

**2020 Negotiations**

**FILING OF THE FIQ  
SECTORAL DEMANDS**

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**We're done  
working ourselves  
sick!**





# FILING

## **Sectoral negotiation draft**

**Of the Fédération interprofessionnelle  
de la santé du Québec-FIQ**

**Presented to the**

**Comité patronal de négociation  
du secteur de la santé et des services sociaux  
(CPNSSS)**

**For the renewal of the provincial provisions  
of the collective agreement**

October 29, 2019



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# Preamble

**T**he Fédération interprofessionnelle de la santé du Québec-FIQ extensively consulted representatives of the affiliated unions, FIQ union consultants and many healthcare professionals in all job titles, regions and missions since the beginning of 2019 for the renewal of the FIQ provincial provisions of the collective agreement which is due to expire on March 31, 2020. This exercise was to better identify the healthcare professionals' problems and their concerns about the upcoming negotiations.

Moreover, the FIQ found a sharp deterioration in the healthcare professionals' working conditions in the field, despite the introduction of structural measures in the collective agreement in 2016 that have not had the desired effect.

The findings are daunting: the healthcare system has deteriorated over the last few years, the quality and safety of care is troubling, healthcare professionals are exasperated by their working conditions, are at the end of their rope or leaving the profession. Urgent action is needed. We will reach the point of no return if nothing is done, an inability to provide care.

Under an Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (Bill 37), the FIQ is filing its sectoral negotiation draft for the renewal of the 2016-2020 collective agreement in this document. This document outlines the two negotiation priorities, five negotiation objectives, actions referred to in each objective and the need to update the collective agreement.

The FIQ is calling on the employer party to discuss the priorities and objectives raised with a spirit of openness and cooperation. A joint identification of the problems will pave the way to winning solutions for all. Delivery of safe, quality care will be ensured for the patients. For the healthcare professionals, working and practice conditions will be upgraded, their profession will be once again valued and their health preserved. For the administrators, the attraction-retention problem will be gradually resolved.

# Context

**P**ublic finances are doing well and everything indicates that economic growth will continue. Quebecers have the means to offer the healthcare professionals, who have held up the healthcare system for years, working conditions and a workplace suitable for delivering quality, safe and humane care to the patients.

The scarcity of a qualified labour force, pervasive in many fields, is even more significant in the healthcare system. Many healthcare professionals reduce their work hours, abandon the public healthcare system or the profession because of unbearable working conditions. This trend needs to be reversed.

The impacts from the mergers are everywhere in the healthcare system. Management has shifted away from their employees and the overall situation in the field has deteriorated, yet it should improve with the structural measures introduced in the 2016-2020 collective agreement. The excessive workload remains pervasive, work teams are unstable, mandatory overtime is used as a management method and the number of full-time positions is decreasing. The healthcare professionals are physically and psychologically exhausted, absenteeism has risen and the staff shortage is growing. The risk of errors and omitted care is on the rise.

# Negotiation priorities

**D**uring the last negotiation of the collective agreement, certain measures were intended to be structuring to solve recurring problems beforehand, such as workload and job insecurity. It is clear that the reorganization of the health and social services system has hindered their rollout: the problems have worsened and caused harm and prejudice to the healthcare professionals and patients.

The FIQ was able to identify two priorities from the findings from the consultations with its members that will meet the healthcare professionals' needs:

- Health and safety at all levels of the system: an essential requirement for the healthcare professionals;
- Attraction-retention: obtain winning conditions for the healthcare professionals.

These priorities are interrelated; one cannot work without the other. Concrete actions can be taken quickly that will put an end to the persistent problems so that the healthcare professionals are able to truly provide safe, quality care to all Québec patients.

# Health and safety at all levels of the system: an essential requirement for the healthcare professionals

## Findings

The deterioration of the healthcare system has serious consequences on the health of both the healthcare professionals and patients. Successive reorganizations have increased the workload, affecting their health and safety at the same time.

An average of 1,326 incidents and accidents<sup>1</sup> happen in the healthcare settings every day in Québec. There is no longer a need for proof as several studies have shown it. There is clearly a cause and effect link between the number of patients and a healthcare professional's working time. The fewer the number of staff, the more adverse effects increase for the patients and healthcare professionals, because they are at a higher risk for physical injury or even psychological burnout.

In this context, the FIQ believes that it is very important to restore a professional practice guaranteeing everyone health and safety at all levels, for example regarding patient care, professional and personal well-being, physical health and especially psychological, organizational, interpersonal health, etc.

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1. FIQ, *We've reached our quota. Running out of steam, At the end of our rope. In need of safe ratios. The Black Book of Care Safety*, November 2017.

# Attraction-retention: obtain winning conditions for the healthcare professionals

## Findings

The healthcare professionals are at the heart of the healthcare system. They assess the patient's physical and mental condition, administer increasingly complex nursing and cardiorespiratory care and monitor the evolution of his health. Without the healthcare professionals, there would be no care given to the patients, even if duly ordered by a physician.

The shortage of healthcare professionals is of more concern than ever. The current working conditions in the health and social services system, particularly the persistent excessive workload, mandatory overtime, unstable positions result in a staff attraction and retention problem.

The FIQ believes that it is imperative to offer winning conditions and a healthy, stimulating work environment. The next generation will then be attracted in greater numbers by this new work context and experienced healthcare professionals will be happy to welcome them, by sharing their knowledge. They will be motivated to offer their services over a longer period. The FIQ believes that improving working conditions must be a priority with a view to staff attraction-retention, so members can regain satisfaction at work and quality of life.

# Negotiation objectives

**T**o support the priorities of the next negotiations, the FIQ has identified five objectives from their reflections:

- Organizing the work to ensure the healthcare professionals and patients' health and safety;
- Enhancing the healthcare professionals' practice and expertise;
- Accessing quality positions;
- Restoring balance to preserve the healthcare professionals' psychological health;
- Equipping the teams to respond better to the healthcare professionals' needs.

The FIQ believes that attaining these realistic objectives will quickly improve the healthcare professionals' practice conditions so they can provide safe, quality care to all patients in a healthy work environment as well as proposing concrete solutions with a view to attraction and retention.

# Organizing the work to ensure the healthcare professionals' and patients' health and safety

## Findings

Moral distress, physical injuries, exhaustion, violence, patient falls, the list is long and growing even longer. The harmful effects from the cuts in the healthcare system are pervasive and last a long time. The undermining of organization of work has existed for two decades.

The healthcare professionals want to provide safe, quality patient care. However, the frantic work pace and chronic staff shortage force them to take decisions on the priority of the care they will give which results in omitted care<sup>2</sup> for the patients. They are forced to act in this way. The patients then suffer the repercussions, for some, extending their hospital stay. The system's decision-makers can no longer ignore it, the reports and studies are growing on this subject. All come to the conclusion that there is a link between the healthcare professionals' workload and the patients' health outcomes<sup>3</sup>.

The healthcare professionals have been able to catch their breath a little with the ratios projects and they have given a glimmer of hope in the settings where they have been tried. Significant benefits have been seen at both the clinical and human resources levels, consistent with scientific publications and international experiences.

With this in mind, the FIQ believes that implementing real measures that would cost money at first, but would save money for the Treasury Board in the long term, needs to be at the heart of these negotiations. The health and social services system needs to be a healthy and safe environment for both patients and healthcare professionals.

### Targeted courses of action

- A reasonable and safe workload.
- Safe healthcare professional-to-patient ratios.
- Stabilizing the work teams.
- Eliminating the use of mandatory overtime as a management method.

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2. This decision-making process on the priority of care caused by a staff shortage is "implicit rationing of nursing care".

3. BERRY, Lois, RN, PhD, and CURRY, Paul, PhD, *Nursing Workload and Patient Care*, Canadian Federation of Nurses Unions, 2012.

# Enhancing the healthcare professionals' practice and expertise

## Findings

The employers' reorganizations over the years have destabilized and disorganized the work teams, thus increasing the workload and modifying the healthcare professionals' roles and duties. Added to that is the expected effects from Bill 90 which are still not forthcoming today. Such as a more autonomous practice or even occupying the entire scope of practice.

Acknowledging the healthcare professionals' expertise for what it is worth is an issue. Moreover, few employers promote or consider it. It is clear that the whole health and social services system would benefit from its best use by fostering satisfaction at work, a healthy work environment and attraction and retention of caregiving staff.

The FIQ believes that the wise use of all available resources would reduce the insecurity of some job titles, reduce the workload, and enhance each profession, in addition to ensuring quality care in sufficient amounts.

### Targeted courses of action

- Bill 90 and the scope of practice.
- Healthcare professionals' autonomy.
- Recognition.

## Accessing quality positions

### Findings

The extreme flexibility required by the employers has led to unattractive positions and fostered mobility, even an exodus of staff. Experience has shown that no one takes multisite and multi-shift positions and they create major dissatisfaction. About 50% of available positions, for all job-titles groups combined, are part time causing inadequate care delivery at all times (24/7), an excessive workload, mandatory overtime and a staff shortage. This job structure generates a perpetual vicious circle.

Letter of Understanding No. 6, negotiated in 2015, was supposed to breathe life into the health and social services system as well as the healthcare professionals by offering more positions that are full-time. It is clear that its joint implementation has faced challenges.

Moreover, many healthcare professionals, incumbents of full-time positions, are leaving them because of the exhaustion caused by the workload and mandatory overtime. It is difficult for them to balance personal life and work, as they have no control over the use of their time. They then opt for a part-time position to preserve their psychological health and family life. Holding a full-time position should be the norm and not the reverse.

In the current context, the FIQ believes that it is important to move towards job offers that allow the healthcare professionals to have a balanced life both at work and in their personal lives. With the persistent staff shortage, the health and social services system cannot afford to lose even one more healthcare professional or a part of her availability.

### Targeted courses of action

- Part-time positions providing stability.
- Reinvent full time to make it attractive.

# Restoring work-personal life balance to preserve the healthcare professionals' psychological health

## Findings

The demands at work are such that the healthcare professionals no longer manage to perform all their associated duties. They feel the repercussions in both their professional and personal life: the balance sought is broken, work encroaches on private life and psychological health is severely affected.

Despite the employers' obligation, under an Act respecting labour standards and clause 31.02 of the collective agreement, to provide a workplace without psychological harassment, it is clear that the healthcare system's workplaces are not currently psychologically healthy and safe.

The FIQ believes that the managers must be leaders on their centres of activities. They have to be able to evaluate the real workload and give their team clear and realistic goals. They have to support and work with every healthcare professional when necessary. They need to include the healthcare professionals in decision-making. The healthcare professionals' autonomy and initiatives should be encouraged. By valuing the healthcare professionals' work, managers give meaning to their work.

The FIQ believes that prevention in occupational health and safety goes through appropriate mechanisms. Concrete measures must be taken in this direction.

### Targeted courses of action

- A psychologically healthy and safe workplace.
- The battle against stress.
- Accessing various days off.
- Control over the schedule.
- Organization of work time.

# Equipping the teams to respond better to the healthcare professionals' needs

## Findings

The healthcare professionals' voice with the employer is the union. The Labour Code imposes this duty to represent. Besides this duty, the union representatives have the members' well-being at heart and want to be able to offer all the necessary support to represent them well. To properly fill their union role, the FIQ believes that the employer party must understand and collaborate in order for the healthcare professionals to receive the required support from their union.

To be able to effectively resolve the healthcare professionals' problems, union rights and all the procedures related to contesting the employer's decisions, by grievances or other procedures (Labour Relations Committee, grievance arbitration, medical arbitration and the procedure for modifying the job titles list) must be addressed first. The slowness and complexity of the administrative and legal system are part of the problem. The FIQ wants to review these procedures to simplify and speed up the handling of personal or group files.

In an unhealthy work context where an increasing number of healthcare professionals are getting physically and psychologically sick, the FIQ wants to obtain a commitment that the healthcare professionals' rights will be properly respected by facilitating access to salary insurance benefits, real support for rehabilitation and a return to work. They can then be able once again to give the patients quality health care.

### Targeted courses of action

- Assisting the healthcare professionals.
- Preserving the healthcare professionals' rights.
- Simplifying and speeding up handling of contentious cases.

# Updating the collective agreement

**S**everal clauses in the current agreement need updating because of the need to adapt it to public laws, obsolete situations or simply because of a lack of clarity in relation to each other. Over the years, the collective agreement has become unnecessarily complex and several clauses need reviewing, if only to respect the initial intention of the parties or adapt to the arbitration case law.

Updating the provincial collective agreement remains a major challenge in every negotiations. It is shaped by the negotiation's organizational priorities and willingness of both parties to address it. However, this updating is often postponed indefinitely.

The FIQ believes that both parties must find the means to establish a mechanism for making the necessary corrections to the collective agreement.





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