could introduce Bill 11 on that day.

The Minister was unable to obtain that consent and so Bill 11 was introduced, read, passed and proclaimed on March 10.

And to make matters worse the UNA negotiating committee along with members of the AHA negotiating team had met with the Minister of Labour on March 4 when he told them that neither he nor his government had any intention of intervening in the strike. That is, the government would not order the nurses back to work.

## ... "the Legislature of Alberta has circumvented accountability" ...

the Minister had not used Section 148 of the Alberta Labour Relations Act to order the nurses back to work.

"Might it be that under the Act, the government would have to justify its decision and demonstrate the actual existence of an emergency?" they asked.

"Even under the most extreme legislation in Canada, the War Measures Act, the Government of Canada must be prepared to declare the existence of an emergency."

Further the professors charged that "the Legislature of Alberta has circumvented accountability by singling out a particular strike, and particular group of employees, and imposed Draconian measures upon them."

During the debate on the Bill in the Legislature Notley posed similar questions to the cabinet charging that the government did not want to have to justify that an emergency actually existed in the hospital industry. Instead the government neatly skirted the issue by introducing Bill 11.

The speed with which the Minister of Labour introduced Bill 11 was certainly enough to take the nurses' breath away.

Apparently, Young and his cabinet cohorts were hasty in introducing the bill because of information they had received from the College of Physicians and Surgeons.

At the request of the Premier, the Ministers involved in the dispute met with the Board of the College on Friday, March 5, 1982, to discuss the state of the province's hospitals.

As a result of that meeting and a subsequent letter received on the same day from the College, the Premier and the Minister involved somehow determined that an emergency existed.

Although this information was apparently received on March 5 by the cabinet ministers it is interesting to note that three days later the Minister of Hospitals and Medical Care, Dave Russell said in the legislature that: "Insofar as the condition of the hospitals is concerned, the report I got today (March 8) shows things

But by March 9 the Lougheed government completely reversed its position.

The atmosphere in the Legislature that day was obviously acrimonious as UNA members watched the provincial cabinet ministers go through a series of gymnastic manoeuvres in order to try to justify the dramatic shift in their position.

Notley persistently refreshed the Minister of Hospitals' memory regarding his apparent about-face on the nurses strike.

Yet, throughout the debate the Minister of Hospitals and his other cabinet colleagues insisted that further information received from the University of Alberta Hospital and other reports had been the reason they changed their minds and their position.

In response to the Minister Notley asked where those reports were and why the members of the Legislature had not been informed of this information.

Commenting on the letter from the College Notley said: "But as much as I respect the College of Physicians and Surgeons and I respect that body immensely - what we have is an opinion. We don't have any evidence to back up that opinion," he said.

While questioning the Minister about the reports apparently received by the government regarding the condition of health care in the province Notley insisted that there were probably other options open to the government besides a back to work order.

"The question is: Was there any alternative? Clearly, the most sensible alternative, in my view, would have been to resume collective bargaining, continue the process ... since the gap between the parties' positions as noted by the Minister of Labour had narrowed significantly.

Further he said that "... we have to recognize that we're dealing with some pretty fundamental rights of people: the right to free collective bargaining and withdrawal of one's services. People may not like strikes. Nobody likes strikes. But it's one of the rights we have in this province, and if we're going to take away that right, we have to know that there is no other alternative, that there is in fact an urgency

The NDP MLA also attacked the government for not accepting its responsibility in the health care negotiations noting that it was quite willing to jump into the fray when it seemed politically wise to do so.

"... we all know that the last dollar funding provision of hospitals makes it clear that the government has to be involved, that if we are going to talk about better working conditions, if this report of 1980 is going to become a reality, it's going to have very significant financial implications, that has to be dealt with by the government of Alberta," Notley said.

Stressing that Bill 11 is a "bad piece of legislation that should not dishonour the statute books of our province," Notley proceeded to unravel the bill bit by bit in order to clearly point out the repressive nature of the act.



Calling Section 4 of the act an article which requires "the bargaining agent to become the vehicle of this Legislature," Notley stressed that when a union indeed becomes an arm of the state as UNA is temporarily forced to be by this act then "that's what's just fundamentally wrong."

"... it's just the wrong principle in terms of a democratic trade union movement."

Notley, underlining his point said that the "fundamental difference between a trade union, whether it's in a totalitarian country of the left or right, and a free trade union is that a free trade union has only one base. It is there to serve its membership."

"It is not there to be a vehicle of government policy in any way, shape, or form, whether that be Social Democratic, Liberal, Tory or whatever the case may be."

Directing the Honourable Members attention to a particularly offensive part of the bill which empowers the Attorney General to determine the fate of the union if the act is violated, Notley reminded the members that they "should know what they are voting for so when they come before the voters of this province they can stand proudly before any trade union group of people and say, yes, this is the way it is in good old happy Alberta ..."

"Yes, Alberta, land of the free - unless you're in a trade union movement."

In their letter to the Premier the U. of A. law professors echoed similar concerns about that particular section of Bill 11.

Couched in an aggressive tone, the professors in their letter forthrightly criticized the government for jeopardizing fundamental principles of

"Section 10 of the Act provides that upon notice to the Labour Relations Board by the Attorney General the Board shall decertify - not hold a hearing to determine the seriousness of the breach, not to hear mitigating circumstances but must decertify."

"Again a fundamental principle of our law and one we would have thought to be inviolable that if someone is to be penalized or punished they have a right to be heard."

Continuing in his dissection of the legislation Notley directed the members to Section 11 of the Bill that restricts any UNA officer, representative or advisor found guilty of violating the Act from holding office or employment in any trade union in Alberta for two years.

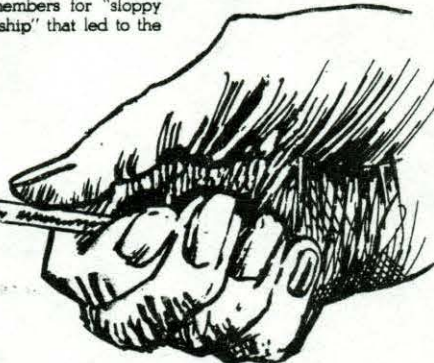
Upbraiding the government and its members for "sloppy draftsmanship" that led to the

Assembly to go the next step and pass a piece of legislation which is just bad legislation, which cannot be defended in terms of the excessive power this government is taking upon itself."

Notley also noted that because this legislation is not fair it would undoubtedly poison the atmosphere in bargaining while fueling any bitterness developed in the course of negotiations.

Underlining Notley's view the law professors in their letter stated that this bill "is not simply a matter of over-kill" but it also does not "reflect a desire to end a conflict. Rather it reflects a will to destroy the capacity of a particular group of citizens to improve and protect their collective interests."

"Therein," they charged,



"Introduction of a Bill with this kind of pernicious principle" Notley noted that "this government has a awful lot of explaining to do."

Underscoring what Notley said in the Legislature the law professors in their letter stated that what is "even more repugnant (than Sections 10 and 15) are the provisions deeming guilt."

The law professors charging that this is "statutory outlawry" chastised the government for writing legislation that does not provide hearings for those deemed guilty under the Act but also provides for such

"lies the urgency of protest." Certainly, it applies only to one group of citizens - does not directly affect the majority of Albertans ...

"But surely, if history has taught us anything, it is that the state must never be allowed to single out any group for oppressive treatment. If they can do it in this dispute, they can do it in any dispute, against any group."

When Notley attempted to move amendments to the Bill in order to remove the more offensive sections he again reminded the members that if the bill remained as it was,

## ... it also does not "reflect a desire to end a conflict. Rather it reflects a will to destroy" ...

unusual penalties.

Further in the debate in the Legislature Notley stressed that "there's no question that when 8,000 nurses cease working, there are going to be problems. We all realize that. We all realize that we have responsibilities."

"Certainly UNA has recognized its responsibility: I believe other people in this province have attempted to as well."

"And if the government of Alberta would make it clear to the Alberta Hospital Association that some of the funding would be available for the report of 1980 we could get a negotiated settlement."

But he said "there is no excuse for a Legislative Assembly which has control over last-dollar funding, led by a government which for 16 months had done nothing on a major study prepared by the Alberta Hospital Association, which is now the root of the strike."

"There is no excuse," he

it would not only prolong but even encourage bitterness on the part of UNA members.

But as anticipated Notley's amendments, after a lengthy debate, failed. Although he waged a long battle in the Legislature, his efforts unfortunately were to no avail since the clear majority of the Conservative government in the Legislature remained unshakable.

Two amendments, however, moved by the leader of the opposition, Ray Speaker, were adopted. Those amendments included the removal of the work "acquiesce" as a grounds for violating the Act. It was found that the act of acquiescing is not, in Canadian law, an acceptable notion.

The other amendment was to add that the Arbitration Tribunal to be appointed by the Minister of Labour under the Act would review the AHA Manpower and Nursing study before making a binding settle-



# UNA condemns Health Units

Health Unit nurses members of the UNA are seeking binding arbitration as contract talks between UNA's seven member bargaining committee and the Alberta Health Unit Association have appeared to reach an impasse.

Following in the footsteps of the Alberta Hospital Association the Health Unit Association has been unprepared from the beginning of negotiations which began in mid-March to negotiate seriously with the 300 health unit nurses.

Although the employer agreed to extend the collective agreement which expired on March 31, 1982 to April 30, 1982 this agreement was achieved

without a retroactivity clause. In other words, when the Health Unit nurses eventually sign a new collective agreement it may not be retroactive to the expiry date of their previous agreement.

The UNA negotiation team headed up by Julie Millar from UNA Local 57, Sturgeon Health Unit said that the health units will be meeting with the Association on April 6 with the hopes of achieving a new contract.

"There are still several outstanding items in the dispute," Millar said, "But we still hope to reach a settlement that will meet the needs of our members."

The outstanding items in the dispute include salaries, hours of work and overtime, recognition of previous experience, transportation allowances, sick and special leave provisions.

The health unit nurses are seeking in a one year contract an hourly wage increase which would raise the rate from \$10.83 per hour to \$13.00 per hour at the low end of the scale. At the top end of the grid, the nurses are seeking an hourly wage hike which would increase the rate from \$12.45 per hour to \$15.81 per hour.

But the Association has offered the nurses a 12 per cent wage hike across the board for the RN's covered by the contract while offering about a 7.5 per cent wage hike for the diploma and degree nurses.

In each case the employer's offer does not even begin to meet the wage increase proposed for the hospital nurses in the infamous Disputes Inquiry Board. In addition, those health unit nurses who would receive the largest increase (12 per cent) constitute the minority within the health units.

The wage increases offered by the Association do not even begin to reflect the erosion that has occurred to our wages because of constantly rising costs, Millar said.

As well it in no way reflects the level of experience and training that the majority of nurses working in the health units have.

The major bone of contention in the dispute is regarding compensation. Under the employer's offer, Community Health nurses would be required to work 30 nights per year at the rate of \$15 per night of work. The union is seeking overtime compensation of one

and a half times the regular rate for the first three hours worked and double the hourly rate for all time worked after those first three hours. The overtime proposal would cover all health unit nurses including the community health nurses.

Throughout the past couple of years, recognition of previous experience has become a growing concern of health unit nurses.

In this round of bargaining the union is seeking a clause which would require the employer to recognize the hospital experience of those nurses currently working in homecare at the applied rate of one year of hospital experience equals one year experience on the pay grid at the health unit.

For those nurses working in community health, the union is seeking recognition of previous experience on a two years of hospital experience would equal one year in the health unit pay grid. All health unit

experience would be applied on a one to one year basis.

But the Association has refused to budge on this issue and is insisting on retaining the status quo.

In the area of transportation allowances, the union is seeking a rate of \$125. per month plus 30 cents a kilometre. In addition the union is seeking compensation for the full cost of business insurance and pro rating of the transportation allowance in order to account for any increases in gasoline costs.

On the other hand, the employer is offering an allowance of \$85. per month for the first 400 kilometres driven. Thereafter the employees would be paid 22 cents per kilometre. In addition, the employer is offering to pay up to \$90. for business insurance.

The other major outstanding issues in the dispute are sick leave and special leave provisions and vacations.



Marg M. Ughlin, UNA Local 96 vice-president was one of 80 UNA members to attend the first UNA Labour School held last fall in Red Deer.

The next UNA Labour School will be held in June of this year.

## Young sets Tribunal

On March 24, 1982 the Minister of Labour Les Young named the appointees to the Arbitration Tribunal established under Bill 11.

The three-person Tribunal, headed by Justice G.R. Forsyth from Calgary, was announced to the Legislature and to the press before UNA had received any formal communique from the Minister that he was going to make that announcement.

In a statement made to the press UNA chastised the Minister for not having informed union of the announcement before it was made.

Having been informed by the members of the press that the Tribunal had been established, UNA expressed disappointment that the Minister had not seen fit to follow the usual protocol. That is, the Minister had not informed the parties involved before the announcement was made.

In a letter to the UNA members UNA Executive Director noted that "all UNA members must be made aware that this process could be somewhat time consuming."

"Your Negotiating Committee would like nothing better than a speedy arbitration award but we do not want to make a slap-dash effort at arbitration. We do not want," he said, "the Tribunal, out of haste, to overlook any of the important items which remain outstanding in this dispute."

Renouf also said that the union has made it clear to the Chairman of the Tribunal that "UNA requires time to prepare its presentation and a good deal of time to make it."

After an eight year stint working for the law department of Canadian Pacific Railway in Calgary, Toronto and Montreal, Justice Forsyth started private practice in Calgary.

In March 1979 he was appointed to the Trial Division of the Supreme Court of Alberta which is currently a part of the Court of the Queen's Bench of Alberta.

Other members of the Tribunal are:

•Colleen Wood: Vice-chairman for nine years of the Health Facilities Review Committee and of its predecessor, the Hospital Visitors Committee.

•Hal L. Spelliscy: General Manager for the Hudsons Bay Co., first for the Edmonton Region and currently in the Calgary Region. Spelliscy

## Friends of Medicare firms up stance, forms society

by Joy Paterson

The Friends of Medicare (FOM) is currently in the process of becoming a non-profit society in order to solidify its base and to raise funds for the organization.

The decision to formally establish FOM was made when it became apparent that a stepped up campaign to stop extra-billing was necessary.

In order to gear up for the extra-billing campaign FOM set up a phone "hot line" to take calls from the public regarding double billing, to distribute pamphlets and lobby kits and to hold an educational workshop for FOM members. But all of these items require funds.

And when FOM becomes a non-profit society it will be able to raise funds through fundraising drives and accept donations from other organizations and individuals.

Before Christmas a telephone survey to determine which doctors were extra-billing was carried out by FOM members. Unfortunately, since a newspaper also did a survey and published a list of doctors who were not extra-billing, office managers have threatened

to what extent extra-billing is increasing. There have been several cases of really excessive amounts of extra-billing, however, and FOM has been able to help in some cases through the 'Hot Line'.

FOM Society founding meeting was held on Monday March 1, at the Edmonton Social Planning Council. Member organizations may appoint one representative who is entitled to one vote. Also individuals in groups of three or more

may form Chapters with an entitlement of one vote. Any interested UNA members may form Chapters and donations from locals will be gratefully accepted.

For further information phone Friends of Medicare at 451-1978.

Joy Patterson, a UNA Executive Board member, represents UNA on the FOM.

## Childcare project becomes society

The Edmonton Hospital Workers' Child Care Society formerly called the UNA childcare pilot project is currently putting the final touches on the renovation plans for the childcare centre.

The project to be located at the Spruce Avenue Elementary Junior High School, just three blocks from the Glenrose Hospital, will probably be opening sometime in the early summer.

Although the centre's board is currently composed of representatives from the health care workers unions involved in the project it will change once the centre is open. After that date the Society's board will also be composed of representatives from community and parents of children using the centre.



## Govt does about-face

Despite promises to the contrary the Minister of Labour and his friends in the Tory cabinet decided it was politically advantageous to do an about face and introduce the health services continuation act. That is, to legislate UNA members back to work.

Although UNA members have in the past experienced government interference in the collective bargaining process they had not before witnessed the viciousness that was displayed in this act.

Bill 11, has been described as a modified copy of the legislation that US president Ronald Reagan introduced to smash the Air Traffic Controllers' union last fall.

What has to be pointed out, however, is that even Ronald Reagan proceeded through the available channels - that is through the Labour Relations Board.

By contrast, this government's legislation outrightly circumvented the established mechanisms by calling for automatic decertification of the union if it so much as tried to fight the government's unwarranted intrusion into collective bargaining.

Besides threatening the union the Loughheed government took its repressive approach one step further.

The government threatened the officers of the union along with its staff and advisors. The muzzling of these individuals is at best a contemptible action that jeopardizes freedom of speech.

Those who thought the black listing of unionists and their associates went out with the McCarthy era, they are unfortunately sadly wrong. It appears that such actions are not beyond the realm of this government.

Anytime a government interferes in the bargaining process by removing the right to strike it is a dark day for the labour movement. And it is certainly a dark day for democracy, particularly when a government uses its strength to squash the dissent of an identifiable group.

And indeed, it may come as a surprise to the Conservatives that nurses are not prepared to be trampled upon whenever it is politically convenient to do so. They respect their right to strike in order to obtain a collective agreement which begins to address their needs. And they expect the government to do the same.

Once again, however, this government showed its true colours by ordering UNA members back to work. But unlike the 1980 back to work order the Premier and his colleagues added a hefty bit of salt to the wound by introducing Bill 11.

Although the Loughheed government may have temporarily taken the nurses' right to strike away it failed to remove their right to vote. And that may be the government's biggest mistake.



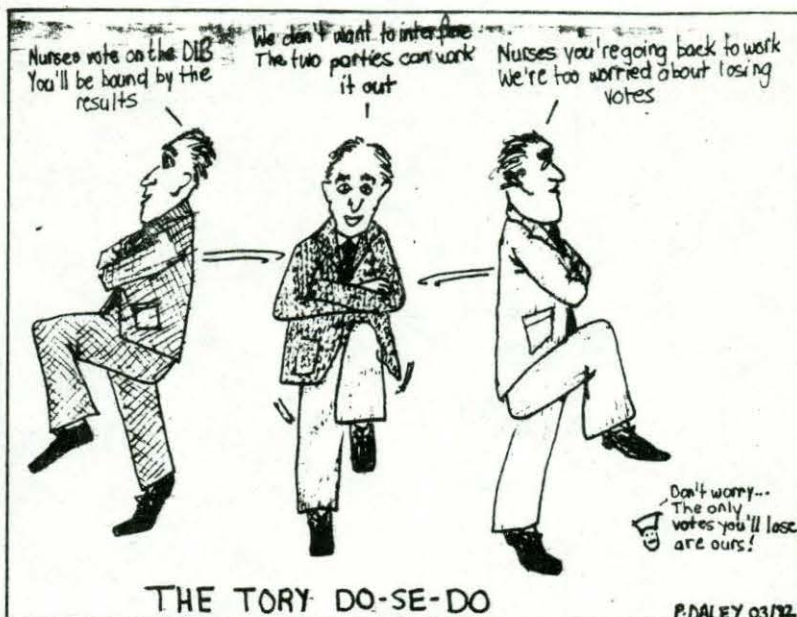
## Govt vicious ...

### To the editor

Labour Minister, Les Young, was responsible for the drafting of our "Oppressive Bill 11" which is now part of Alberta law. He justifies and supports

and withdrawing of services are not rights but rather are privileges.

When any government member in a democracy refers to rights and freedoms as "privi-



## E.D. Report: by Simon Renouf

# Union stood solid...

In the course of our strike from Feb. 16 to March 11, 1982 we in United Nurses of Alberta confronted a whole new range of tactics brought into play by the provincial government and the Alberta Hospital Association - tactics aimed at trying to break the spirit of our members and so break this Union.

We and the people of Alberta were exposed to a cynical parade of trumped-up press releases about strike-breaking nurses, air lifts and sick babies.

None of these sleazy tactics worked, the nurses of Alberta did not cave in. We did not lose their mutual support and their solidarity. The government found that they could not break this Union. They found they could not beat us at the game they had designed so they changed the rules of that game.

According to the dictionary, a privilege is a special or peculiar benefit, favour or advantage granted and enjoyed only under special conditions. Consequently, as such a privilege can be unilaterally granted and unilaterally taken away, Mr. Young apparently contends.

Only in totalitarian states are basic rights and freedoms allowed to as privileges.

But, perhaps I am deceived in thinking that we live in a democracy. A government controlled exclusively by one party or faction and maintained by political suppression is a totalitarian regime. Legislation which

a) authorizes decertification of a union (which would naturally lead to dissolution of that organization as there would no longer be a purpose for its existence).

The legislation that was introduced into Alberta's Legislature on March 9 marks a black day for health care in Alberta and a black day for human rights.

Elsewhere in this Newsbulletin you will see the words of the lonely voices that spoke out against the legislation. Notably the voice of New Democratic Party leader, Grant Notley, was raised for UNA, for nurses, for collective bargaining, for justice.

Needless to say, at the passage of the bill, Loughheed's trained seals pounded their desks. Every nurse in Alberta should know how her member of the Legislature voted on Bill 11. None of us should ever forget what these people have done to this Union and to collective bargaining.

Perhaps there will be some short term political costs to

Mr. Notley and the other public figures who supported us. Yet, they were prepared to take a stand on a matter of principle. We in UNA must ensure that they do not suffer for having taken that stand. Every nurse in Alberta - every union member in Alberta - owes them that.

While the strike did not lead to the collective bargaining gains we were all seeking, we all won something through this process.

We won an independence, an ability to rely on ourselves and not to rely on the approval of others.

For myself, I have won an increased respect for you as members of UNA for your toughness and for your defiance of adversity.

I'm proud of your toughness and courage and proud to have been part of the 1982 strike.

As a nurse also concerned about the future of nursing and levels of nursing care to patients in this province, I would also like to thank the members of the opposition in the Alberta Legislature for the part which they played in the scenario which evolved on March 9 and 10. Without Grant Notley and Tom Sindlingers "no" votes on March 9, Bill 11 would have been introduced, debated and passed without notice, all in the same day.

Truly, Mr. Youngs proposal to Bill 11 in that manner would have been an affront to the democratic process denying our elected law makers the opportunity to investigate or research the proposed legislation.

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## UNA Newsbulletin

The UNA Newsbulletin is a bimonthly tabloid published by the United Nurses of Alberta on the advice of the Executive Board and its Editorial Committee.

Stories appearing in the Newsbulletin have been produced by the UNA staff or are reproduced from Labour News. Photos by Marilyn Burnett.

All letters to the editor should be addressed to Marilyn Burnett, Editor, UNA Newsbulletin, UNA Provincial Office, 10357 - 109 St. Suite 300, Edmonton, Alberta.

Letters  
to the editor  
must be signed  
but  
name may be  
withheld  
upon request

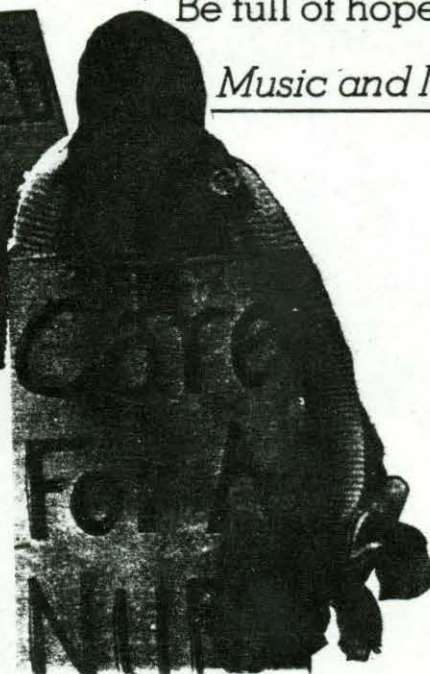




## STANDING TOGETHER

Nurses of Alberta  
 Stand together, one and all  
 Nurses of Alberta  
 We have a goal, to never fall  
 United is our stand  
 Come together hand in hand  
 We are Nurses  
 Standing together, one and all  
  
 United Nurses  
 Is the answer, for us.  
 Stand together  
 And we'll never divide  
 United Nurses, we are together  
 And we will always  
 Be full of hope, and be unified.

*Music and lyrics by R. Shank*



STANDING  
 TOGETHER  
 was adopted  
 as the UNA  
 theme song at  
 the UNA Annual  
 meeting.





*Filmmaker Laura Sky was in Alberta during the UNA provincial hospital nurses' strike in order to film some strike scenes for a movie about UNA.*









# NURSES HISTORY

On April 22, 1977, the Alberta Association of Registered Nurses' Provincial Council unanimously passed a resolution establishing an independent Collective Bargaining Program. At the same time the AARN Council indicated that sufficient time must be given for the orderly development of an independent body to assume the collective bargaining function. And so, the United Nurses of Alberta was formed to represent about 3,000 nurses working in 50 health care institutions in the province.

From 1964 until 1977, the AARN under the auspices of the Provincial Staff Nurse Committee had acted as the bargaining agent for nurses within the province.

Collective bargaining is not new to nurses and, in fact, had been investigated as early as 1943. In that year at the request of several professional associations the Canadian Nurses' Association established its first Labour Relations Committee.

The committee was charged with investigating means by which nurses could engage in collective bargaining. The following year as a result of the Committee's report the CNA endorsed the notion of collective bargaining for nurses. Although the CNA supported collective bargaining the association didn't condone trade unions for nurses stating that bargaining should be performed by the professional associations.

For more than two decades there was little activity in the area of collective bargaining except in British Columbia.

Although there was a desire to participate in collective bargaining nurses in Alberta were excluded from engaging in it. As a result of changes to the Alberta Labour Act in 1964 staff nurse associations throughout the province were allowed to participate in collective bargaining for the first time. Consequently, the AARN became the official bargaining agent for nurses in Alberta.

But in 1974 problems with the professional associations acting as bargaining agents began to develop. The executives of many of the professional associations across Canada consisted of nurses who exercised managerial functions or acted in a confidential capacity in labour relations matters. Following months of litigation in Saskatchewan the Supreme Court of Canada ruled that a conflict of interest existed and that the bargaining agents must become completely autonomous from the professional association. The Supreme Court ruling consequently prompted increased independence for collective bargaining agencies for nurses across the country and Alberta was no exception.

In 1974, the AARN's Provincial Staff Nurse Committee was made functionally autonomous and operated as such until 1977 when it became desirable for complete autonomy to exist between the committee and the AARN.

In its short history the UNA has not only expanded its membership significantly but has also successfully bargained province-wide and local agreements.

Within four years the UNA membership has more than doubled from 3,000 nurses in 50 provincial institutions to more than 8,000 members including registered, graduate and psychiatric nurses.

In addition the Union established a provincial office with hired staff. The UNA staff consists of an Executive Director, six Employment Relations Officers, and one Education/Publications Officer and support staff including an Office Manager.

Since the Union began, nurses have been forced to strike three times in order to achieve improved terms and conditions for their employment.

Following a six day strike in July 1977 by 2,000 nurses in seven major Alberta hospitals, Mr. Justice Bowen was appointed under the Public Emergency provisions of the Alberta Labour Act to arbitrate the dispute.

In 1979, negotiating proposals were submitted to the Provincial Office from the locals by mid September. The provincial office staff and members of the negotiating team then sorted through those proposals presenting them along with recommendations from the negotiating committee to delegates attending a provincial meeting. On October 16, 1979, contract proposals were exchanged with the Alberta Hospital Association. On April 14, 1980, after following those routes open to the Union under the Alberta Labour Act, UNA members voted 95.5% in favour of strike action to back their contract demands.

On April 18, 1980, at 7:00 A.M., 6,600 nurses in 83 hospitals throughout the province began a ten day strike with overwhelming public support. The government once again interfered in the Collective Bargaining Process by ordering the striking UNA members back to work. But UNA members refused to return to work, beginning legal proceedings to challenge the back-to-work order. On April 28, after two days of meetings with AHA representatives, a settlement was reached. The new contract provided the nurses with an average increase of 37.8% over two years along with improvements in fifty other areas of the Collective Agreement.

The union once again entered hospital bargaining in October, 1981 for improvements in the contract in a number of areas including changes in scheduling, hours of work, wages and the professional responsibility clause.

But true to itself the AHA refused to bargain in a meaningful manner with the more than 6,000 nurses involved in the hospital negotiations. After being continuously stymied by the AHA at the bargaining table the union prepared for another strike to begin. But the provincial government temporarily intervened establishing a Dispute Inquiry Board under the auspices of Eric Lefsrud. The Board was to make recommendations regarding the nurses' contract. Meanwhile the strike was delayed until the DIB Report was released.

report on the grounds that it did not deal with many of the major issues in the dispute.

On February 16, 1982 nurses across the province were once again forced to set up picket lines.

Twenty-three days later, despite promises to the contrary the provincial government introduced a back-to-work order in the legislature. But this order was substantially different than what the nurses had previously experienced.

Bill 11, the Health Services Continuation Act, contained penalty clauses that could result in the automatic decertification of the union if there was any defiance of the act. In addition the Bill contained penalties for the union's officers, staff and advisors. They could be prevented from either holding office or employment with any other trade union in the province for two years.

Finally the Act empowered the Minister of Labour to establish an Arbitration Tribunal in order to effect a settlement.

But the union is not just composed of those nurses working in hospitals across the province. Its membership also includes nurses working for Health Units, the Victorian Order of Nurses and some nursing homes.

Contracts for each of these groups have been successfully negotiated except for those UNA members working at Parkland Nursing Home in Edmonton.

Faced with a stubborn employer a handful of UNA members working at Parkland were forced to take strike action in the fall of 1980.

Although it was a short strike the nurses managed to win a contract which, among other things, increased their rates of pay and provided them with improved benefits.

## UNA CONSTITUTION NOVEMBER 1981

### ARTICLE 1 - NAME

1.01 This organization shall be known as the United Nurses of Alberta (herein after referred to as "U.N.A.")

1.02 In the interpretation of this Constitution, the feminine gender used herein shall mean and include the masculine, and the singular shall include the plural and vice versa as applicable.

### ARTICLE 2 - OBJECTIVES

2.01 The advancement of the social, economic and general welfare of nurses and other allied personnel.

2.02 The regulation of relations between nurses and other allied personnel and their employers and the negotiation of written contracts with employers implementing progressively better conditions of employment.

2.03 The promotion of effective communication with employers.

2.04 The promotion of the knowledge of nurses and other allied personnel and all things related to their social and economic welfare through education and research.

2.05 The promotion of the highest standards of health care.

2.06 The promotion of unity within the labour movement, the nursing profession and other allied fields through cooperation with and support of other organizations, and in particular with the Alberta Association of Registered Nurses (hereinafter referred to as the "A.A.R.N.").

### ARTICLE 3 - MEMBERSHIP

3.01 All registered or graduate nurses and other allied personnel who are eligible to engage in collective bargaining are eligible for membership in the U.N.A. provided that no allied personnel shall be admitted to membership without the approval of a two-thirds (2/3) majority of the Executive Board subject to endorsement at the next annual meeting.

3.02 For greater certainty, without limiting the generality of the foregoing, persons who in the course of their employment exercise managerial functions or who are employed in a confidential capacity in matters relating to labour relations shall be excluded from membership.

3.03 Any member who is eligible to be a member of the United Nurses of Alberta and pays such dues or assessments as may from time to time be required, shall be accepted as a member in good standing of the United Nurses of Alberta and the Chartered Local of the United Nurses of Alberta. Any member who shall be in arrears in the payment of dues or assessments for a period of six (6) months shall be automatically suspended from membership in the United Nurses of Alberta and the Chartered Local except on approved leave of absence, layoff or grievous dismissal.

3.04 No person shall be refused membership because of nationality, race, colour, origin, sex or sexual preference, age or religious or political belief.

3.05 Membership in a Local Union, chartered by the U.N.A., shall also constitute membership in the U.N.A., however, no person shall act as or be deemed to be an agent of the U.N.A. or any chartered or subordinate body of the U.N.A. because of her membership unless specifically authorized in writing signed by an appropriate official to so act.

### ARTICLE 4 - EXECUTIVE BOARD



Board which shall be composed of the following:

- 1) President
- 2) Vice-President
- 3) Secretary-Treasurer
- 4) District Representatives elected on the basis of two (2) District Representatives for every 1,000 dues payers or part thereof in the District as of sixty (60) days prior to the Annual Meeting, and an additional District Representative for every additional 1,000 dues payers or part thereof in the District as of sixty (60) days prior to the Annual Meeting.

4.02 The duties of the Board shall be as follows:

- a) **President** — The President shall preside at all meetings of the Executive Board and all meetings of the U.N.A. and shall be charged with the responsibility of carrying out the policies of the U.N.A. The President shall be an Ex-officio member on all Committees of the Executive Board.
- b) **Vice-President** — The Vice-President shall preside at all meetings where the President is absent and shall be charged with the particular responsibility of establishing and maintaining the flow of communication between the U.N.A. and its members, and between the U.N.A. and such other organizations as the A.A.R.N.
- c) **Secretary-Treasurer** — The Secretary-Treasurer shall cause to be kept such regular books and records of the U.N.A.'s finances as shall be set up under the instructions of the Executive Board, shall cause to be maintained full records of all meetings of the Executive Board and of all meetings of the U.N.A. and shall cause to be maintained all records, documents and correspondence of the U.N.A.
- d) **The Duties of the District Representatives** — The District Representatives shall carry out generally the objectives of the U.N.A. and function as members of the Executive Board. (The terms of reference for District Representatives are as outlined in Appendix "C".)

4.03 No person shall be a member of the Executive Board who is not a member in good standing of the U.N.A.

4.04 The office of any member of the Executive Board who absents herself from two (2) consecutive Executive Board meetings, without reason satisfactory to the Executive, shall be declared vacant by the Executive. If the office is that of the President, Vice-President, or Secretary-Treasurer, a replacement shall be elected in accordance with Article 7.05.

If the office is that of District Representative then that District shall appoint or elect a replacement within three (3) months, failing which the Executive Board shall appoint a Representative from that District. Such appointed or elected member shall hold office until the next Annual Meeting at which time an election shall be held in accordance with Article 11.04.

4.05 A member of the Executive Board may resign her office by giving notice in writing to the President.

4.06 Any Executive Board member who shall for any reason cease to hold office shall turn over to the Executive Board documents, assets and property of the U.N.A. in her possession within one (1) month.

4.07 Term of office shall mean two (2) years.

4.08 The District Representative shall delegate an alternate member to attend Executive Board meetings in her absence.

## ARTICLE 5 — POWERS OF THE EXECUTIVE BOARD

5.01 The Executive Board shall be responsible for and accountable to the membership for the administration of affairs and activities of the U.N.A. when the U.N.A. is not meeting.

5.02 (a) The Executive Board shall be responsible for the formulation and development of the general collective bargaining objectives of the U.N.A. and for the presentation of the said objectives to the membership at meetings for discussion and approval.

(b) The Executive Board or any person or committee to which the Executive Board delegates such authority, shall be empowered to negotiate and enter into regional, local, provincial or area-wide Collective Bargaining Agreements on behalf of any Local or Locals without the necessity of the written authorization of such Local or Locals and the Executive Board or its delegate shall coordinate activities towards this end in consultation with the Local Unions involved.

5.03 To the extent necessary for the proper functioning of the U.N.A., the Executive Board, or, with its authorization, the Chief Executive Officer, shall employ, retain, direct, and fix compensations for staff personnel, consultants and legal, accounting and other professional personnel, and engage and pay for the use of premises and equipment.

5.04 No monies of the U.N.A. shall be expended without the authorization of the Executive Board or such person or persons as the Executive Board or a meeting of the U.N.A. may from time to time authorize for this purpose. The manner in which monies may be withdrawn or cheques issued by the U.N.A. shall be determined from time to time by the Executive Board. All acts bona fide done by any meeting of the Executive Board or by any person acting as a member of the Executive Board, notwithstanding if it be afterwards discovered that there was some defect in the appointment of any such person acting as aforesaid or that they or any of them were disqualified, shall be valid as if every person had been duly appointed and was

5.05 The Executive Board may set up committees of the U.N.A. and may appoint or elect a chairman and members to the committees. The committees shall be subject to any restrictions or regulations imposed upon them by the Executive Board.

5.06 The Executive Board in addition to all other powers vested in it is hereby authorized and empowered subject to the approval of the U.N.A.:

- a) to acquire, hold, and dispose of, real and personal property or any part thereof;
- b) to invest monies on behalf of the U.N.A.; and
- c) to borrow money for the purpose of the U.N.A. and to give security for any money so borrowed on any of the real, personal or mixed property of the U.N.A. by way of mortgage, pledge, charge or otherwise.

5.07 Authorization for the exercise of the powers listed in Article 5.06 (a) and 5.06 (b) shall be by two-thirds (2/3) majority of the Executive Board subject to approval at the next annual general meeting. Authorization for the exercise of powers listed in Article 5.06 (c) shall be gained by a two-thirds (2/3) majority vote of the delegates at a general meeting.

5.08 The business of the U.N.A. shall be managed by the Executive Board who shall exercise all such powers of the U.N.A. and do on behalf of the U.N.A. all such acts as may be exercised by the U.N.A. and as are not by law or by these presents required or done by the U.N.A. in a general meeting.

5.09 The Executive Board may in the exercise of its powers do all such things and acts which in the exercise of their sole discretion better further the objectives of the U.N.A.

5.10 Any member who shall be guilty of the offences listed below shall be subject to expulsion, suspension or reprimand after a fair hearing conducted by the Executive Board.

- (a) violating any provision of this constitution;
- (b) Obtaining membership through fraudulent means or misrepresentation;
- (c) instituting, urging or advocating that a member of any of the locals of this union should institute action in a court of law against the U.N.A. or against the Executive Board or any of its officers or against any of the local unions or any of its members in respect of any matter concerning the affairs of the U.N.A. or any of its locals or chartered bodies without first exhausting all remedies through the forms of appeal provided in this constitution;
- (d) advocating or attempting to bring about the withdrawal from the U.N.A. of any locals or members or groups of members;
- (e) publishing or circulating either verbally or otherwise among the membership false reports or misrepresentations concerning any member of the U.N.A. in respect to any matter connected with the affairs of the U.N.A. or its locals;
- (f) working in the interest of any organization competing with the U.N.A. in a manner which is detrimental to the U.N.A.;
- (g) fraudulently receiving or misappropriating any property of the U.N.A. or any of its chartered locals;
- (h) using without proper authority the name of the U.N.A. or of the local for soliciting funds or advertising;
- (i) without receiving proper authority to do so, furnishing a complete or partial list of the membership of the U.N.A. or of any local to any person or persons other than those whose official position entitles them to have such a list;
- (j) wrongfully interfering with any officer or accredited representative of the U.N.A. in the discharge of his or her duties;
- (k) circulating reports designed or calculated to injure or weaken the U.N.A.;
- (l) with view to injuring the U.N.A. or any of its locals or with a view to impeding the implementation of any policy constitutionally formed by either the U.N.A. or any of its locals, does any act contrary to the constitution or to the bylaws of any chartered local or fails to do any act required of him by the said constitution or bylaws;
- (m) during the course of a lawfully conducted strike by the U.N.A. or any of its locals failing to give all necessary support to the said strike.

- 5.11 (1) Every member of the Union shall be entitled to a fair and impartial trial.
- (2) In all cases the onus of establishing guilt of a member shall be upon the complainant.
- (3) Charges against any member must be made in writing and filed with a duly elected officer of the U.N.A. by a member of a local. The officer shall cause a copy of the charges to be served upon the accused member either personally or by registered mail. Simultaneously with the delivery to the accused, the officer shall also deliver to the accused notice of the time and place of the trial at least two weeks prior to the trial. The member shall be deemed to have been notified on the date of mailing of the registered letter.
- (4) The member of receipt of the charges, may resign her membership in the U.N.A. in which case the charges will not be proceeded with.
- (5) No evidence shall be considered by the Executive Board except such as shall be offered at the hearing of which the accused shall have been notified and given a reasonable



in her own defence. She may be assisted by counsel of her own choosing or she may waive any or all of the rights set forth herein.

(6) All expenses incurred by the accused in defending charges shall be borne by herself except in the case of acquittal in which case all reasonable expenses incurred by the accused shall be borne by the Union. All expenses incurred by the complainant in pressing charges shall be borne by herself except in the case of proven guilt in which case all reasonable expenses incurred by the complainant shall be borne by the Union.

(7) Should the accused fail to appear before the Executive Board without providing a satisfactory explanation the Executive Board may, if it considers it advisable, proceed to hear evidence and render a decision in the absence of the accused or adjourn the hearing on notice to all parties.

(8) Should the complainant fail to appear before the Executive Board, the Executive Board may dismiss the charges or adjourn the hearing on notice to all parties.

(9) The Executive shall find the accused guilty or not guilty by secret ballot. The finding shall be by majority vote. In the event of a tie vote, the accused shall be found not guilty.

(10) The Executive Board, after hearing the evidence, if it finds the accused guilty may expel, suspend or reprimand the accused.

(11) The decision of the Executive Board shall be reported forthwith to the accused, the complainant and their locals.

(12) At all hearings the Executive Board may obtain the assistance of counsel to advise it with respect to the law and procedure.

(13) The decision of the Executive Board shall be binding.

5.12 A person who has been expelled from membership in the U.N.A. may apply to the Executive Board for reinstatement after one (1) year from the decision of the Board.

#### ARTICLE 6 - EXECUTIVE DIRECTOR

6.01 The Executive Director shall be appointed by and be responsible to the Executive Board.

6.02 The duties of the Executive Director are to expedite the work of the United Nurses of Alberta and to administer the policies of the Executive Board.

#### ARTICLE 7 - MEETINGS OF EXECUTIVE BOARD

7.01 The Executive Board shall meet at the call of the President or at the request of no fewer than three (3) members of the Executive Board in writing to the President. In any event, the Executive Board shall meet at least once in every four (4) months.

7.02 The time and place of meetings of the Executive Board shall be determined by the President, provided that any meeting requested by no fewer than three (3) members of the Executive Board, pursuant to the provisions of Article 7.01, shall be held within thirty (30) days of the receipt by the President of any such request. Every Board member shall be given at least fourteen (14) days' notice of such meetings.

7.03 The majority of the members or delegated alternate members of the Executive Board shall constitute a quorum for the transaction of business.

7.04 Unless otherwise provided in this Constitution, any questions arising at a meeting of the Executive Board shall be decided by a majority vote of the members present excluding the chairman. Each member of the Executive Board shall be entitled to one (1) vote on each question which is voted upon at a meeting where she is present, provided that in the case of a tie the chairman shall be entitled to a casting vote.

7.05 In the event that the President, Vice-President, or Secretary-Treasurer should resign, die or otherwise cease to act, the Executive Board shall elect by and from themselves a replacement until the next Annual Meeting at which time an election shall be held in accordance with Article 11.04 or for the unexpired term as appropriate.

#### ARTICLE 8 - MEETINGS OF THE U.N.A.

8.01 The U.N.A. shall hold an annual meeting in the months of September, October or November of every calendar year at such place as may be determined by the Executive Board.

8.02 A special meeting of the U.N.A. may be called at any time and place at the request in writing of at least one-third (1/3) of the members of the Executive Board or of at least one-third (1/3) of the Chartered Locals evidenced by notice in writing signed by the President of each and shall be held within forty-five (45) days of the receipt by the President of the U.N.A. of any such request. Any such request shall specify the subjects to be considered at such a special meeting.

8.03 Every Chartered Local shall be given at least thirty (30) days' notice of the annual meeting and as much notice as possible of special meetings. The President and Secretary-Treasurer of each Chartered Local shall make every reasonable effort to inform the members of the Chartered Locals of the said meetings.

8.04 The form of notice of meetings shall specify the subject to be considered at the meeting, and, in the case of special meetings, only such subjects as are specified in the notice calling the meeting may

#### ARTICLE 9 - VOTING AT MEETINGS OF THE U.N.A.

9.01 At any annual or special meeting of the U.N.A. each Chartered Local shall be represented by one (1) voting delegate for fifty (50) members or part thereof but at least one (1) voting delegate entitlement per institution within the local. Each voting delegate shall be entitled to one (1) vote.

9.02 The Chief Executive Officer shall send to each Chartered Local at least thirty (30) days before each annual meeting proper forms for credentials for voting delegates. The number of voting delegates to which each Local will be entitled shall be based on the number of members in said Local, thirty (30) days prior to the annual meeting. The Chartered Local shall send the completed copy of this credential to the Chief Executive Officer at least five (5) days prior to the meeting.

9.03 The Chairman of the meeting shall appoint scrutineers.

9.04 The scrutineers shall arrange for the holding of any vote; shall distribute, collect and count ballots if used; and shall report the results in writing to the meeting.

9.05 Two-thirds (2/3) of the registered voting delegates, including a representative from each region, shall constitute a quorum for the transaction of business.

9.06 Unless otherwise provided in this Constitution, any resolution presented at a meeting of the U.N.A. or of any of its committees shall be deemed to have been carried if a majority of the voting delegates present vote in favour of it.

9.07 Voting shall be by show of hands unless the Chairman otherwise directs or unless otherwise provided hereinafter.

9.08 Votes of proxy shall be allowed under procedures determined by the Executive Board, for Locals with ten (10) or fewer members employed full-time.

9.09 Every member of the Executive Board shall have a vote as though she were an accredited voting delegate with the exception of the Chairman.

9.10 Unless otherwise specified, any decision taken at a meeting shall take effect forthwith at the conclusion of the meeting.

9.11 The Executive Board may authorize the payment of all expenses incurred by a voting delegate as set out in the policies.

#### ARTICLE 10 - RATIFICATION OF CONTRACTS

10.01 Contract ratification votes and strike votes shall be conducted by secret ballot.

10.02 Only U.N.A. members shall have the right to vote in ratification votes.

10.03 An information meeting shall be held at least twenty-four (24) hours prior to commencement of a ratification vote.

10.04 Ratification votes shall be conducted on all shifts within a twenty-four (24) hour period.

#### ARTICLE 11 - ELECTIONS

11.01 All officers shall be elected by a simple majority by the voting delegates attending the annual meeting.

11.02 All elections shall be by secret ballot, unless otherwise provided in the Constitution.

11.03 The Legislative Committee or any known persons acting with its authority shall prepare nomination forms for the annual general meeting and shall send them to the President and Secretary of each Local at least sixty (60) days prior to the annual general meeting.

11.04 The offices of President, Secretary-Treasurer and any vacant District Representative positions shall be elected in years ending with even numbers; and Vice-President and any vacant District Representative positions shall be elected in years ending with uneven numbers.

11.05 Each District Representative must be a member of a Chartered Local in the District she represents, and only voting delegates from said District are entitled to vote in her election.

11.06 Upon receipt of nomination forms, the President of each Local shall make every reasonable effort to inform the Local that the Legislative Committee will receive nominations pursuant to this Article.

11.07 Each nomination shall be on proper form bearing the name of the nominee and signatures of two (2) members in good standing of the U.N.A.

11.08 Nominations shall be accepted until thirty (30) days prior to the annual general meeting or from the floor at the annual general meeting only in the absence of an official nomination.

11.09 The list of candidates, signed by the Chairman and two (2) members of the Legislative Committee, shall be sent no later than fifteen (15) days before the annual general meeting to the President of the U.N.A. and to the President of each Local and delegate. Every reasonable effort shall be made to inform the members of the Local.

#### ARTICLE 12 - REVENUE

12.01 The revenue of the U.N.A. shall be derived as follows:

a) Each Chartered Local shall remit the U.N.A. each month such sum as may be determined from time to time by the U.N.A. at an annual or special meeting. Any change in the dues structure must be ratified by a two-thirds (2/3) majority



- b) Every person applying for membership in the U.N.A. shall remit to the U.N.A. a fee of two dollars (\$2.00).
- c) The charter fee to establish a new Chartered Local shall be one dollar (\$1.00).
- d) The U.N.A. may accept any donation, grant, bequest or other form of transfer of funds or properties from any charitable, governmental, educational or other source and may agree with the transferor to devote the funds or proper properties so transferred to any specific purpose consistent with the objective of the U.N.A. without any political bias or favours.

12.02 The U.N.A. shall have the right to levy assessments for special purposes upon its members, provided that any such assessment must first be approved at an annual or special meeting of the U.N.A.

12.03 Any funds owed to the U.N.A. by a Chartered Local pursuant to the provisions of this Constitution shall constitute a preferred claim and must be paid promptly by the Chartered Local each month prior to the payment of any other obligations of the Chartered Local.

12.04 U.N.A. dues shall be one percent (1%) of gross basic income, with a minimum of seven dollars and fifty cents (\$7.50) per dues payer per month. The U.N.A. shall issue to each Chartered Local a monthly rebate. The monthly rebate of dues to the Locals shall be as follows: For the first twenty (20) dues payers or part thereof of the Local the rebate shall be three dollars (\$3.00) per dues payer per month. For the next one hundred (100) dues payers or part thereof the rebate shall be two dollars (\$2.00) per dues payer per month. For all remaining dues payers the rebate shall be one dollar (\$1.00) per month. There shall be an Emergency Fund. The amount paid to the Emergency Fund on a monthly basis shall be no less than fifteen (15%) percent of the projected revenue of the U.N.A. These funds shall be reported in the Annual Audit.

12.05 In the event of a strike, assistance, as determined from time to time by the Executive Board shall be drawn from the Emergency Fund.

12.06 Any member paying dues at two (2) or more locals will receive a reimbursement from the Provincial Office upon request for the second (2nd) or third (3rd) dues paid for that month with submission of pay slips for that month.

#### ARTICLE 13 – AUDIT

13.01 The fiscal year of the U.N.A. shall be January 1st to December 31st unless otherwise designated by the Executive Board. There shall be an auditor of the U.N.A. who shall not be a member, employee, or relative of an employee, of the U.N.A.; and shall be a Chartered Accountant. The Executive Board shall appoint an auditor annually. The auditor shall conduct an audit once every year and shall submit a written report to the annual meeting and to each local at least two (2) weeks prior to the annual meeting.

#### ARTICLE 14 – CHARTERED LOCALS

14.01 The U.N.A. may issue a Charter to any group eligible for membership under Article 3, and the group shall thereafter be referred to as a "Chartered Local."

- 14.0 (a) Subject to the provisions of Article 14.03, every Chartered Local shall have Bylaws as listed in Appendix "B".
- (b) In the event of conflict between any clause of this Constitution and any clause of the Bylaws of a Chartered Local, this Constitution shall be paramount and the clause in this Constitution shall apply.

14.03 The Bylaws of a Chartered Local may be amended or altered only with the approval of a two-thirds (2/3) majority vote of those attending a meeting of the Chartered Local and with the approval of a majority of the Executive Board of the U.N.A. No such amendment shall take effect until the approval of both the Chartered Local and the Executive Board has been obtained. Full details of the proposed amendments must be set out clearly in the Notice of the Meeting to all members of the Chartered Local.

14.04 All collective agreements with employers of members shall be signed by two (2) Executive Officers of the Chartered Local as the contracting party on behalf of the members affected.

14.05 In any situation in which there is reason to believe that a Chartered Local has adopted or undertaken policies or activities contrary to the principles and policies of the U.N.A., the Executive Board shall have the power upon a two-thirds (2/3) majority vote of the Executive Board to conduct an investigation into the affairs of the Chartered Local and to require the Chartered Local to amend and rectify any policies or activities contrary to the principles and policies of the U.N.A. and the Executive Board may:

- a) appoint a Trustee or Trustees for the Chartered Local, or may,
- b) suspend the charter of the Chartered Local on such terms and conditions as the Executive Board may see fit.

Where the charter of a Chartered Local is suspended or a Trustee or Trustees are appointed pursuant to the provisions of this Article, the Chartered Local shall be entitled to a fair hearing before the Executive Board within three (3) months. Any action of the Executive Board under this Article may be appealed to the annual meetings.

If the annual meeting is scheduled for three (3) months or more from the date of the decision of the Executive Board the Chartered Local may, with a majority vote of its members demand a special meeting of the U.N.A. This special meeting shall be held within two (2) months

14.06 (a) Where the Executive Board makes an order provided for in Article 14.05, the Executive Board may order that all funds and properties of any nature held by the Chartered Local shall be held in trust for the purpose of effecting a re-organization of the said Chartered Local. If such a re-organization is effected, such funds and properties of the Chartered Local shall be reinvested with the Chartered Local for its use and benefit. If the Chartered Local is not re-organized within a period of one (1) year, such funds and properties shall revert to members.

(b) Where the Executive Board orders that all funds and properties held by a Chartered Local shall be held in trust of the U.N.A., it shall be the duty of the officers of the Chartered Local to deliver forthwith all funds and properties of any nature held by the Chartered Local to the Chief Executive Officer of the U.N.A. and the Chief Executive Officer or his duly authorized agent, shall be entitled to take immediate possession of all funds, properties, books and records of the Chartered Local and shall have authority to bring appropriate legal proceedings to secure such funds, properties, books and records.

#### ARTICLE 15 – MERGER

15.01 A Chartered Local may merge with and transfer its jurisdiction, rights, privileges, duties and assets to one or more Chartered Locals.

15.02 The Chartered Local transferring and the Chartered Local(s) receiving must each approve of the merger and transfer.

15.03 A meeting between the parties must be held for the transfer and merger.

15.04 The transfer or merger must be approved by a two-thirds (2/3) majority vote.

15.05 A Chartered Local may also merge with another bargaining agent for the purpose of acquiring its jurisdiction, rights, privileges, duties and assets.

#### ARTICLE 16 – AMENDMENTS

16.01 This Constitution may be amended or altered only by a two-thirds (2/3) majority vote at a meeting of the U.N.A. Full details of the proposed amendments must be set out in the Notice of Meeting sent to every Chartered Local.

## RULES OF PROCEDURE AND ORDER OF BUSINESS AT MEETINGS OF THE U.N.A.

The rules of procedure and order of business governing meetings of the U.N.A. shall be as follows:

- a) The President, or in her absence or at her request, the Vice-President shall take the chair at the time specified at all annual and special meetings. In the absence of both the President and the Vice-President, a chairman shall be elected by a show of hands by the delegates present at the meeting.
- b) No matter of a sectarian character shall be discussed.
- c) No member shall speak until recognized by the chairman. She shall confine her remarks to the question at issue.
- d) Speeches shall be limited to five (5) minutes except in moving a motion when a member shall be allowed ten (10) minutes.
- e) A member shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
- f) A member shall not interrupt another unless concerning a point of order.
- g) If a member be called to order, she shall, at the request of the chairman, take her seat until the question of order has been decided.
- h) Should a member persist in unparliamentary conduct, the chairman shall name her and submit her conduct to the judgement of the meeting. In such case, the member whose conduct is in question shall explain her conduct and then withdraw and the meeting will determine what course to pursue in the matter.
- i) Before a question is put, the chairman shall announce the question and shall then ask whether the meeting is ready for the question. If no member indicates a desire to speak, the question shall be put.
- j) Any two (2) members may appeal the decision of the chair. The member initiating the appeal of the decision may state the reason for her appeal and the chairman may give reasons for her decision. The chairman shall then ask whether the decision of the chair shall be sustained. The question shall not be debatable except as outlined above, and the decision of the meeting shall be binding.
- k) Committees may combine resolutions or prepare a composite to cover the intent of the question at issue. Reports of committees are not subject to amendment except such as is acceptable to the committee, provided that any resolutions contained in such a report shall be considered by the meeting separately from the remainder of the



l) A member shall not move a motion to refer back after she has spoken on the question at issue.

m) A motion to refer back is not debatable and when properly seconded the question shall be immediately put to the meeting.

n) If the report of a committee is adopted, it becomes the decision of the meeting. If defeated, it may be referred back to the committee for reconsideration.

o) When a question is pending before the meeting, no motion shall be in order except to amend, to refer back, to adjourn, to postpone consideration of the question for a definite time or to put the question without further discussion. If any the foregoing motions is defeated, it cannot be renewed until after an intermediate proceeding.

p) A motion may be reconsidered provided the mover of the motion to consider voted with the majority.

q) In all matters not regulated by these rules of procedure, O. Garfield Jones' *Parliamentary Procedure at a Glance* shall govern.

r) A parliamentarian shall be appointed for each annual meeting.

## BYLAWS GOVERNING CHARTERED LOCALS

### BYLAW I - NAME

This organization shall be known as the United Nurses of Alberta (hereinafter referred to as the "Chartered Local").

### BYLAW II - EXECUTIVE

1. The affairs of the Chartered Local shall be administered by an Executive which shall be composed of the following:

- 1) President
- 2) Vice-President
- 3) Secretary
- 4) Treasurer

The Executive shall meet at least once every four (4) months.

2. Throughout these Bylaws, the term "president" shall be deemed to refer to the President of the Chartered Local unless otherwise expressly stated.

### BYLAW III - REPRESENTATIVES

An appropriate number of representatives may be elected by and from the members of the Chartered Local to represent nurses and other allied personnel employed in specific areas or functions of their employer's establishment. The said representatives may be appointed by the Executive if a majority of the members of the Chartered Local at a meeting authorize the Executive to appoint such representatives as it sees fit.

### BYLAW IV - COMMITTEES

1. There shall be a Grievance Committee composed of three members. One of these shall act as the Chairman and they shall be elected at an annual or special meeting of the Chartered Local.

2. All standing committees of the Chartered Local shall be elected by the membership. The Executive may set up special committees of the Chartered Local and may appoint the members of each such Committee from the members of the Chartered Local, the Chairman to be chosen by the Executive and to be entitled to a casting vote in the case of a tie. The Executive may delegate any of its powers to any such committees. These committees shall be subject to any restrictions or regulations imposed upon them by the Executive.

### BYLAW V - ELECTIONS

1. The Executive shall be elected at each annual meeting.
2. Nominations for the Executive and for any other positions for which elections are held shall be received from the floor.
3. All elections shall be by secret ballot or show of hands.

### BYLAW VI - VACANCIES

In the event that a member or members of the Executive of the Chartered Local should resign, die or otherwise cease to act, the Executive shall appoint from the members of the Chartered Local a replacement until the next regular meeting.

### BYLAW VII - ELECTION OF VOTING DELEGATE

1. Any two (2) members of the Chartered Local may nominate a voting delegate or alternate voting delegate at the election meeting provided that they produce satisfactory proof that the consent of the nominee to stand for election has been obtained.
2. Any two (2) members of the Chartered Local may nominate a voting delegate or alternate voting delegate to a meeting of the U.N.A. by filing with the Secretary of the Chartered Local at any time before the election, a form of nomination signed by the two (2) members and containing a statement in writing by the nominee that she consents to stand for election.
3. A voting delegate and an alternate voting delegate to attend any meeting of the United Nurses of Alberta (hereinafter referred to as the U.N.A.) shall be elected by a majority vote of those members of the Chartered Local present at a meeting of the Chartered Local. The

4. Both the voting delegate and the alternate voting delegate shall be members of the Chartered Local.

## TERMS OF REFERENCE FOR DISTRICT REPRESENTATIVES

1. The number of Districts and the area covered by each District shall be determined at the annual meeting.

2. There shall be a committee to administer the affairs of the District. The committee shall be composed of:

- a) District Representatives (the senior being designated as Chairman; the second District Representative shall be Vice-Chairman).
- b) A representative from each Chartered Local in the District shall sit on the District Committee.
- c) The Committee shall appoint or elect a Secretary-Treasurer or Secretary and Treasurer.
- d) Other Committees as required shall be elected or appointed.

3. Each District Representative must be member of a Chartered Local in the District she represents, and only voting delegates from the said District are entitled to vote in her election.

4. In the event that a District Representative shall change her place of employment from one District to another or for any reason cease to qualify for membership in the U.N.A. during her term of office, she shall resign forthwith, but continue to act as a District Representative until the appointment or election of a replacement from the membership of the District she represented.

5. District Committee meetings will be held at least quarterly on the call of the District Representative or the majority of Locals within the District.

6. The object of these meetings shall be:

- a) to increase communications between the Locals.
- b) to co-ordinate efforts for a common purpose.
- c) to act as a liaison between the Locals and the provincial body.

7. The District Chairman shall have the following duties and limitations:

- a) to call and chair District meetings.
- b) in association with Locals in the area, shall draft an agenda which shall be forwarded with the notice of meeting.
- c) to present the views of the District at the Executive Board meetings.
- d) to prepare an annual budget and to conduct the business of the District.

8. A Secretary for each District shall be elected to record the minutes of the District meetings. A copy of the minutes shall be forwarded to the Provincial Office and copies forwarded to the Locals of that area. The Secretaries are not members of the Provincial Executive.

9. These Terms of Reference may be amended only by the Executive Board.

### BYLAW VIII - MEETINGS

1. Once in every calendar year, there shall be an annual meeting of the Chartered Local called by its President. At least two (2) week's notice shall be given. During the annual meeting, reports shall be presented by each member of the Executive, the affairs of the Chartered Local shall be reviewed and planned, and elections shall be held. The Chartered Local's Annual Meeting shall be held in April, May or June of each year.

2. a) A special meeting may be called at any time and place by the President of the Chartered Local. Members shall be given reasonable notice of any such meeting.
- b) A special meeting of the Chartered Local may be called at the request of any three (3) members of the Chartered Local made in writing to the President. As much notice as possible will be given and the meeting will be held within three (3) to five (5) days of request.

3. The rules of procedure and order of business governing meetings of the Chartered Local shall be as outlined in Appendix "A".

### BYLAW IX - QUORUM

1. The majority of members present at a meeting of the Chartered Local shall constitute a quorum of the Chartered Local for the transaction of business.

2. Three (3) members of the Executive shall constitute a quorum of the Executive for the transaction of business.

### BYLAW X - DUTIES OF OFFICERS

#### President

a) The President shall be the senior executive officer of the Chartered Local and shall act as chairman at all meetings of the Executive and the Chartered Local. In the case of a tie in a vote of the Executive or the Chartered Local or any other committee of which she is chairman, the President shall have the casting vote.

b) The President shall be an ex-officio member of all committees.



# Vice-President

The Vice-President shall carry out duties as assigned by the President and act in lieu of the President in her absence.

Secretary shall keep a record of all meetings of the Local and of all meetings of the Executive.  
Secretary shall be responsible for the correspondence of the Local.  
Secretary in conjunction with the Treasurer, shall keep a membership of the Chartered Local.

Treasurer shall be responsible for arranging for the sending and forwarding of members' dues to the U.N.A.  
Treasurer shall be responsible for the safekeeping of the Chartered Local and shall keep a record of all financial matters.

Treasurer shall make a financial report at regular meetings, meeting of the Chartered Local and at meetings of the

Treasurer in conjunction with the Secretary, shall keep a membership of the Chartered Local.

## XI - FINANCES

Records of the Chartered Local shall be kept in a chartered bank union or trust company.

Transactions shall be by cheque.

The Treasurer and the President or signing officer shall co-sign checks.

There shall be an annual audit by the U.N.A. at the end of each year.

## XII - DUES AND ASSESSMENTS

The Chartered Local may establish initiation fees and monthly dues higher than those set by the U.N.A.

The Chartered Local may levy assessments for special purposes on its members, provided that any such assessment must first be approved at a meeting of the Chartered Local.

## XIII - MERGER

A Chartered Local may merge with another bargaining agent for the purpose of acquiring its jurisdiction, rights, privileges, duties and assets.

A Chartered Local may by a two-thirds (2/3) majority vote of those present at a meeting of the Chartered Local called for that purpose of which notice has been given to the members merge with and transfer its jurisdiction, rights, privileges, duties and assets to one (1) or more Chartered Locals.

1. One or more Chartered Locals must be willing to transfer.

2. Another Chartered Local or Locals must be willing to receive the Local.

3. The Local wishing to merge must call a meeting for the purpose of merger and transfer. Notice must be given of this meeting. At the meeting a motion is made to "merge and transfer its jurisdiction, rights, privileges, duties and assets to the transferee." The motion must be passed by a two-thirds (2/3) majority vote of those present at the meeting.

4. Meeting of the receiving Local or Locals must be called for the purpose of approving the merger and transfer. Notice must be given of this meeting. At this meeting a motion is made to "approve the merger and transfer." The motion must be passed by a two-thirds (2/3) majority vote of those present at the meeting.

5. A meeting of both parties is called by the President of each. Notice must be given of this meeting with at least two (2) weeks' notice. At the meeting a motion is made to approve the merger and transfer.

6. Election for officers of the Chartered Local which has resulted from the merger will be held.

7. The Chartered Local may amend the Bylaws governing the Chartered Local as set out in Appendix "B". The amendments must be approved by the Executive of the United Nurses of Alberta.

8. The merger must be approved by the Executive Board of the U.N.A.

9. Once the Secretary-Treasurer of the U.N.A. receives notice and documents pertaining to the merger, a new or amended Charter shall be issued.

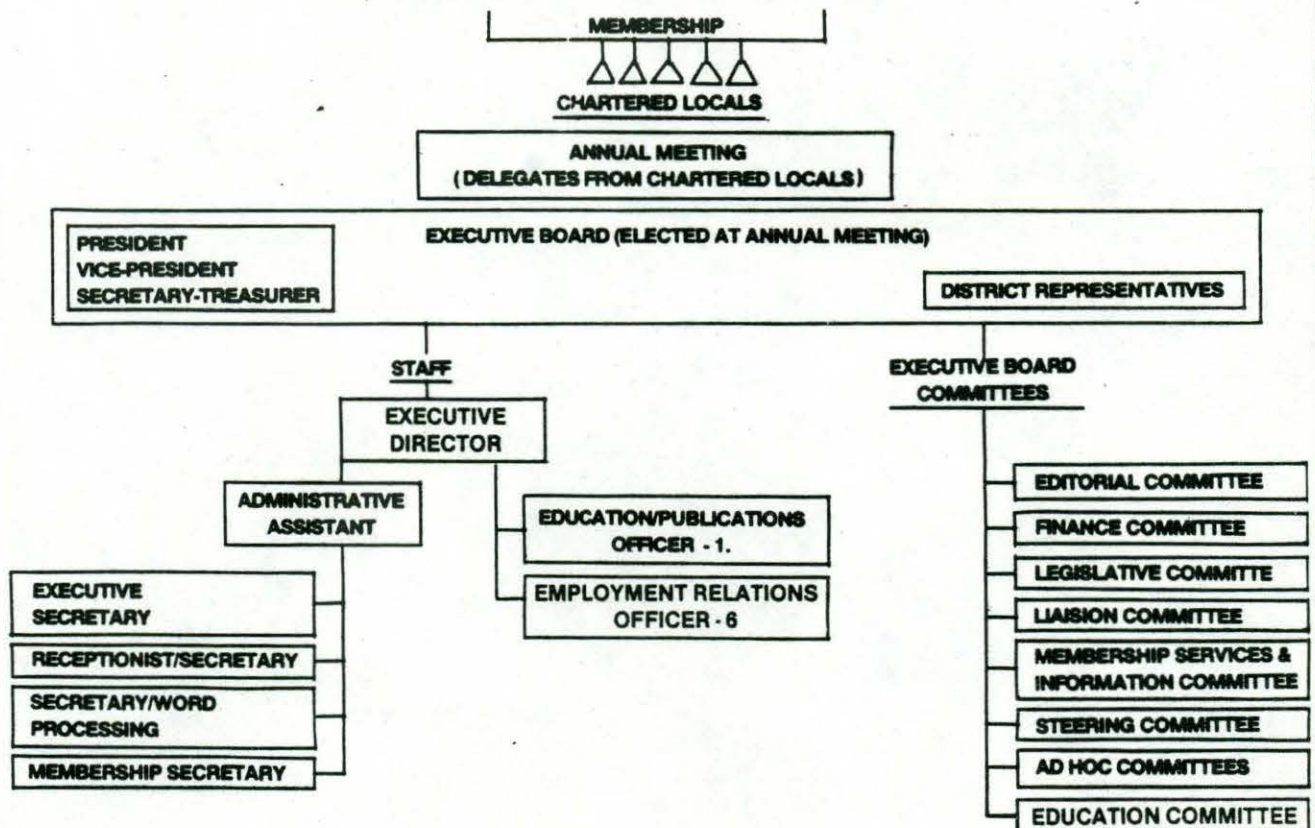
## BYLAW XIV - TRUSTEESHIP

Whenever a Trustee for a Chartered Local has been appointed pursuant to Article 14.05 of the Constitution of the U.N.A., such Trustee shall take over the complete direction, control and supervision of the Chartered Local.


## BYLAW XV - AMENDMENTS

The Bylaws of a Chartered Local may be amended or altered only with approval of a two-thirds (2/3) majority at a meeting of the Chartered Local and with the approval of a majority of the Executive Board of the U.N.A. No such amendment shall take effect until the approval of both the Chartered Local and the Executive Board has been obtained. Full details of the proposed amendment must be set out clearly in the notice of the meeting sent to all members of the Chartered Local.

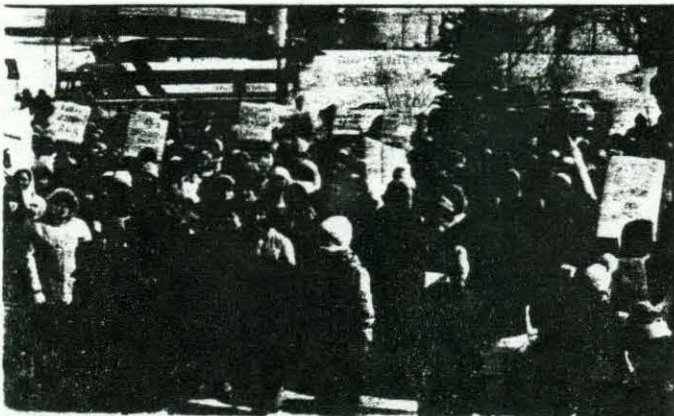
## ORGANIZATION CHART - EFFECTIVE JANUARY 1, 1982





**constitu tion *n.*** Act or mode of constituting; character of body as regards health, strength, etc.; mental character; mode in which State is organized; body of fundamental principles according to which a State or other organization is governed (written , document embodying these); (Hist.) decree, ordinance. [ME *f.* OF, or *f.* L *constitutio* (as *prec.*; see - ION)]





## *Twas the night before . . .*

Twas the night before New Years when all through the ward; not a staff nurse was stirring or saying a word.

The *pickets* were placed at the hospital gate; they hoped that the telephone "fan-out" would not come too late.

The nurses were standing all snug in their *longjohns*; while stoking the bonfires they sung union songs.

We, bargaining committee were *knitting warm socks*; and had just settled down for the last minute talks.

When outside the office there arose such a clatter; that we sprang from our chairs to see what was the matter.

Away to the window we flew like a flash; tore open the shutters and threw up the sash.

The moon on the breast of the new fallen snow; gave the luster of midday to objects below.

When a sight cause our eyes to glow like red ambers; a miniature limousine and eight cabinet members.

With a little old premier so lively and fleet; we knew in a moment it must be Sir Pete.

More hungry than vultures his ministers they came; and he whistled and shouted and called them by name.

"Now Horst Schmit! Now Bogle! Now Russell! Now Hyndman! On Merv Leitch! On Dave King! On Chichak! On Les Young!

To the top of the driveway! Don't let my car stall! Now dash away! Dash away! Dash away all!

As gophers before a dread rattler will die; the ministers, pulling the limo did sigh.

And up to the boardroom the ministers they drew; the *black limousine* and premier Lougheed too.

And then in a twinkling we heard on the landing; their jostling and shoving, ministerial scrambling.

As we drew in our heads and were turning around; into the room burst Sir Peter he leaped with a bound.

He was dressed all in bandages from his head to his feet; his skin was as white as the snow covered street.

A bundle of *offers* he held in his case; and a *shifty expression* he wore on his face.

His eyes — how they darted — his dimples weren't merry; his cheeks were quite ashen his nose was like a cherry.

His mouth wore a grin of malignant dismay; his hands clutched his *briefcase* he preferred to delay.

Our committee was firm "A good offer or strike; better working conditions and a hefty pay hike".

He said not a word but reached into his bag and pulled out an offer that made his face . . .

Our committee assented — the premier departed out on the driveway his limousine started.

He leaped in his limo to his ministers gave a sneer, and his limousine choked he had left it in gear.

Finally it roared, they took off in the night; but we heard him exclaim, ere he drove out of sight.

"You've managed to take the last cents from our purses! You drive a hard bargain, you militant nurses!"

"*The Night Before New Year's*" was read by the UNA Negotiating Committee at the UNA Annual Meeting.

The poem was adapted from "*The Night Before Christmas*" written by Clement Clarke Moore.



## Fish or cut bait: Ethier

The following speech was given by UNA president Margaret Ethier at the UNA Fourth Annual Meeting held in Red Deer in late Nov.

"I see and am silent" was the motto of the first nursing school in Canada.

That attitude still prevails in nursing today and some people believe it to be the correct definition of the nurse as a professional. That attitude is not acceptable to United Nurses of Alberta.

We believe in the more accurate definition of a professional — "accountability to the client" — and that goes beyond the accountability to the employer that we must also respect.

In maintaining that accountability we propose articles in our contracts — enforceable through the grievance procedure — that address our professional responsibility concerns:

- mandatory orientation for new nurses
- in-service education for nurses
- paid educational days and of course the Professional Responsibility article.

Nurses are supposed to be "professionals" and "silent" when we see inadequate staffing or improper practices that contribute to poor quality and even unsafe care for our patients. Nurses are supposed to be "professional" and "silent" when our needs as persons are not being met.

To retain this definition of "professional", the message is loud and it is clear:

- don't rock the boat
- deny your role as the patient advocate
- deny your own needs as a person
- particularly deny these concerns if it means there is any chance of conflict with
  - administration
  - our medical colleagues
  - our nursing colleagues
- adapt to the system
- don't try to change it
- just do your work
- be a good employee
- if you don't like it
- Quit!

Well as we all know, many nurses have chosen that last option. The great national past time seems to be the studying of why nurses aren't working in nursing, like ants going into the ant house. There are a variety of committees composed of highly educated people and always funded with enough money. Well, I'm ready to give the answers for free.

Nurses are not working in nursing because we're "too tired";

- "too tired" at the end of the day from the stress and sheer physical exhaustion
- "too tired" of the lack of respect our opinions are

- "too tired" of the lack of upward mobility in bedside nursing
- "too tired" of not having enough time to spend with our friends and families. After all how many people do you know who have their day off in the middle of the night? How many have to take their July 1 holiday on July 14?
- "too tired" of not having enough money to meet our personal needs.

These committees, that study nurses' needs in the work place, fail to include any working nurses in their membership. As a union that represents working nurses, we frequently tell them the answers. But that's not good enough — what do we know — we're only the nurses.

We became trade unionists — not only to meet our professional responsibilities to our patients — but also to ensure that our needs as persons are being met. For too long, nurses have been told to deny their own needs and always put the needs of the employer first. For too long, nurses have made a "trade-off" — in exchange for being called "professional", for being liked, for meeting the expectations of others — we would give up: respect, job satisfaction, and money.

Well, we found out that this was not a very good bargain. Knowing some people like us, does not prevent us from being physically and mentally exhausted at the end of our working day. It does not give us any more time with our friends and families. And it sure doesn't give us enough money to meet our personal needs.

Nurses are expected to accept the "trade-off", in much the same way that mothers working full time in the home, are expected to reject the normal benefits received by other workers. The knowledge that they are doing "the most important job in the world" is supposed to be sufficient to meet their needs.

Our titles of a "Professional Nurse" and of a "Full-time Mother" and the fact that we are meeting the expectations of others — are supposed to be so important to us, that we will forego meeting our own needs — as long as we can avoid conflict.

Well, I'm willing to get along with anybody — as long as it doesn't mean giving up my own rights. Unfortunately, all too often it means just that.

I have found — and I'm sure you have too — that the price for "getting along", being "good little nurses" is just a little too high. And you can't use it for barter at the checkout counter or when you're applying for a mortgage.

So these committees continue with their studies of the nursing

with the same answers we've been telling them for years — but they refuse to believe those answers — because the answers all cost money.

Could it be that because the majority of our nurses are women, they believe we don't work for the same reasons as other employees: working conditions and wages. Maybe they believe that "something" happened to the "girls" perhaps that time of the month — that just lasted and lasted — "they'll get over it". And who understands men who like working with these women?

If they can penetrate that "feminine mystique" perhaps they will find that elusive magic



answer — the one that won't cost money. Otherwise why would they do more studies?

I'm not aware of any situation similar to ours. The employer is faced with a shortage of employees. Rather than providing benefits to attract and keep workers in the industry, the employer looks for a magical solution — that doesn't require money. The employees in that industry, are consistently forced to take strike action — on a regular basis — to achieve the minimal benefits in their contracts.

In United Nurses of Alberta, we have found that we don't receive things because we want them; because we need them; because we deserve them or because some people like us. We have found the only way we can achieve the things we need is to use the power that is derived from a group that is fully committed towards achieving a goal.

The lack of respect for nurses is not limited to the work place. The government tries to deny us the right to strike by issuing "back-to-work orders" anytime they feel our strike action is

with jail sentences if we refuse to work — sort of like forced labour. I suppose the next step



will be denying us the right to resign. Beyond that perhaps they will try conscription.

Maybe that is the real reason they refuse to provide benefits to retain their employees, and choose instead to recruit new ones into the net. It would be useful to have a pool of qualified nurses that they can draft into government service anytime they need us. Whatever the purpose of these tactics, people feel they have a right to define how a nurse should think, act, and feel. The employers, the government, and now our colleagues in the Registered Association all feel they have a right to get into the act.

And its not just limited to what our needs and wishes are in the work place — now they are trying to tell us what's best for us in our union. They will define for us the meaning of "professionalism", they will tell us which of our negotiating proposals are "regressive".

Well, thanks but no thanks! Nurses are not a bunch of dummies. Nurses may have had little input into decisions that affect them — in government, and in the workplace. And so at least in our own union, we will decide what's best for us.

It may not always be what others' perception of us has been as good little workers, what we should be as workers. But its what we feel we should be. The exploitation of women, workers, and nurses comes from the same sources and is based on the same assumptions. We are not "real people" and we should be used merely to accommodate the needs of others. We're disposable.

Well, at least in our own organization, we still have the right to decide our needs. If we want to participate in a film — sharing our experiences in United Nurses of Alberta — we will do it. If we want to forge alliances with other groups and other unions with common goals — we will do it. If we



of all our members to participate in union business — by providing salary replacement, additional child care costs, availability of child care — we will do it.

We will do these things, only if we want to. And only if it is us to decide to do it whether or not somebody else has done it before — and whether or not somebody else approves. And if we don't want to then we won't.

It may take us a little longer in this organization because the members have to be provided with the information first. But democracy is slow and our decisions will be based on what the majority of our members decide — and we will support that decision.

Our opinion has validity in this organization. We recognize the responsibility we have to put forward any new or different ideas. If the majority agrees with our suggestion — that is what we will do in United Nurses of Alberta.

It has been said: "a union is as strong as its members". Throughout this year, I have had the opportunity of meeting many of the members. And I have every reason to believe that this union will be one of the strongest. Don't be afraid of that strength. Use it. You deserve it.

There comes a time in every organization, when the members have to decide: "Fish or cut bait".

As for me, I've decided to "fish" — for the big ones.

CEO = ED

The UNA Fourth Annual Meeting endorsed a recommendation from the Legislative Committee to change the Chief Executive Officer's title to Executive Director.

To avoid any confusion — the CEO will now be called the ED.



# Operation Dismantle, rep by pop, supported

UNA recently threw its unqualified support behind a global referendum on Disarmament.

At its Annual Meeting held in Red Deer in Nov. UNA continued its role as a social critic by endorsing the referendum on disarmament and by taking that motion one step further.

UNA is also sending letters to Prime Minister Trudeau, External Affairs Minister Mark MacGuigan and to the Leaders of the Opposition parties in order to request that Canada propose such a world vote in the United Nations General Assembly next fall.

## STRIKING

For the first time UNA has a policy about striking — not the right to strike — but what is expected of members in the event a UNA Local not involved in provincial hospital bargaining is forced to set up picket lines.

The new policy endorsed by delegates to the UNA Annual Meeting clearly states that if there is a UNA approved, legal Local strike, Locals within that District will actively support the strikers (if requested) by organizing a roster for picketing purposes.

And members of non-striking Locals will fulfill their obligation to the strikers by picketing as posted.

## REBATES

Rebates to UNA Locals will jump this year as the result of a motion endorsed by the more than 200 delegates attending the UNA Fourth Annual Meeting.

The new rebate policy will ensure that Locals receive \$3.00 per dues payer per month for the first 20. For the next 100 dues payers Locals will be re-

bated \$2.00 per dues payer per month.

Finally, for all remaining dues payers the rebate shall be \$1.00 per month per dues payer.

## REP BY POP

Delegates to the UNA Fourth Annual Meeting reviewed the size of the UNA Executive Board and passed a motion which would in effect reduce the number of Executive Board members from 21 to 19.

In order to make this change the Annual Meeting endorsed a resolution put forward by the Legislative Committee which advocated that two district representatives be elected for every 1000 dues payers or part thereof.

Districts with populations higher than 1000 would be entitled to an additional district rep. for every additional 1000 dues payers.

The number of district reps. to which a District would be entitled will be based on the District's population as of 60 days prior to the Annual Meeting.



Betty Gerrits (left) former UNA North District Chairperson congratulates Donna Clark, incumbent UNA vice-president, on her re-election to that post. Gerrits ran against Clark in the vice-presidential elections.

# Nurses need national voice

"Right at this moment there isn't anything tangible that we can offer you — what we have to share can not be seen," Sonny Arrojado, National Federation of Nurses' Unions president told the more than 200 delegates attending the Fourth

Annual Meeting in Red Deer in late Nov.

But what can be shared Arrojado said is "the historic beginning of a new era of relationship and communication among nurses in the country."

The NFNU president was asked to speak to the convention in order to outline some of the programs and directions the newly formed federation intends to undertake in the upcoming year.

Arrojado told the delegates that some may question why "there is a need for a national voice for nurses?"

Answering her own question Arrojado noted that nurses like

other workers in Canada "are subject to the upheavals of the economy, politics, legislation, and innovations in the nursing field that could have a direct effect on the working life of the nurse."

Arrojado underlined her point by citing the possible introduction of wage and price controls and the efforts being made by governments to remove the right to strike from nurses.

She also noted that the NFNU would be watching the Canadian Nurses' Association and the re-writing of its Code of Ethics which according to Arrojado previously "infringed on the legal labour rights of nurses" to strike.

"The right to strike is the only defense a nurse has economically," Arrojado asserted. "We, who believe that we are equal to the rest of the workers hold this right sacred and will fight to preserve it."

Delegates to the UNA Annual Meeting voted not to join the Federation at this time. But they instructed the UNA Executive Board to continue to inform the membership about NFNU. In addition a motion was passed to send observers from UNA to the next NFNU meeting.

## Unions painted as outlaws

The UNA Executive Director in his address to the UNA Fourth meeting charged that the "Alberta government is prisoner to an ideology which paints unions as outlaw organizations, undemocratic in their structure and improper in their goals."

"Such a view," he said, "is no doubt convenient to the government's multinational friends but such a view is irreconcilably hostile to the very people of Alberta."

The UNA ED noted that unlike governments who were willing to horse-trade human rights in the constitution "the record of this union (UNA) and just about every other union on the issue of the rights of members goes far beyond what any government in Canada is even considering."

Decrying the new Alberta labour laws Renouf said "what a sad commentary it is on the state of the Labour movement that not only were we unable to force changes for the better, we actually permitted the government to

"In both the Labour Relations Act and the Employment Standards Act every single major change made by the provincial government has been to the advantage of the employers and to the disadvantage of workers."

In other areas Renouf highlighted both the successes and failures of UNA during the past year.

Among the highlights was UNA's ongoing "role as a social critic of the present government and its policies" which included complaints to the Health Facilities Review Committee, briefs on nursing homes and the use of the Heritage Trust Fund.



UNA Employment Relations Officer Sharon Wickman appears to be thrilled by the entertainment provided by UNA Local 2 at the UNA Annual Meeting banquet.

## Sky film endorsed

The United Nurses of Alberta has gained "the respect of many women across the country," film maker Laura Sky told the more than 200 delegates attending the UNA's Fourth Annual Meeting held in Red Deer in Nov.

Sky said that nurses during the last strike let the secret out that "your work is undervalued. You named the craziness... you named the crime," she said.

Sky spoke to the delegates in order to provide them with information and an insight into the film she was proposing to make about UNA members. The film would among other things demonstrate the effect that assertive behavior has had on nurses' lives.

The Toronto filmmaker told the delegates that it would be a film about "your secrets, your successes, and your struggles.

workplace affected your lives as mothers, as wives. Did it change your feelings about yourself?"

Sky noted that there are thousands of women across the country that want to know the nurses' story and how they managed to successfully point out the value of their work.

She said she chose Alberta because the contradiction between such a rich province and the paltry amount that nurses and other women in the service industry are paid is obvious. "The drama of that is crystal clear in this province," Sky

**EDITOR'S NOTE** Delegates attending the Annual Meeting voted to spend \$20,000 towards the production of such a film. The other money needed to make this film is being raised through sources such as the Canada Council.

The decision to be involved in producing this film was also based on the control mechanisms that Sky outlined to the delegates. In other words UNA would be actively involved in deciding both the content of the film and what the final product





Anne Parschauer, UNA secretary-treasurer enjoys a light moment during the otherwise hectic UNA Annual Meeting in Red Deer in November. More than 200 delegates attended this meeting.

## UNA supports doctors' fee hike

Delegates to the UNA Fourth Annual Meeting held in Red Deer on November 24, 25, and 26, 1981, overwhelmingly endorsed a resolution supporting UNA's active participation in the Friends of Medicare.

The Friends of Medicare, a coalition of various groups including organizations representing students, senior citizens, trade unionists and consumers is committed to halting any further erosion of the medicare system.

As part of its program the Friends of Medicare does not support extra-billing by doctors but does support doctors in their negotiations for a better fee schedule

from the provincial government.

**SAVE  
MEDICARE  
BAN  
EXTRA BILLING**

CANADIAN HEALTH COALITION

In addition, the more than 200 delegates to the UNA Annual Meeting further underlined their support for doctors in a separate motion.

But the delegates made it clear that although they support doctors in their demands for increased benefits, those increases must be with in the medicare system and not through extra-billing.

In other words, UNA supports doctors in their demands for a fee schedule which will adequately meet their needs. UNA believes that doctors' compensation should only come from the fee schedule and that the fee schedule should not be subsidized through extra-billing.

### Parent:

## Litany of injustice described

Women in the workforce, their unionizing drives, and the ongoing discrimination suffered by women at work were just a few of the topics addressed by Chelene Parent, guest speaker to the United Nurses of Alberta's Fourth Annual Meeting held in Red Deer in late November.

Parent, Canadian Chemical and Textile Workers Union, Secretary-Treasurer and the Eastern Vice-President of the Confederation of Canadian Unions describing her early years of union organizing to the more than 200 UNA delegates outlined a career that began during WWII.

Parent, is perhaps best known for her involvement in the long struggle to organize the textile workers in Quebec.

During this organizing drive Parent, the victim of a rabid anti-union provincial government led by Union Nationale Premier Maurice Duplessis was convicted of seditious conspiracy and sentenced to a two-year jail term. But the Quebec Court of Appeal ordered a new trial before Parent had served any time of her sentence.

For seven years Parent continued to organize with a jail sentence hanging over her head waiting for a new trial to be set. Finally, after inordinate delays one judge refused to postpone the trial any longer and at the second trial Parent was acquitted.

But her husband and fellow union organizer Kent Rowley was not as fortunate serving six months in jail on another charge.

Parent and Rowley initially led organizing drives for the international textile union but during the years to follow both became disenchanted with the international's approach to collective bargaining and lack of response to other larger social issues.

establish a solid independent Canadian textile union in Quebec their efforts were futile. Both then moved to Ontario to set up the new Canadian union headquarters there.

Deeply committed to independent Canadian unions Parent and Rowley took that commitment one step further providing the impetus for the establishment of the Confederation of Canadian Unions in 1967.

Describing herself as a feminist Parent has spent much of her energy organizing in predominantly female industries. Throughout she has been a champion of women's rights both within the workplace and outside of it.

It was not surprising then for Parent to describe the litany of injustices that women have faced over the years. But true to her "we shall overcome" attitude Parent didn't leave UNA members overwhelmed by injustice, instead she articulated the many contract items for which women must fight in order to begin to eliminate discrimination in the workplace.

Parent told the UNA delegates that women cannot depend on governments' goodwill to correct discrimination in the workplace but that "we are left with the job of fighting for our own rights; fighting for justice in the job . . ."

She noted that throughout the past few decades women's work and the kind of work that women do depends directly on the current economic needs of society.

During the war, she pointed out that women "were good to learn every single job needed in the economy . . ." while the men were off to war.

According to Parent even the war posters indicated a new attitude towards women. The federal government's adver-

alls, their hair covered with bandanas and sporting "an intelligent look in their eyes."

"But when the war was over all this was forgotten and women went back to traditional jobs," she said.

As the years went by and the economy changed then the role of women in the workforce changed as well.

More women were returning to work after raising their children or they continued to work whether they had children, were married or were single.

But as Parent pointed out some conditions still remained the same. Women found themselves working in traditional jobs — traditional in the work performed and traditional in the rates of pay and benefits.

"Women still only earn 58¢ for every dollar a man earns and the gap between men and women's pay continues to increase," she said.

Parent noted that one of the main reasons why this pay gap continues to widen is because of percentage increases. The lower one earns, the less of an impact percentage increases have on paycheques.

Among other things, Parent listed equal pay for work of equal value; government subsidized childcare; maternity leave provisions; an end to sexual harassment through grievable contract clauses; and adequate pension provisions as essential items to begin to end discrimination against women.

"How are we going to win all of these demands . . . not in a day, not in a year, not in two years, but over time by consistent struggle and attention to the particular injustices that women in the workforce are up against," she said.

Parent said that she was hopeful that "over the years she has been involved in the

the workforce but have built unions . . ."

She noted that when women began joining and building unions they were Canadian unions and that in these unions unlike American based unions women have greater participation and greater access to leadership status.

Describing the Confederation of Canadian Unions as modest in size with about 30,000 members Parent stressed that the CCU is an organization which first of all demands that workers be in their own Canadian union.

That these unions must be bona fide unions and not company unions and finally that "every organization affiliated is completely sovereign and independent and makes its own decisions . . ."

"We are trying very consciously to avoid the building of a bureaucracy."

"The affiliates are responsible to their own rank and file and seek solidarity, assistance and mutual agreement with other Canadian unions but also on the basis of complete equality and sovereignty," she said.

Parent also noted that because of the fearfully held belief in union sovereignty unions affiliating with the CCU have both "the right to join and the right to leave without any ties."

Closing her remarks with praise for the UNA Parent said that "it was a very invigorating experience for me with four decades of union organizing under my belt to have been invited to speak to the UNA's Annual Meeting."

"Your reputation amongst a lot of workers I know in the public sector in Quebec and in Ontario stands high, especially since you took on the Lougheed government and hospital administration not so long ago



Nels Thibault, former president of the Manitoba Federation of Labour taught labour history to the 80 UNA members who attended the first UNA Labour School held in Red Deer in October. UNA is planning another school to be held sometime this year.





*Jennifer Lovcraft seems to be engrossed in the proceedings at the UNA Annual Meeting held in Red Deer in November. More than 300 delegates and observers attended the union's third Annual Meeting.*

## Arbitration:

# Winning may be losing

When does winning mean losing?

When an Arbitration Board unanimously upholds a grievance but in its decision does not address the redress to be granted the grievor for past and subsequent occurrences arising from the original complaint.

Such was the case in a recent decision involving a grievance filed from UNA Local 33 regarding a violation of Article 16.02. The grievor claimed that she was assigned to replace her Unit Supervisor who was off duty because of a scheduled "stat" holiday. As redress the grievor requested payment in accordance with Article 16.02 for all days so worked.

The employer, however, argued before the Board that the grievor was merely "in charge". And that she was not specifically assigned to replace

an employee in a higher paid classification and did not perform all of the duties normally assigned to the Unit Supervisor.

The union argued that the circumstances under which an employee is assigned identifies what payment is due. In other words, once a designation is made the union asserted that what must be considered by the Board are the words "replace another employee in a higher paid classification for one full shift or longer."

Once the union established this point it was then necessary to determine whether there was a qualitative change in the nature of the grievor's job.

The Board agreed with the union's position stating that the grievor was substantially performing the duties normally assumed by the Unit Super-

visor. It also stated that it was not necessary for the grievor to have performed all of the supervisors duties since the Unit Supervisor would rarely perform all of those on a daily basis.

But the problem arose in the Board's Award. It stated in its award, that the grievance failed to determine the work performed on other days. Consequently the Board determined that there was insufficient evidence to justify an order to pay for additional days when similar circumstances arose.

But the battle continues. The grievor has filed another grievance which indicates each date for which she deserves payment. The employer is still holding its original position. It would appear that this matter will soon be once again before a Board of Arbitration.

## Act dictates picket line

During a legal strike Section 114(1) of the Labour Relations Act makes picketing a lawful activity. Strikers and supporters may "persuade or endeavour to persuade anyone not to enter the employer's place of business, operation or employment."

What choices do you as a nurse have when confronted by a picket line at a hospital. As other unions such as the AARNA's and the Canadian Union of Public Employees enter the final stages of bargaining the possibility that you will be faced with picket line increases. You can either honour the picket line or you cross.

The Alberta Labour Relations Act in keeping with the tradition that brought you Bill 11 does not permit employees to refuse to work "for the reason that other work was or will be performed or was not or will not be performed by any person or class of persons who were or are not members of a trade union or a particular trade union."

In other words, most sympathetic employees cannot legally honour picket lines in this province. But there are a few exceptions to this rule. Some collective agreements specifically allow the employees covered by the agreement to honour picket lines of other unions. No current UNA collective agreements, however, contain such a provision.

The aforementioned law permits UNA members of health unit locals to refuse to cross picket lines of the hospital nurses as they are all part of the same union. One arbitration board (see: McCromick's Ltd. and Milk & Bread Drivers, Dairy Employees, Caterers and Allied Employees Local 647) ruled: "The only reason an employee can properly advance for refusing to cross a legally established picket line is that there is a possibility of danger to his health and safety."

## Letter to editor continued...

This delay also provided an opportunity for UNA members and other concerned citizens to make their concerns known to our elected officials. I feel certain that the lengthy debate which took place on March 10 was in large part resultant from that lobbying.

Not only was Bill 11 discussed but also the concerns of Alberta nurses regarding patient care, the future of nursing and our future as nurses. Our concerns were well articulated by the opposition members in the public forum of this province and were duly recorded.

The government members of this province have been put on notice that the conditions within Alberta hospitals are unacceptable to the nurses of this province and that in our professional estimation if a number of changes are not implemented, conditions will deteriorate even further.

Betty Gerrits,

## Women's World:

# Maintenance arrears stopped

by: Ruth L. Becker

As a lawyer handling divorce and matrimonial problems almost exclusively, I constantly see problems with enforcement of maintenance. The Alberta Institute of Law Research and Reform did a great deal of research on this problem of enforcement and issued a report in 1981 which stated:

The survey of women indicated that about half of all maintenance orders in Calgary were paid up at the time of the study. However, only about a third of the ex-husbands paid their orders every month and in a full amount. About 30% of the women interviewed said that their husbands/ex-husbands had paid nothing in the past year. Thirty-eight percent of the Edmonton and Lethbridge cases had made all their payments over the duration of the case. Twenty-three per cent of the Edmonton and 7% of the Lethbridge cases had made no payments at all over the duration of the cases.

This provides documentation as to the difficulty of collecting maintenance. If a man is not working and has no assets, there is no point in his wife seeing a lawyer or going to Family Court with regard to arrears. She will not be able to get anything from such a man, and the Court will not "punish" a man for not making payments when he is unemployed and has no assets. If a man is employed, or has assets, and if the amount paid for maintenance of the children or wife is small, a wife who has no money for legal fees should phone the Family Court who will take steps to enforce payments. This is one method that may bring about enforcement without the expense of a lawyer. The Family Court has no power to change a Maintenance Order granted by any of Canada's Supreme Courts, but if a man has valid reasons for not making payments the Family Court may refuse to enforce payment of any or all of the arrears owing. If a man has been ill, for example, or out of work, the Court may refuse to enforce the arrears.

It is important for every person in receipt of maintenance payments to know that it is the policy of the Alberta Court of Queen's Bench to cancel all arrears except for the last year maintenance was payable. Thus, if a man owes \$10,000.00 in arrears, because no payments were made over the last 8 years, it is probable and likely that the Court will cancel all but \$1,200.00 or \$1,400.00 of these arrears. It is, therefore, important to collect any arrears before they are past due for one year. (The Institute of Law Research and Reform found that 87% of the cases in Edmonton and 74% in Calgary showed evidence of some enforcement).

If large maintenance payments have been ordered by the Court, and if the husband is employed, it is likely worthwhile to ask a lawyer to Garnishee. If Garnishees must be issued two or three times in a row, then it would be possible for a permanent Garnishee Order to be sought under the new Domestic Relations Amendment Act. This would mean that every month the husband's employer would remit the amount of maintenance due to the wife directly to her. This is a great advantage, because it is costly to the client to have her lawyer issue monthly Garnishees, and a continuing Garnishee only costs once - unless the husband quits his job.

A Decree Nisi of divorce given in any province in Canada is registerable (and enforceable) in every other Canadian province. It is also enforceable in Australia, England, Wales, California, and a few other jurisdictions. Therefore, if a husband leaves the province, his wife must find out where he is working and attempt to go through the Family Court in that other province, or retain a lawyer to have him/her register the documents and Garnishee. There is little that can be done when one has a husband or ex-husband who continuously moves from one job to another, and perhaps from one province to another, and who is determined not to pay maintenance. If a man moves to the United States (but not to California), the Canadian judgment is not enforceable and new action must be taken in that state to obtain an Order for maintenance.

The Institute of Law Research and Reform has done a great deal of work on support failures, and an International Conference was held on the subject last fall. People from different countries presented papers outlining the way maintenance arrears were dealt with in their country. One of the recommendations that many of the people who attended the Conference had, was that of passing legislation so that a Central Registry on support would be entitled to obtain information from the Tax Department as to a citizen's whereabouts and employment. I am hopeful that such further changes will be made in the law so that it will be easier to have maintenance payments paid regularly. Meanwhile, my advice to women in this position is not to let a second consecutive month go by when maintenance is not paid, without seeking some means of enforcement, either through the Family Court or a lawyer.

Ruth L. Becker practises law in Edmonton.

This column was reprinted from *Resource News*, a publication of the Legal Resource Centre in Edmonton



# We want to know ...

Your negotiating committee will have begun negotiations by the time you have received this edition of the *UNA Newsbulletin*.

UNA has joined the Canadian Union of Public Employees, the Alberta Union of Provincial Employees, the Alberta Association of Registered Nursing Assistants and the Health Sciences Association of Alberta to prepare this questionnaire in order to give us a better idea about the social and economic status of our members.

We are asking each of you to help us out by responding to this questionnaire.

It must be stressed that you are not being asked to give your name when filling out the questionnaire.

**Please do not sign this form.**

Place an "X" in the appropriate box to indicate your answer for each question.

Please return to the UNA Provincial Office or your district representative.

1. Age:  
☐ Under 20   ☐ 20-29   ☐ 30-39   ☐ 40-49   ☐ 50 and over.
2. Are you: ☐ Male   ☐ Female
3. How many dependents do you have:  
☐ None   ☐ Two   ☐ Three   ☐ Four   ☐ Five  
☐ Six   ☐ or more.
4. Are you a single parent: ☐ Yes   ☐ No
5. Do you work: ☐ Full time   ☐ Part time or Casual
6. If you work part time, or casual how many hours a week do you average:  
☐ less than 7 1/2   ☐ 7 1/2 - 15 1/2   ☐ more than 15 1/2
7. Are you the only wage earner in your household:  
☐ Yes   ☐ No
8. If the answer to question 7 is no, is your's the largest source of income in the family?  
☐ Yes   ☐ No.
9. How long have you worked for your present employer:  
☐ Less than one year   ☐ One to three years  
☐ Three to seven years   ☐ More than seven years.
10. How long do you expect to remain with your present employer?  
☐ Less than one year   ☐ One to three years  
☐ Three to seven years   ☐ More than seven years.
11. If you expect to be leaving your present employment, what are your reasons for leaving:  
☐ Financial   ☐ Overwork   ☐ Spouse changing jobs   ☐ Personal   ☐ Other.
12. What is the size of the community in which you live:  
☐ Under 5,000 people   ☐ 5,000 to 50,000  
☐ More than 50,000
13. Do you work for any other employer in addition to your regular employment in a hospital or clinic?  
☐ Yes   ☐ No.
14. If the answer to 13 is yes, how many hours per week?  
☐ One to two   ☐ Two to four   ☐ Four to eight  
☐ More than eight.
15. To your knowledge, are you eligible to receive any form of social assistance to supplement your earnings with your employer?  
☐ Yes   ☐ No
16. If the answer to 15 is yes, are you receiving such social assistance?  
☐ Yes   ☐ No

17. What is your total monthly income from:  
 a) Your employment with a hospital or clinic:  
☐ Less than \$550 per month   ☐ \$550-1,250  
☐ More than \$1,250  
 b) Other employment  
☐ Less than \$85 per month   ☐ \$85-300   ☐ More than \$300.  
 c) Social Assistance  
☐ Less than \$85 per month   ☐ \$85-300   ☐ More than \$300
18. Do you have access to any of the following benefits from any source other than your own employer (through the employment of a spouse, etc)?  
 Dental Plan   ☐ Yes   ☐ No  
 Extended Health Care Benefits (prescription drugs, eyeglasses, etc.)   ☐ Yes   ☐ No  
 Group Life Insurance coverage for yourself:  
☐ Yes   ☐ No  
 Group Life Insurance coverage for your dependants:  
☐ Yes   ☐ No  
 Long Term Disability income protection:  
☐ Yes   ☐ No
19. Do you: ☐ Rent   ☐ Own, or are you buying your own home?
20. Mark with an X the type of living accommodations you occupy:  
☐ Single Family dwelling (house)   ☐ Duplex  
☐ Townhouse   ☐ Apartment   ☐ Other.
21. If you are buying your home, what are your payments per month?  
☐ Less than \$500   ☐ \$500-\$750   ☐ \$751-\$1,000  
☐ More than \$1,000
22. If you are a tenant, what is your monthly rent including utilities, cablevision, parking etc.?  
☐ Less than \$500   ☐ \$500-\$750   ☐ \$751-\$1,000  
☐ More than \$1,000
23. Do you live in any form of housing or other accommodation which is subsidized to any extent by the municipal, provincial or federal governments?  
☐ Yes   ☐ No.
24. Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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