



NEWS BULLETIN

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Government orders 9% payment

BULLETIN

The provincial government has decided to confirm the award of Mr. Justice Bowen and put into effect the contract providing for a nine per cent increase.

The decision of the government was made on the first day of the fall sittings of the Legislature. The following statement was made by the Minister of Labour, Neil Crawford:

"In the course of the review the government has recently completed of the arbitration award in its relationship to the guidelines, a full evaluation has been made as to why the award should or should not be binding in the light of the reasoning given by Mr. Justice Bowen.

"The government's concern at this time is therefore two fold, firstly that the proceedings under the Labour Act at all times be capable of being carried to a conclusion that is not only binding, but is also seen to be fair and reasonable in

the mind of an impartial third party and in the minds of the parties themselves and the public generally. Secondly, that the present and any future situations involving the emergency provisions of the Alberta Labour Act and the guidelines of the Anti-Inflation Board do not appear to lead to a conflicting or contradictory result.

"The government has accordingly decided to take the steps open to it to confirm the award made by Mr. Justice Bowen and to put into effect the contract between the parties set out in the award."

The Executive Committee of the United Nurses of Alberta is pursuing legal methods of recourse against employers who refuse to pay the nine percent awarded by the Public Emergency Tribunal.

Despite the announcement of the Alberta Hospital Association that nurses will only receive six percent of Mr. Justice Bowen's award for 1977 and the Anti-Inflation Board's decision to roll back the award to six percent, there are possible legal avenues available for nurses to obtain the additional money owed to them.

The Minister of Labour, the Honourable Neil Crawford, has filed our award with the Clerk of the Court in Edmonton. That means that your employer is like any other judgment debtor in the Province of Alberta. That debt

can be satisfied by means of a Writ of Execution that must be filed by the creditor (the nurse) with the Clerk of the Court. Once filed with the Clerk, your writ will be filed with the Sheriff and with Land Titles.

Another action is to garnishee the debtor's bank account to obtain your money. The procedure is to file a garnishee summons together with an affidavit with the Clerk of the Court.

The Legal Advisor, Donna Gillis, has been instructed to proceed initially against a representative number of hospitals either with a Writ of Execution or a garnishee. Either method could force the hospitals to pay the full amount of the award. However, it is reasonable to assume the employers would oppose the implementation of these procedures, despite their claim to be "law abiding" citizens who "do not break the law".

A further course of action is to take contempt proceedings in Court against your employer. The most likely remedy here would be a fine or imprisonment. This would not result in payment of the award.

Since the Anti-Inflation Board has deliberated on the award, the Anti-Inflation Act provides for appeal procedures. The first step is to appeal to the Administrator and if his decision is not satisfactory, then a further appeal to the Anti-Inflation Board Appeal Tribunal will be made.

Teachers accept eight percent

Edmonton public school teachers have voted overwhelmingly in favor of a conciliation award that gives an eight-per-cent wage increase for 1977.

Despite a recommendation from the executive to reject the award, almost 84 per cent of the Alberta Teachers Association (ATA) local present Tuesday voted after little discussion to accept the award. About 1,280 of the 3,900-member ATA local voted.

Several ATA officials said the award differed little from what teachers could have gained without going to conciliation.

The wage increase meets anti-inflation guidelines. Before requesting conciliation in January, the ATA had asked for a 12-per-cent increase along the salary grid. The trustees offered 6.7 per cent.

The new agreement raises the starting salary of a teacher with four years' university experience to \$13,455 a year from \$12,450. (General Staff Nurse [4 level] proposed \$13,801). With the same grid, a teacher with a bachelor of education degree and six years' teaching experience will earn \$18,405. (Instructor with degree at 6 level proposed \$17,592).

Edmonton nurse appointed Employment Relations Officer

Jocelyn Tanner, 29, of R.R. #3, Sherwood Park, has been appointed Employment Relations Officer for the Collective Bargaining Program.

Mrs. Tanner, a 1970 graduate of the Calgary General Hospital School of Nursing, will commence employment mid-October.

Following graduation, Jocelyn was employed for a year at the Calgary General Hospital. From 1971 to 1975 she was employed as a staff nurse at the Misericordia Hospital. After a year of educational leave during which she studied economics at the University of Alberta, she was employed in the Intensive Care Unit at the University of Alberta Hospital.



Jocelyn Tanner

Opinion

A Question of Justice

When Labour Minister Neil Crawford promised a "fair settlement" to nurses on the steps of the Legislature last July he must have had his fingers crossed. It is not turning out that way.

The Minister and the government must be held responsible for creating a chaotic situation in which nurses have been given a "binding award" which is only binding on certain parties under certain circumstances. It is not good enough for the Minister to shrug his shoulders and observe that it is an "interesting" situation, such as he did on a recent radio program.

Having created a situation by Order-In-Council in July there is surely some obligation to at least ensure that the "Justice" meted out by an Alberta Supreme Court Justice is not devalued by a group of people who simply decide to refuse to obey with the ludicrous excuse that they are obeying a different law. The Public Emergency provisions were warmly embraced by those same people less than three months ago.

It is one thing for the employers to practice this kind of flexibility, but it is quite another for the government to allow it with only a shrug.

The questions keep nagging: Would they have shrugged at the electricians or plumbers unions? Would it only be "interesting" if construction workers were involved?

Would it be too harsh to suggest that the lack of concern is connected directly to the fact that you are women and as such not to be regarded too seriously?

Would it be unkind to consider that this injustice sits so lightly on the shoulders of Minister Crawford because you are members of a profession that is traditionally subservient to the authority structure of the hospital?

These are questions which you must ask of yourselves first and then if you feel the matter worth pursuing you should continue to ask them throughout the next provincial election campaign.

Technical fault forces Withdrawal of Applications

A decision by the Board of Industrial Relations to adopt a narrow, legalistic perspective on the wording of our membership application forms has necessitated the withdrawal of some certification applications.

The Board ruled that the forms used in the first group of applications were insufficient to indicate membership in the Chartered Local of the U.N.A. because they did not actually state "chartered local #" on the face of the form.

This is the kind of nit-picking that any group of employees is subjected to in dealing with this government agency. Some nurses may recall that it took more than a year to satisfy the Board enough to grant a certification to a Staff Nurse Division following the restructuring of the Collective Bargaining Program in 1974.

In a curious turn of logic, the Board allows a group of employees to withdraw a certification application, but at the same time pronounces it "refused". This means that there is a three-month waiting period before the group can apply again.

It does not mean that all the work that has gone into the formation of more than 80 Chartered Locals is lost. When the next "open period" occurs in November and December we can apply for certification on the basis of membership in good standing in the Chartered Local. All that is required at the local level is that the officers of the Chartered Local ensure that the dues of one-half of one-percent are collected each month from members. A dues deduction form is printed elsewhere in this news bulletin.



"Quotes"

"If a thing is true you must accept it no matter how incredible or how unpalatable it may be. No real values are destroyed or impaired by learning the truth about them. The falsities and prejudices of the world are allergic to truth and will die if sufficiently exposed to it." — From the Royal Bank of Canada Monthly Letter.

A.U.P.E. RAID FAILS

A raid on the Misericordia Hospital staff nurse membership by the Alberta Union of Provincial Employees has failed.

The Board of Industrial Relations has refused to certify the union as bargaining agent for the hospital instructors. A.U.P.E. had organized nine of the fourteen instructors employed by the hospital. The former lawyer for the Collective Bargaining Program of the A.A.R.N., Ross McBain, represented A.U.P.E. while Donna Gillis represented the Misericordia Hospital staff nurses.

A similar organizing raid on the instructors at the Royal Alexandra Hospital failed when the union was unable to gather support. The A.U.P.E. represents 700 different classifications from janitors to technicians employed by the Provincial Government. It is now attempting to extend its jurisdiction beyond Provincial Government employees and has turned its attention to nurses.

AARN STATEMENT

The Executive body of the Alberta Association of Registered Nurses wishes to express grave concern regarding the implications of the Anti-inflation Board roll back of the arbitration award received by Alberta nurses.

During the years in which nurses have been involved in collective bargaining in Alberta, they have displayed a consistent degree of responsibility and concern for the public in their negotiations. This year for the first time in history of the province, nurses went out on strike because of difficult negotiations.

The decision of the Alberta government to impose binding arbitration to end the strike, forced the nurses back to work. The award and subsequent roll back have produced a situation which is viewed as undermining trust and placing demoralizing doubts regarding the present labour relations system that exists, both in Alberta and federally.

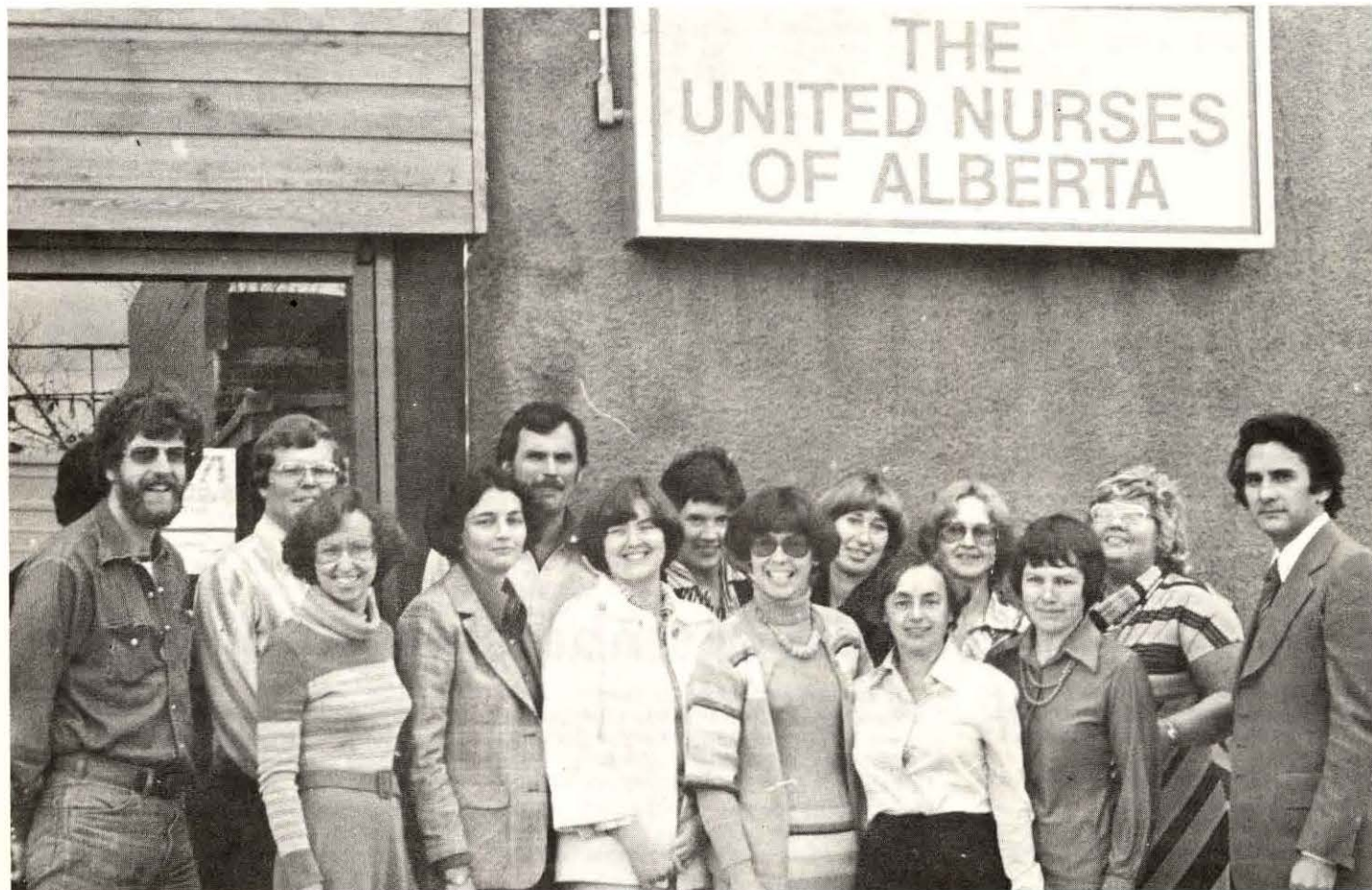
AARN/Collective Bargaining Dues Separate Sept. 30

As of September 30th, the collective bargaining program for Alberta nurses is no longer funded by the fees paid to the A.A.R.N. for membership renewal.

Instead, the responsibility for funding the collective bargaining activities of Alberta nurses has now become that of Locals and their members. The amount of the fees is one-half of one percent of basic wages. An amended form for the purpose of authorizing dues deduction from your employer has been adopted following a suggestion of the Board of Industrial Relations. (See form.)

Staff Nurse Divisions who have not restructured themselves as Chartered Locals of the association are continuing to receive collective bargaining services as they are purchased on their behalf by the Provincial Staff Nurse Committee from the United Nurses of Alberta. As of the end of September, a total of four Staff Nurse Divisions were purchasing services in this manner. It should be noted that any Staff Nurse Division whose members are not paying the monthly dues of one-half of one percent as provided for in the A.A.R.N. Bylaws will not be eligible to receive collective bargaining services as of October 1.

Date _____
I, _____
hereby authorize and direct my employer to deduct from my earnings the monthly dues of one-half of one percent of basic wages effective beginning the month of _____ and remit such dues to the United Nurses of Alberta, 10571 - 109 street, Edmonton, Alberta, T5H 3B1, at the end of each monthly pay period.
Signed: _____



EXECUTIVE AND STAFF OF UNA

From left to right: Michael Mearns, Holy Cross Hospital; Grant Ford, Lethbridge Municipal Hospital; Donna Gillis, Employment Relations Officer and Legal Advisor; Linda Sudeikat, St. Michael's General Hospital; Bill Grudecki, Calgary General Hospital; Catherine MacPherson, Grande Prairie General Hospital; Linda Roberts, Red Deer General Hospital; Jane Bennett, Employment Relations Officer; Judy Langner, Royal Alexandra Hospital; Gurty Chinell, Red Deer General Hospital; Kathleen Szczechina, University of Alberta Hospital; Ruth Esau, Misericordia Hospital; Donna Clark, Calgary General Hospital; Robert Donahue, Chief Executive Officer. Kath-Ann Terrett, Beaverlodge General Hospital, took the picture.

Missing are: Una Truscott, Fort Saskatchewan General Hospital; Mary Crowley, Rockyview Hospital; Marilyn McDonald, Royal Alexandra Hospital.

Grievance Arbitration Notes

Hospital rules or personnel policies that are in effect along with a collective agreement must satisfy certain rules established by arbitration precedents.

Below are some of the characteristics of rules and their effects in discipline.

A rule unilaterally introduced by the Employer, and not subsequently agreed to by the Union, must satisfy the following requisites:

1. It must not be inconsistent with the Collective Agreement.
2. It must not be unreasonable.
3. It must be clear and unequivocal.
4. It must be brought to the attention of the employee affected before the company can act on it.
5. The employee concerned must have been notified that a breach of such rule could result in his discharge if the rule is used as a foundation for discharge.
6. Such rule should have been consistently enforced by the Employer from the time it was introduced.

INCREASED VACATIONS NEGOTIATED

Close to 160,000 Canadians became eligible for 6 weeks paid vacation during 1976 according to the Federal Department of Labour.

Approximately 18% of the three million office and non-office employees as surveyed by the Department last year qualified for six weeks vacation.

In Alberta in 1976, 12% of the non-office employees are entitled to 6 week vacations as compared to 5% in 1974.

90% Asked

Only three months after its certification as a union, British Columbia based United Bank Workers Union is already flexing its muscles by saying its members want a 90% pay increase.

The U.B.W. said it will seek monthly wages of \$1140 compared with the present \$600 at contract negotiations to be held late next month with the 12 B.C. branches of the four banks with U.B.W. members.

Elizabeth Godly, national secretary of the union, says the U.B.W. is seeking the hike "because it costs about \$1050 for a single parent woman to live in Vancouver without a car or savings."

— The Financial Times of Canada.

LETTERS

Sir:

In a recent issue, a reader's letter commented that there was no logical reason that nursing wages should be at such a low level compared with those in other occupations.

I fully agree that nurses are not fairly treated in respect both of wages and of their status in society. However, there is indeed a logical reason for this.

As long as (mainly) women are prepared to become nurses and remain nurses under present salary arrangements, why should your managements pay more? Whether or not there is a shortage of nurses is, perhaps, debatable. If there is a shortage it isn't critical enough to compete for space in the news with other community concerns. As long as we can get all the nurses we want, there seems little reason to pay more.

You have only two methods of creating a shortage. One method you tried without much success.

The other method of creating a shortage is to keep the public, and most particularly potential nurses aware that, financially at least, there are more rewarding occupations than nursing. You may have to spend some money literally advertising the undesirability of being a nurse.

Yours very truly,
William K. Rankin

Sir:

So it has come to pass that the almighty Federal Government, in the guise of the Anti-Inflation Board, has denied the Alberta Nurses their muchly deserved 9% increase. The increase that the nurses had fought for many months to obtain. The increase that was objectively arbitrated by a Provincial judge. And the increase that was far below what they felt they were worth.

In retrospect, I guess it should have been expected. Has the A.I.B. done anything smart since its inception?

So the nurses went on strike which, as we all know, didn't last very long, and they were ordered to accept binding arbitration. The judgment was passed and they were awarded 9%. But the A.H.A. wouldn't pay. Now, you try disobeying a court order and see what happens to you. So here the nurses are. All their work and worries dashed on the rocks of the A.I.B.

The final thing I have to say is that I hope I never get sick, for with all the bungling and back-door dealings of the Government, I doubt if our hospitals are now safe.

Respectfully yours,
Don S. McEachern
7207 - 21 Avenue
Edmonton, Alberta
T6K 2K7

Executive Committee changes

There have been a number of changes in the makeup of the Executive Committee due to resignations and leaves of absence.

Below is a list of the names and addresses of the current Executive.

Mrs. Gurty Chinell
Box 917
Red Deer, Alberta
T4N 5H3

Mrs. Loretta Miller
7351 - 18 Avenue
Edmonton, Alberta
T6K 2B5

Miss Kath-Ann Terrett
Box 817
Beaverlodge, Alberta
T0H 0C0

Mrs. Una Truscott
9204 - 95 Avenue
Fort Saskatchewan, Alberta
T8L 1C7

Mrs. Linda Roberts
10 Stirling Close
Red Deer, Alberta
T4N 0A8

Mr. Michael Mearns
98 Harcourt Road, S.W.
Calgary, Alberta
T2V 3E1

Mrs. Linda Sudeikat
431A - 12 Street, South
Lethbridge, Alberta
T1J 2R5

Mrs. Donna Clark
#377, 1620 - 8 Avenue, N.W.
Calgary, Alberta
T2N 1C4

Mrs. Trudy Zakulis
Box 748
Spirit River, Alberta
T0H 3G0

Mrs. Ruth Esau
8711 - 151 Street
Edmonton, Alberta
T5R 1H8

Mrs. Marilyn McDonald
11019 - 169 Avenue
Edmonton, Alberta
T5X 2N4

Mr. Bill Grudecki
218 - 6 Avenue, N.E.
Calgary, Alberta
T2E 0L7

Miss Mary Crowley
9403 Elbow Drive, S.W.
Calgary, Alberta
T2V 1L6

Mr. Grant Ford
#203, 1408 - 9A Avenue, South
Lethbridge, Alberta
T1J 1X8

"Quality of patient care will suffer"

"Quality of patient care will suffer immeasurably if the nursing profession is unable to meet the demands placed upon it in the work environment", said Mr. Justice D. H. Bowen in his Public Emergency Tribunal Award.

"There is no doubt that the nursing profession perform an important and essential service to the public, said Mr. Justice Bowen.

"It is imperative that this service be performed by them in an atmosphere of care and understanding. The type of work is demanding, both physically and mentally, and if the nursing profession are not able to meet these demands then the quality of patient care will suffer immeasurably.

"Nurses in my opinion are professionals in every sense of the word both by virtue of their training, either by way of a two or a three year diploma or Bachelor of Science in Nursing. These factors to me are extremely important in any consideration of determining a proper wage to be received by the nursing profession," he said.

Mr. Justice Bowen said that it was apparent on the basis of evidence submitted that the base salary presently received by nurses is being far out stripped by the base hourly wages received generally by tradesmen who are members of various trade unions.

"In saying this, I am not decrying in any way the higher wages being paid to these tradesmen, but rather, I am comparing a professional occupation such as nursing to the tradesmen and find, of necessity, that the disparity is indeed of some magnitude. I must also take into account in this context that ordinarily tradesmen are not doing shift work, whereas the nursing profession, of necessity, requires constant shift work be performed by the nurses."

Mr. Justice Bowen also commented on the relationship of the Certified Nursing Aide salary and the Registered Nurse salary.

"The fact still remains that the great rise in the wages of the nurses aides brought them to a level which was very close indeed to the base level of the nursing profession. I am fully convinced and aware of the fact that nurses as compared to the nursing aides and, without any way criticizing the nursing aides, have firstly a great deal more training of the specialized nature and assuming in their employment a greater responsibility than the certified nurses aide. In my opinion, this difference in training and responsibility is not properly manifested by the amount of money received by the nursing aides and by the nurses."

In dealing with the ability of the employers to pay a higher amount than 6% Mr. Justice Bowen said: "However, I feel that we must be aware of the fact that Alberta is certainly a far richer province than either of the others (Saskatchewan and Manitoba). I do feel that

the standard of living and cost-of-living in this province would be higher than either of those other provinces and of course when one's comparing with the other provinces, it is difficult to do so on a rational basis unless one knows all of other fringe benefits that may be contained in agreements in those provinces".

After noting that other hospital employees in Alberta had settled for 6% increase, Mr. Justice Bowen said: "I have, however, already indicated that I believe the nurses find themselves in a position that is somewhat unique among hospital affiliated employees, at least at this particular juncture and for this and other reasons, I feel they should not be restricted to the amount of 6% as accepted by other hospital employees."

Mr. Justice Bowen said some of the factors which must be taken into consideration in deciding whether or not the Anti-Inflation guidelines should be exceeded would include a comparison of wage rates for nurses throughout the western part of Canada, a comparison of wage rates within the province of Alberta and with other occupations and professions, and appreciation and review of the cost of living as compared to the income of the employees, a recognition of the professional qualification and training of the employees and an awareness of importance of the work performed by these employees, a historical review of increases received by these particular employees during a reasonable number of years prior to this hearing, and evaluation of the amount of the employee's demands in dollars and the employer's resources with which to meet it.

Cost-of-Living, Fringe Benefits Emphasized for 1978 Proposal

A salary proposal which would cover cost-of-living increases was favoured for a 1978 proposal by delegates attending the recent representatives meeting in Edmonton.

Proposals from Locals for the 1978 contract will be received by the provincial office up to October 21.

In addition to the cost of living proposal for wages, the delegates also indicated that nurses this year should press for improvements in other areas of the contract, particularly shift differential and vacation.

Although the Anti-Inflation program is scheduled to continue to the end of 1978 there is some indication that the controls could come off sooner. Under the Anti-Inflation regulations, Alberta nurses would be entitled to an increase of only 4% in 1978.

The new Negotiating Committee for the group hospitals bargaining for 1978 was elected at the last meeting of the Executive

"I have taken all of the above factors into account and arriving at a decision as to the percentage increase for the nurses' salaries for the year 1977. This percentage increase that I am awarding will apply of course to all the categories set out in the 1976 agreement including both years of experience and position held. I believe a fair and just increase is in the amount of 9% and I make that award covering salary items in this dispute in this hearing.

I realize that this is more than the other hospital affiliated groups received—in fact 3% more. I believe that the nurses, for this year at least, are in a unique position in that the additional 3% is justified for this year."

In awarding the 9% increase, Mr. Justice Bowen said he felt obliged to refuse all of the other money proposals of the nurses as well as all of the other proposals of the employer.

Sask. controls to end Oct. 1

Saskatchewan Finance Minister Walter Smishek on September 9 released details of the ending of price and compensation controls on provincial public sector bodies in Saskatchewan. In a letter mailed to school boards, municipalities, Crown corporations, provincial agencies and other such bodies, Mr. Smishek confirmed the intention expressed in the budget speech last March to end such controls in Saskatchewan by October 1, 1977.

Committee of the United Nurses of Alberta. It includes members from each district of the province. The chairman is Michael Mearns, Holy Cross Hospital. Other members are Kath-Ann Terrett, Beaverlodge Hospital, North District; Una Truscott, North Central District; Linda Roberta, Central District and Linda Sudeikat, South District.

The Negotiating Committee is scheduled to meet on October 27 to finalize a proposal for the group bargaining. Once this has been done the final proposal will be sent back to the Locals for approval. It is expected that negotiations may commence sometime in November or December.

It is assumed that all of the hospitals who participated in the group bargaining in 1977 will also participate in 1978 in addition to the new Locals that have been formed since that time. A Local not wishing to participate in the group hospitals agreement should notify the provincial office immediately.

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