



# NEWSLETTER

May / Jun 2015

United Nurses of Alberta



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## UNA at AFL Convention

More than 90 UNA members participated at the 2015 Alberta Federation of Labour convention in Calgary from April 15 to 19, 2015.



# Message From The President

By Kevin Champagne  
Local 115 President, United Nurses of Alberta

**T**hank you... Words that only scratch the surface of my appreciation for the work that you do everyday. Your tireless commitment to your patient's well being keeps the health care system moving forward in a time of uncertainty. Without you, the quality care that Albertans have come to expect would not be delivered at the same level. Plain and simple, we need you.

A constitutional mandate of United Nurses of Alberta is that we strive for the "advancement of the social, economic and general welfare of nurses...", and this can be done through various advocacy initiatives. To be effective, it is important to educate each other on issues that we are facing that may limit our ability to achieve our goals. You may be asking yourself, why is this important?

We only need to look as far as last year, to see what challenges nurses have faced. The government of the day put forward legislated proposals that have attacked the nursing profession as a whole. Together, we stood tall, and did not simply accept the government's attempts at changing our pension plans, contracts, and work life balance. The message was sent, we have had enough of a shrinking middle class, with the rich get richer at an unprecedented rate.

As you are aware, Alberta is facing another deficit due to the low price of oil. The provincial government has allowed revenues to be taken out of this province at an alarming rate due to their poor management of our resources. This has led to the government proposing more slashes to social programs that will impact the quality of public services that Albertans expect.

There are numerous ways you can use your voice to bring about positive change. A great place to start is by connecting with your union, and learning about what we do for you. UNA has celebrated many successes over our rich history because someone like you was willing to say, "this isn't right".

I ask that you take the time to think about what you want from your union. The local executive is looking for feedback to help us better serve you. You can share your thoughts via email, [local115exec@una.ab.ca](mailto:local115exec@una.ab.ca), or at a local meeting. If you would like the chance to meet with the local executive, we are only a phone call away – 403 670-9960.

Remember, this is your Union

In Solidarity,

*Kevin Champagne*

Local 115 President

[local115exec@una.ab.ca](mailto:local115exec@una.ab.ca)

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## Local 115 Executive

**President:** Kevin Champagne

**Vice-President:** Kathleen Hamnett

**Secretary:** Wayne Stopa

**Treasurer:** Cameron Westhead

## Local 115 Committees

**CDLC Committee:** Nicole Bajada • Heather Sawchuk • Sue

Weatherhead **Communications:** Cameron Westhead • Sarah

Paetschke • Al Perreault **Grievance Committee:** Local 115

Executive • Martin d'Entremont **OH & S Committee:** Kathleen

Hamnett **PRC Committee:** Kevin Champagne • Wanda Dead-

man • Jackie Dyck • Laura Muenchrath • Sarah Paetschke • Wayne

Stopa • Leona Wright **Portfolio Reps:** Jeunine Champagne •

Dorothy Clements • Wanda Deadman • Jackie Dyck • Sandra

McGonigal • Sarah Smith

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## Editors

Al Perreault

December 2014

**SPOTLIGHT**  
ON YOUR UNA CONTRACT**Article 22.08**  
UNA Provincial Collective Agreement

# Using Personal Leave Days

Under Article 22.08 of the UNA Provincial Collective Agreement signed in 2014, full-time and part-time employees are entitled to three Personal Leave days annually from April 1 to March 31.

These days are for the purpose of attending to personal matters and family responsibilities, including attending appointments with family members.

Employees planning personal leave requests must do so as far in advance as possible. Because of the nature of the request, the ability to give advance notice is sometimes limited. This could mean an employee could request personal leave 8 months in advance or even one hour in advance depending on the circumstances.

The employer must not unreasonably deny requests for personal leave and the requirement to pay replacement overtime is not a reason to deny leave.

Unlike previous collective agreements, an employee does not need to provide their employer with a reason for requesting personal leave and the employer is not to ask. The employer is entitled to ask about the amount of time the employee expects to be away as employers must be able to plan for an employee's absence.

Because personal leave days are paid at 7.75 hours, if employees work an extended workday, they are able use the additional hours from accumulated vacation or overtime banks.

Personal leave can be used for up to three consecutive days each fiscal year.

If employment commences on or after August 1st of the year, personal leave days will be prorated for the remainder of the year as follows:

- ♦ August 1st to November 30th: 2 personal leave days
- ♦ December 1st to March 31st: 1 personal leave day.

For questions or concerns, contact your UNA local executive or UNA Labour Relations Officer at 1-800-252-9394.

**United Nurses of Alberta**

# Avi Lewis

“Our Power: Battling Austerity  
with a Bold Green Vision”



## How to build movement power in a one party state that is ruled by the interests of the richest industry on earth?

With examples and film clips from his forthcoming global documentary, “This Changes Everything”, Avi Lewis argued that it’s time for those defending the public interest to go on the offensive with an inspiring, positive vision of the future we want.

Social movements around the world are fighting back against the logic of austerity and endless extraction by harnessing the urgency of the climate crisis to advocate for a massive transition to a low-carbon economy.

Alberta could be a crucible of this strategy in Canada. With his trademark wit and journalistic rigour, Avi challenges Albertans to connect the dots between climate, social justice, and a fairer economy: beyond the election, there is a world to win.

## THIS CHANGES EVERYTHING

### CAPITALISM VS. THE CLIMATE



[www.thischangeeverything.org](http://www.thischangeeverything.org)

Avi Lewis is an award-winning documentary filmmaker and television journalist. His first feature length film, *The Take* (2004), followed Argentina’s new movement of worker-run businesses and was released theatrically, winning several awards. In 2009 and 2010 Avi hosted Al Jazeera English Television’s *Fault Lines*. He has also worked at the Canadian Broadcasting Corporation as the host of *On the Map*, *The Big Picture*, and *counterSpin*.

July 2012

**SPOTLIGHT**  
ON YOUR UNA CONTRACT**Article 44**  
UNA Provincial Collective Agreement

# Nurses protected from shuffling

Article 44 of the UNA Provincial Collective Agreement regulates the movement of Employees in Alberta's province-wide bargaining unit.

The majority of Employees continue to have a regular position at a single site and the mobility provisions protect Employees from being arbitrarily moved from site to site.

Article 44 defines three types of position:

- 1) "at" a site (regular) for the vast majority of Employees.
- 2) "at or out of" – the Employee works at more than one location on an unscheduled basis (such as home care nurses who work in many locations).
- 3) "Multi-site" – Employees are regularly scheduled to work "at or out of" more than one site.

If the Employer converts a position into an "at or out of" or "multi-site" job, the Employee cannot be forced to move, but can take a layoff or in most cases displace into another position.

Employees can be asked to temporarily work at a different location in emergencies or for skill maintenance or other specific reasons, but the reasons for moving Employees are limited and defined.

If you have concerns about shuffling, contact your UNA Local Executive or Labour Relations Officer.

**United Nurses of Alberta**

# In response to UNA challenge, Alberta court rules Labour Code's strike bans unconstitutional

**A** judge of the Alberta Court of Queen's Bench has made a landmark ruling in a case brought by United Nurses of Alberta that sections of the Alberta Labour Relations Code banning strikes by all employees of Alberta Health Services and other "approved hospitals" are unconstitutional.



The decision Tuesday by Mr. Justice Dennis Thomas is the culmination of a fight by UNA against the blanket ban on strikes in the Labour Code that dates back to the early-1980s, when the restrictions were included in the legislation affecting most unionized workers in Alberta.

The Government of Alberta consented to the ruling.

The blanket ban on strikes by all hospital workers was included in the Labour Code in 1983 after strikes by Alberta nurses in 1977, 1980 and 1982.

"UNA opposed the ban on strikes in 1983 and has opposed it since then," said David Harrigan, the union's director of labour relations. "We have always argued that nurses have the right to strike with reasonable measures to guarantee essential services as part of the collective bargaining process."

Since then, UNA members have formed their own essential-services committees to ensure essential services were provided in the event of a technically illegal strike, he explained. "This decision shows that our people were on the right track the entire time."

In the judgment handed down Tuesday, Justice Thomas ruled the blanket prohibitions against strikes and lockouts in Section 96 (b) and (c) of the Alberta Labour Relations Code violate the Canadian Charter of Rights and Freedoms and are not saved by the Charter's provision allowing reasonable limits as can be demonstrably justified in a free and democratic society.

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# In response to UNA challenge, Alberta court rules Labour Code's strike bans unconstitutional

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As a result, Justice Thomas ruled, the two sections “are therefore without force and effect.”

However, the superior court judge suspended his declaration for a period of one year to allow the government to draft changes to the legislation that are in accord with the provisions of the Charter.

The decision – which also took into account later actions brought by two other unions, the Health Sciences Association of Alberta and the Alberta Union of Provincial Employees – came in response to an action filed by UNA in January 2014 against Bill 45, the Public Sector Services Continuation Act, that also argued the sections of the Code were in violation of the Charter.

UNA argued that both the Code and Bill 45 contained provisions violating fundamental freedoms, including freedom of association and expression, guaranteed by the Charter.

In his ruling on the Code provisions, Justice Thomas took note of the fact that Bill 45, which was passed by the Alberta Legislature in December 2013, was repealed by the Legislature with the agreement of the government of Premier Jim Prentice on March 25, coming into effect the day before his ruling, March 30.

The judge also cited the Supreme Court of Canada's Jan. 30 decision in *Saskatchewan Federation of Labour v. Saskatchewan*, which saw the country's top court strike down as unconstitutional a Saskatchewan law preventing public-sector employees in that province from striking.

While the Legislature passed Bill 45, the provincial government never proclaimed that bill into law. UNA, however, made the decision to proceed against the bill immediately anyway on the grounds the mere existence of the legislation, which could be proclaimed very quickly, would inevitably have an impact on the rights of unionized working people in Alberta.

UNA believes that bringing the case at that time was helpful in winning this significant decision about the longstanding problems in the Code.

UNA is pleased that the courts have protected the fundamental right of working people in Alberta and Canada to bargain collectively.

Please  
Post

# ***UNITED NURSES OF ALBERTA***

## ***Local 115***

### ***Notice of Monthly Meetings:***

***May 13 & June 10***

***4pm - 6pm***

***FMC Auditorium***

403-670-9960

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