

Pay equity:

perseverance and determination are essential

The January 2004 decision by Judge Julien of the Quebec Superior Court reopened the pay equity program covering Quebec public sector employees. The general regime prescribed in the Pay Equity Act thus applies to government employees. It is with these words that the FIIQ Vice-President, Sylvie Savard, and the consultants, Sophie Fontaine and Richard Beaulé, began their presentation of the recent developments on the issue of pay equity.



Yet with this victory of the labour movement, it must be observed that the Pay Equity Act, as avant-garde as it was, did not provide for the possibility for bargaining agents to band together to request a separate program. It took a legislative amendment in December 2004 to allow the CSN, CSQ, FTQ and FIIQ to form a group, and thus prevent the work accomplished by the interunion coalition on pay equity (Intersyndical) since April 2001 from being considered obsolete.

After formalizing the composition of the Pay Equity Committee and posting the program as provided by law, the Committee set up a working subcommittee – a technical committee mandated to deal with matters of interpretation and methodology. Two parity committees, one dedicated to the job classes in the health and social services sector and the other to those in education, were mandated to discuss the value of the job classes. Sustained discussions were held in the spring between the representatives of the *Conseil du trésor* and the *Intersyndicale*. However, these discussions did not achieve the expected results. The employer party sometimes claimed to be very sensitive to the arguments presented by the *Intersyndicale*, but stubbornly refused to change its mind.

To solve certain problems of application and interpretation related to the evaluation subfactors, the *Intersyndicale* revised the evaluations and the arguments, submitted in spring 2003, in the case of nearly 60 jobs and transmitted these new evaluations to the employer party last June.

After the summer break, the employer party informed the *Intersyndicale* that, despite this revision of the evaluations, no additional mandate was envisioned regarding the question of the evaluations, the interpretation of the subfactors and the establishment or functioning of the parity committees.

At the same time, the Minister responsible for the pay equity issue, Monique Jérôme-Forget, and the Minister of Finance, Michel Audet, constantly repeated that Quebec's public finances are in peril and that the government payroll cannot be increased any further without endangering Quebec's competitiveness and bond rating. The pay equity budget is fixed in advance: \$457 million according to the *Conseil du trésor's* estimates.

Given these public statements, which were provocative to say the least, the Chair of the *Commission de l'équité salariale*, Rosette Côté, intervened publicly to remind the government that there can be no question of predetermining the amount of the adjustments payable as long as there is no agreement on the joint evaluations in accordance with the Pay Equity Act.

In the next few days, the FIIQ and the *Intersyndicale's* other member organizations, will therefore try to convince the government to continue the discussions on all the unresolved questions, with the aim of finalizing this major issue as soon as possible, without any evasion. More than ever, it is essential to achieve the goal of correcting salary discrimination suffered by those holding positions in the predominantly-female job classes.

AN ACE in the hole

The delegates have adopted the essential services policy and will recommend that all the local general assemblies do likewise. Why should we adopt an essential services policy at this time? There are several reasons. The filing of an agreement with regard to essential services is in itself a form of pressure that increases our bargaining power in the event that, collectively, health professionals need to resort to stronger pressure tactics to conclude a collective agreement. This is why it was also decided that an agreement on essential services will be filed by the unions at the time the FIIQ Negotiating Committee considers expedient.

The delegates did not fail to recall that, in the current context of the staff shortage, the employers are not even maintaining the staff levels the *Conseil des services essentiels* would require if there were a strike. As a pressure tactic, the FIIQ and its unions intend to prove this situation to the government and denounce it publicly.

Moreover, for all of the delegates, the issue was not whether or not we should exercise the right to strike but rather what guidelines we should establish in the event we decide to resort to strike action. The FIIQ has always taken care to adopt an essential services policy that both respects the right of the patient to receive health care and the right of the workers to establish their bargaining power during the process of renewal of their collective agreement. Because of this approach, the Federation has never lost the support of public opinion when exercising pressure tactics, whether mild or strong.

The filing of an essential services agreement is clearly prescribed by the Labour Code. It is preferable for the organization and for members that we put pressure

on the government in a legal framework; in this way, the government will not have any grounds to impose penalties on the Federation, its unions or its members when we engage in pressure tactics, which will only happen after December. In health care, we know perfectly well that an ounce of prevention is worth a pound of cure. This is what the delegates have decided to do.



DECENTRALIZATION OF THE NEGOTIATIONS



The executive officers responsible for the negotiations, Sylvie Savard and Monique Leroux, accompanied by Richard Beaulé and Linda Perron, reported to the delegates on the impact of the decentralization of the negotiations on the national negotiating effort.

The Steering Committee reminded delegates that since the draft collective agreement had been tabled in a centralized context, it was difficult, even impossible, to initiate negotiations with the *Comité patronal de négociation du secteur de la santé et des services sociaux* (CPNSSS) without clarifying and agreeing on the real scope of Schedule A.1 of Bill 30. This absence of agreement had the direct consequence of hindering the negotiating process, because no discussion could begin as long as the exact scope of the 26 matters listed in this Schedule was not defined.

For the Steering Committee and the Negotiating Committee, the absence of an agreement on decentralization before the fall severely compromised the achievement of these negotiating priorities. Moreover, an inappropriate interpretation of Schedule A.1 involved the risk of inadequate application of the major plans, such as the job security or salary insurance plans.



Agreement with the CPNSSS

...concerning decentralization

To resolve this situation, discussions were initiated with the CPNSSS in early summer. The Negotiating Committee managed to specify the exact scope of each of the 26 matters the way it wanted. Thus, the negotiating priorities will all be negotiated at the national level. All the necessary links to the application of major plans, such as salary insurance or job security, were also included in the agreement made with the MSSS.

Once the agreement on the interpretation of Schedule A.1 was ratified, a draft decentralized collective agreement was tabled with the CPNSSS on September 29. It contains the demands for harmonization of the FIIQ, APIQ and UQIA collective agreements and the new demands adopted by the delegates at the March 2005 Federal Council, as well as the new demands adopted by the delegates to the March 2005 Federal Council.

...concerning union leaves for the local negotiations

To enable the union reps on the Negotiating Committee to prepare for and participate in the local negotiation sessions, a union leave protocol was signed by the FIIQ-CPNSSS national parties. The parties thus provided for leaves to allow the union reps to prepare for the local negotiations (preparatory phase) and leaves to enable them to prepare for and attend all the local negotiating sessions.

...concerning negotiation in good faith

This component is reflected in a written commitment by the parties to create conditions conducive to the success of the local negotiations and to intervene in case of difficulties during negotiation.

Ratification

The negotiation of a union leave memorandum constitutes an amendment to the Québec collective agreement. Every amendment to the Québec agreement must be ratified by the local parties. This ratification must take place within the context of discussions on the issues and organization of the local negotiations, which will be initiated with the employer.

Winning strategy

In a context where everything is being rushed and where health professionals have every interest in negotiating the improvement of their working conditions as soon as possible, the delegates saluted this proactive approach. This approach not only made it possible to obtain the guarantees sought in order to align the national and local components of the collective agreement, but to enter into the national negotiations on solid and promising foundations.

The Negotiating Committee welcomes new union reps



At this Federal Council, elections were held to fill vacant positions on the Negotiating Committee. The newly elected members are: **André Turgeon** of C.H. Robert-Giffard and **Edna Wong** of CSSS de Gatineau, substitute members representing the CHP, and **Pierre Roy** of the CHUS, substitute member for the nursing assistant reserved position, and **Céline Baribeau** of H-Maison/Guimond/Rosemont, substitute member representing the CHSLD, EPC and CR.

Finally, two union reps had to leave the Negotiating Committee for different reasons. They will be replaced by the substitutes André Turgeon and Edna Wong. Other elections will be held to fill these two vacant positions.

AN UPDATED information and support STRUCTURE

The Federation's new reality has led it to review the information and support structure it adopted at the Federal Council of June 3, 4 and 5, 2002. The changes made to the structure concern the number of FIIQ officers for the regions, and were adopted unanimously. The form and mandate of the structure adopted in 2002 are thus maintained and it still has the same objective: to be efficient and close to the members.

At the level of the Federation, the Info-Support Team is composed of two union activists and two Federation consultants. They are responsible for processing the information at the Quebec level and circulating it to the information and support officers in each region.

The regional information and support officers have the responsibility to pass the information on to the local information and support officers in the institutions. The latter must in turn circulate the information received to the members in their institution.

For the delegates, the information and support work of the FIIQ officers for the regions will accelerate and facilitate the transmission of information to the local officers. The FIIQ officers will also be the reference point for any mobilization action in the regions. Given their role, the delegates decided that they would attend the Federal Council meetings dealing with the negotiations as fraternal delegates.

In order to be able to play their role fully and assume their responsibilities, the FIIQ officers for the regions will receive pertinent training.

Trained union activists, efficient means of communication, clear messages – these are the essential factors to ensure that information circulates quickly, if necessary, for the negotiations.



The FIIQ Info Support team, from left to right: Sandra Gagné, consultant responsible for external and internal information, Sylvie Lachance, CSSS Richelieu-Yamaska (H-Mercier), Sophie Bergeron, CSSS Deux-Montagnes/Sud-de-Mirabel, and Lucille Auger, consultant responsible for support.

Missing on the picture: Sylvie Gignac (substitute), CSSS Verdun/C St-Paul, St-Henri (P. St-Henri).

THE FIIQ OFFICERS RESPONSIBLE FOR THE REGIONS

Bas-St-Laurent : Luc Laporte, CSSS Rivière-du-Loup

Chicoutimi : Martine Côté, CSSS Chicoutimi

Québec City: Yvon Boily, CSSS Charlevoix
Guylaine Boulanger, CHUQ-CHUL
Josée Renaud, CHA Québec
Michaël Savard, C.H. Hôtel-Dieu de Lévis

Mauricie : Hélène Tremblay, CSSS de l'Énergie

Eastern Townships: Marie Fontaine, CHUS

Montreal : Céline Baribeau,
CSSS H-Maison/Guimond/Rosemont
Jean Boulanger,
CSSS Jeanne-Mance
Michel A. Côté,
CSSS H-Maison/Guimond/Rosemont
Marcèle Dufresne,
CSSS H-Maison/Guimond/Rosemont
Sylvie Guy,
CSSS Deux-Montagnes/Sud-de-Mirabel
Patrick Perras,
CSSS St-Léonard et St-Michel

Outaouais : Patrick Guay, CSSS de Papineau

Abitibi : To come

Montréal : To come

2005 NEGOTIATIONS

- TO ● KEEP POSTED on negotiations
- KNOW MORE about FIIQ+ demands and priorities
- DOWNLOAD mobilization material



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www.fiiq.qc.ca

FOR REAL-TIME INFORMATION

October 2005



The action starts NOW

"This bargaining round must solve crucial problems in order not to imperil the health system since many health professionals will be tempted to leave if their working and living conditions do not improve. For FIIQ+ and its members, this bargaining round has something urgent about it and for many it is, in a way, the last chance." These are the terms in which the Executive Officers responsible for the negotiations, Sylvie Savard and Monique Leroux, accompanied by Lucille Auger, Consultant to the Information and Support Team, presented the action plan to the Federal Council delegates.

The Executive Officers reminded delegates that adopting an action plan is an important choice because this decision will make it possible to support the negotiating team at the bargaining table through concrete actions, and to raise public awareness regarding the demands upheld by health professionals.

The delegates thus adopted the action plan with the conviction that the solutions put forward in the negotiating priorities are necessary for the members' health and for the improvement of social services, and that it is necessary to apply them. This is why the nursing and cardiorespiratory care professionals will tell the government that they want

"SOLUTIONS FOR PROVIDING CARE!"

The government, at every forum, is declaring that it wants a settlement by the end of September. Although the Federation agrees that negotiations should not drag on because it is urgent to settle, there can be no settlement if it does not offer lasting solutions, in the short term, to a number of problems we have identified. Solutions for providing care can be found in the Federation's draft collective agreement, a draft that the Negotiating Committee is upholding at the sectorial table, a draft that proposes imaginative solutions which are promising for health professionals in the future, a draft that FIIQ+ will make widely known.

VISIBILITY AND MOBILIZATION OPERATIONS

October: Visibility

October 5 and 6 Federal Council:

- Press conference to announce the action plan
 - launching of the negotiation slogan
 - presentation of the graphic design: poster and T-shirt

Weeks of October 9, 16 and 23:

- Distribution of material to publicize the slogan
- Adoption of the action plan by local general assemblies

Week of October 30:

- Halloween Operation
 - Wearing the T-shirt until the end of the negotiations and the illuminated button beginning on October 31
 - Presence of the Executive Committee members in institutions
 - Colourful public visibility actions
 - Local action initiatives with a Halloween flavour

November: Mobilization

Week of November 6:

- Political and Public Pressure Operation
 - Holding a Special Federal Council on the negotiations in Québec City
 - Colourful citizen demonstration in front of the Quebec Parliament Buildings during the Federal Council
 - Distribution to the public of a flyer on the FIIQ's negotiating priorities

Week of November 13:

- Essential Services Operation
 - Adoption of essential services by local general assemblies
 - Tabling of the proof that the current staff deficits do not even make it possible to meet the minimum requirements of the Essential Services Act

● Time Worked = Time Paid Operation

- Calculation of time worked over and above regular hours
- Request to the employer for payment of overtime
- Distribution to members of a flyer on negotiating priorities
- Distribution and wearing of a sticker
- Visit to the MNAs and Ministers (intervention team)

Week of November 20:

- Continuation of Time Worked = Time Paid Operation
 - Wearing the sticker

Week of November 27:

- Public announcement of the results of Time Worked = Time Paid Operation
- "Own Duties" Operation
 - Presentation of a letter to the supervisor, signed by each FIIQ+ member, giving notice that as of now, they will only perform the duties stipulated in the job description, in accordance with Bill 90

The FIIQ+ action plan is to apply pressure tactics in total solidarity to ensure visibility, make ourselves heard and put on enough pressure to reach an agreement

In opposition to the Charest Government's claim that it's short of money

We'll show we're short of staff

In opposition to its lack of vision

We'll show our solutions

In opposition to its inertia

We'll show our solidarity, our mobilization and the strength of our 56,500 health professionals



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