



CUPE HEALTH WORKERS IN COMMUNITY

Better Care, Healthier Communities

January 26, 2023

Community Bargaining Association Comprehensive Report

Bargaining Highlights

- The largest general wage increase in any Community Bargaining Association (CBA) Collective Agreement.
- Joint Community Benefit Trust secured.
- Significant gains in wage parity with the Facilities Agreement (FBA).

Letter from your Bargaining Committee

This was a challenging round of bargaining, but your unwavering support helped secure a historic agreement with the most significant general wage increases since our bargaining association was created, protection of your benefits, and dozens more improvements that will make a real difference in members' lives.

All eight unions in our CBA are unanimously recommending ratification of this agreement.

When we went into bargaining last spring, we had key priorities from our Bargaining Conference. You gave us clear direction that significant improvements to wages were essential. By autumn, we had made progress on many items. Still, the government dug in their heels on two key issues: providing a monetary package in-line with other provincial collective agreements and securing your benefits.

The Committee reached out to members in the fall for input, and you made it clear that these critical issues were non-negotiable. Your solidarity gave our committee the courage to keep fighting. Our relentless pressure forced the government to put new money on the table to close the gap with the Facilities Agreement and protect your extended health and long-term disability benefits.

We are proud of what we accomplished together in this round of bargaining, and you can find the details in the attached documents. The next step is to ensure you have all the information you need as we get ready to vote on this tentative agreement. Voting will be open from February 16, 2023, to February 27, 2023, for locals using Simply Voting.

In solidarity,

Andy Healey, Committee Member
Liza Taylor, Committee Member
Andrew Ledger, CUPE BC Region Health Sector Coordinator

CUPE CBA Bargaining Committee

RATIFICATION HIGHLIGHTS

- An average increase of 14 percent to 16 percent for each step of the wage grid over three years.
- A funding commitment to ensure the long-term viability of the Joint Community Benefit Trust.
- Significant gains in wage parity with the Facilities Agreement (FBA) in hospitals and care facilities, including the elimination of Step 1.
- A variety of improvements to address our sector's chronic recruitment and retention crisis.
- Expanded mobility rights for workers who want to move jobs within their Health Authority.
- Premium increases for weekend shifts and new evening shift premium.
- Extension of the Canada Revenue Agency (CRA) vehicle allowance rate to all employees covered by the CBA.
- An additional day of paid vacation for all regular employees each year.
- Guaranteed minimum pay for regular Community Health Workers (CHWs) on windows of availability.
- 50 percent of costs for employer-requested medical certificates to be paid by the employer.
- New overtime distribution language that includes seniority.

VOTING ON THIS TENTATIVE AGREEMENT

For most locals, voting for our tentative agreement will be conducted electronically through an independent, third-party, online voting platform called Simply Voting (www.simplyvoting.com).

Members will receive a voting credential by email. The credential can be used to log into the online voting platform. You can vote using a computer, tablet, or smartphone. If you do not have access to a device to cast your ballot, please contact your CUPE local.

The email with your voting credential will come directly from Simply Voting. To ensure you receive your voting credential, please make sure that your email address on file with your union, CUPE Local 15, is correct by calling 604-879-4671 or emailing email@cupe15.org and ask them to update your information.

Voting opens at 9:00 am on February 16, and closes at 11:59 pm on February 27, 2023

QUESTIONS ABOUT YOUR TENTATIVE AGREEMENT?

Tentative Agreement Information Sessions

To ensure members' questions about the new tentative agreement are answered, the Bargaining Committee will host a series of information sessions to review key elements and answer questions about the tentative agreements. Please plan to attend at least one session to make sure you are ready to cast your vote with confidence.

Schedule of Zoom information sessions

- Thursday, February 2 - 7:00 pm
- Tuesday, February 7 - 5:00 pm
- Thursday, February 9 - 10:30 am
- Monday, February 13 - 5:00 pm
- Thursday, February 16 - 8:00 pm

WHAT'S IN THE AGREEMENT

Wages, Premiums, and Monetary Compensation

We achieved significant wage increases in this round of bargaining that narrows the gap between ourselves and those working under the Facilities Agreement (FBA) in hospitals and care facilities.

Each step the agreement's wage grid will receive, on average (based on Grid 25 / Step 1), a 17.46 percent increase over three years with the potential for a 20 percent increase based on Cost of Living Adjustments. This increase will be slightly higher for lower-paid grids, and marginally lower for higher-paid grids, due to the application of the flat rate \$0.25 increase in the first year.

These wage increases build on the 2019-2022 agreement that saw approximately \$40 million injected into wages and premiums. We achieved a similar Low Wage Redress (LWR) gain in this agreement. Before any wage increases related to the Shared Recovery Mandate, the government's bargaining mandate that was applied to all public sector agreements in the province, an estimated 1.5 percent wage increase will be applied to all classifications retroactive to April 1, 2022.

This second application of LWR should ensure that as of April 1, 2022, the top rate (Step 4) of all classifications should be equal to the equivalent FBA rate. Although we still have a system of wage steps in our agreement, this ensures that all workers at Step 4 are paid on an equal basis on the first day of this agreement.

General Wage Increases

The following general wage increases are in addition to the estimated 1.5% increase from Low Wage Redress in year 1:

- **Year 1 – Effective April 1, 2022** - increase all rates of pay by \$0.25 per hour and then increase all rates of pay by 3.24 percent.
- **Year 2 – Effective April 1, 2023** - increase rates of pay by the annualized average of BC CPI* over 12 months starting on March 1, 2022, to a minimum of 5.5 percent and a maximum of 6.75 percent.
- **Year 3 - Effective April 1, 2024** - increase rates of pay by the annualized average of BC CPI* over 12 months starting on March 1, 2023, to a minimum of 2 percent and a maximum of 3 percent.

* BC CPI is a measure of inflation in the province, reflective of the annualized average change in the Consumer Price Index for British Columbia.

Calculate Your New Wages

The CBA has developed a wage calculator that provides the increase each grid will receive in both dollars and as a percentage based on an initial 1.5 percent increase and the Shared Recovery Mandate. It also offers several scenarios and resulting increases as members progress through the steps based on full-time hours.

Find the wage calculator at: <https://www.bargainingbc.ca/cbawages>.

Please note that the answers to frequently asked questions (FAQs) and other ratification materials on this website are developed for BCGEU members, and may not apply to CUPE members.

Premiums and Reimbursements

In addition to updating and consolidating premium language, we have made significant gains in premiums:

- The Weekend Premium increases from \$0.25 to \$0.50 per hour effective (and retroactive to) April 1, 2022.
- An Evening Premium will be established for the first time in our agreement, effective April 1, 2023. The premium will be \$0.25 per hour for shifts where at least half of the hours fall between 4 p.m. and midnight.
- The Night Premium remains \$2.50 per hour for shifts where at least half of the hours fall between midnight and 8 a.m.
- The On Call Rate has been increased from \$1.00 per hour to \$3.40 per hour, effective April 1, 2023.

The significant increase in fuel costs led to an interim agreement with Health Authorities that tied the vehicle allowance rate to the Canada Revenue Agency's (CRA) kilometer allowance.

This only initially applied to Community Health Workers (CHWs) and was then expanded to all Health Authority employees. We have achieved language that permanently ties the vehicle allowance rate to the CRA rate for all employees covered by the CBA, including those working for affiliates.

The CRA rate for 2023 is \$0.68 per kilometer for the first 5,000 kilometers, and \$0.62 per kilometer above 5,000.

Recruitment and Retention

During negotiations, the parties spent considerable time discussing the unique challenges to the recruitment and retention of employees under the CBA agreement. Although many changes should impact retention, some specific changes are focused solely on recruitment.

Effective April 1, 2023, Step 1 of the grid will cease to exist. Any new employee hired after this date will start directly at the Step 2 rate, and any existing employee still at Step 1 on March 31, 2023, will move directly to Step 2.

New language has been added to the agreement allowing employers to credit new employees with previous experience in their classification. It is not mandatory, but can be utilized to attract new employees from other bargaining associations, independent health, and the private sector.

We have achieved a significant step forward, and the Agreement now has parameters for how overtime is distributed when it is known in advance, and seniority plays a role. This includes language that covers Community Health Workers (CHWs).

The CBA unions have agreed to participate in a province-wide and CBA-specific committee with the Health Employers Association of B.C. (HEABC) and the Ministry of Health. Both committees aim to discuss ways in which sector-wide staff shortages can be addressed. We intend to highlight the unique challenges the CBA has compared to other health sector agreements, including agreement language and monetary provisions.

Sick Leave, Bereavement Leave, and Benefits

There are three very positive changes enhancing provisions for sick leave and medical appointments. Casuals now have access to five days of sick leave per the *Employment Standards Act*, and there is an additional day of special leave for employees who must travel long distances to medical appointments. Additionally, the Agreement requires all employer-requested medical certificates to be paid 50 percent by the employer.

As we highlighted several times to members, there was a real danger that members would have their benefits reduced due to the structural underfunding of the Joint Community Benefit Trust (JCBT) and the impact of COVID-19 on LTD claims.

We are pleased to announce that both HEABC employers and the constituent unions were successful in having the provincial government review the status of the JCBT, and that has resulted in changes coming into effect after ratification. Specifically, the provincial government will inject money in the form of COVID-19 relief and alter the funding structure effective April 1, 2024, to include overtime hours in employers' contributions to the trust.

These changes will ensure that the JCBT, and therefore our benefits, are secure for the foreseeable future, and will eventually result in the trust being able to enhance member benefits.

Upon ratification, the parties will meet with the Public Sector Employers' Council (PSEC) to review the long-term stability of the trust and discuss the funding structure.

Vacation & Paid Holidays

There were numerous proposals from constituent unions seeking additional days of leave in many forms. To achieve the goal of having additional time off for all employees to deal with the many different occasions required, we have successfully added an additional day of paid vacation for all regular employees each year.

In addition, the new language allows employees to hold up to five days of paid vacation to schedule outside the vacation selection period. Hence, members have days available throughout the year to use these days as needed.

We have also formalized the inclusion of the National Day for Truth and Reconciliation in the agreement and increased the corresponding 'pay in lieu' rate by 0.4 percent per hour for part-time, casual, and Community Health Workers (CHWs).

Postings, Bumping, & Health Authority Mobility

This section applies only to members employed by a Health Authority.

Historically, the ability to move amongst the various workplaces within health authorities has been restrictive. Members could only port a small portion of their entitlements, and were not considered internal (or first consideration) candidates.

Effective 120 days after ratification, members will be able to move to different positions in their Health Authority, and carry all their accumulated entitlements, including seniority and banks, just as they have previously within their own worksite.

Effective ten months from ratification, each Health Authority will create a single seniority list for all CBA employees. Members will be considered internal candidates for any CBA position within their respective Health Authority.

Finally, we have put language in the Agreement that has been in effect for many years that outlines the entitlements of an existing Health Authority employee when they move voluntarily or involuntarily between bargaining associations within the same authority. This is commonly referred to as 'Portability Plus.'

We have made numerous changes to the job posting and bumping language to facilitate this process. In addition, we have reduced the length of time a position must be vacant to be subject to posting from 9 months to 6 months and put a maximum on the number of temporary postings an employee (based on status) can accept in a year.

Equity & Inclusion

To ensure that all members can see themselves in the language of our agreement, we have made additional changes to ensure the language is gender-neutral. We have updated the language for casuals to reference 'winter break' and 'spring break.' These updates include gender-neutral language to describe family members, the inclusion of sibling-in-law as a member of the immediate family, and an increase in bereavement leave from one day to three days.

We have established Trans Inclusion language that will support members through the process, covering name and other legal changes, and added paid leave for gender-affirming care.

The provincial government, HEABC, individual employers, and constituent unions of the CBA are committed to truth and reconciliation. To that end, we have created language acknowledging the unique characteristics of Indigenous communities, created language specific to the recruitment and retention of Indigenous workers, added cultural leave provisions, and expanded the definition of family for Indigenous employees.

Occupational Health and Safety (OHS)

The pandemic, opioid crisis, and ongoing staffing shortages inspired a significant amount of discussion at the bargaining table, and resulted in several changes to OHS language. Most notably, language is included to address aggressive behaviour, enhance violence prevention training, expand critical incident debriefing/defusing, improve ergonomics, and better protect psychological safety and health.

We have also included instructive language that encourages workers to bring forward workload issues that cause our members a considerable amount of stress to their leadership for instruction on how to mitigate the workload.

The CBA also continues to participate in SWITCH BC, a provincial organization funded by the Ministry of Health focused on health-sector worker safety. We sit as a partner at that table along with all other healthcare bargaining associations.

The pandemic wasn't the only issue our members faced during the last three years. In recognition of the pandemic, opioid crisis, wildfires and floods, the CBA will be consulted regarding provincial emergencies in two Memorandums of Agreement (MOAs) entitled Local and Provincial Emergencies and the Pandemic Information Sharing Forum.

Union & Activist Rights

During each round of bargaining, we review the Collective Agreement to update and enhance the rights of the union and our activists. We were able to secure or clarify several language changes, including the right to:

- A steward during the displacement and bumping process and bullying and harassment investigations.
- Know the purpose of a meeting when called for by the employer.
- Have and view the Collective Agreement on employer computers and devices.
- A faster process to address union leave denials.
- A process that allows our union to resolve many termination grievances faster than before.

In addition, we also added language that addresses the ever-changing nature of technology in relation to virtual union orientations, and provisions for more streamlined access to seniority lists and membership information.

Finally, we were able to secure language that includes a clear timeline for implementing non-monetary and, subsequently, monetary provisions of the agreement when new workers are organized into CBA.

Scheduling and Hours of Work (Article 14)

Article 14 is the hours of work and scheduling language covering most members under the CBA. We were able to address several outstanding issues and gain clarity under the agreement. We have been able to update and enhance language around Modified Hours of Work Agreements and Job Fairs and clarify the entitlement to two clear days off work in any eight-day period (Rolling 8 Principle).

Housekeeping

Several housekeeping proposals were submitted by both parties resulting in the removal of Medical Services Plan (MSP) premium language, the formalization of the Joint Community Benefit Trust (JCBT), the deletion of dormant Memorandums of Agreement (MOAs), implementation of previously agreed language that resulted from ICBC's rate change, *Workers Compensation Act* references, and an updated list of arbitrators and technology terminology.

Classifications

Every job a worker has in the CBA is subject to the Contract's Job Evaluation and Classification language. A detailed system of benchmarks is used to determine the classification and corresponding rate of pay.

This system requires periodic review to update changes in technology and terminology. This will not impact rates of pay or the classification a person is in and is an attempt to make sure workers see themselves in the language used in the benchmarks.

The parties have also agreed to try to develop a classification education program that will likely include materials and other resources for managers, supervisors, stewards, officers, and staff to understand the classification program better. Hopefully, this will impact the number and quality of appeals moving forward.

Finally, the parties have formalized 'laying over language' that details the minimum wage gap between bargaining unit employees and those they supervise.

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