

We're done working ourselves sick!



Proposals adopted
for the demands
on intersectoral matters

2020 NEGOTIATIONS

**131,000 REASONS
TO STAND TOGETHER**



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Introduction

The APTS-FIQ alliance's work led to the development of two types of proposals, some to be submitted to their members in consultations and others to be directly part of the draft intersectoral demands for negotiations, after adoption. The latter are presented and explained in this document.

These proposals relate more specifically to the application of the provincial provisions ("national provisions") of the collective agreement on existing rights and benefits. We believe that there are elements that need to be corrected, harmonized or modernized. They touch on issues involving no conflicts for our members' rights and benefits.

These proposals are not part of the consultations with members in all the institutions. Now that they have been adopted, they will be included with the APTS-FIQ draft intersectoral demands resulting from the consultations. These common demands will be presented to the two organizations' delegations in October.

Proposals adopted

Parental rights

Standardizing and improving parental rights to eliminate any discrimination

Society is constantly changing, and family models are evolving as well. When employees adopt their spouse's child rather than another child who is not their spouse's, they are treated differently based on their parental situation. In fact, in these cases, given that the other spouse adopts the "spouse's child," the benefits set out in the collective agreement are limited to two paid days off.

Yet such a distinction based on employees' parental situation should not exist, and we believe that our collective agreements must be adapted in order to standardize the rights of employees who adopt, regardless of whose child it is. This will bring our collective agreements in line with what is already recognized by the Québec Parental Insurance Plan (QPIP), which makes no such distinction.

This modification could be made by removing the words: "other than her spouse's child" in the FIQ clauses 22.22 and 22.22A and "other than her or his spouse's" in the APTS clause 25.22, to standardize the benefits in cases of adoption.

Proposal 1

To review the leaves for adoption so that an employee who adopts "her or his spouse's child" has the same benefits as an employee who adopts a "child other than her or his spouse's."

Two situations set out in the collective agreement refer to the provisions in the Act respecting occupational health and safety and in the Act respecting industrial accidents and occupational diseases concerning indemnities to be paid. They involve protective reassignment of pregnant or breast-feeding workers, and employment injuries.

The indemnities are not the same in these two situations and are disadvantageous for some employees on protective reassignment. In fact, under the provincial provisions ("national provisions"), the employer pays employees who have an employment injury a supplement to their income replacement indemnity, if applicable, paid under the Act respecting industrial accidents and occupational diseases, which may amount to 90% of their net salary.

However, an employee who is on protective reassignment is not eligible for such a supplement.

Proposal 2

To review the compensation rules for pregnant or breast-feeding workers on protective reassignment, so they receive the same indemnities as workers with an employment injury.

Modernizing and enhancing parental leaves

The QPIP's rules stipulate that all weeks of parental leave must be taken within 52 weeks of the child's birth. Yet if employees cannot postpone their annual vacation to after that period, they will lose the right to the benefits stipulated under the QPIP for the equivalent number of weeks as their annual vacation, as this would take them beyond the 52 weeks following the child's birth.

The provincial provisions currently stipulate that annual vacation can be postponed if taken immediately before the leave without pay or part-time leave without pay, provided there is no discontinuity with the maternity, paternity or adoption leave. In its current form, this stipulation results in a loss of benefits for the number of weeks of annual vacation.

The collective agreement needs to be modified to dovetail with the public plan, allowing weeks of annual vacation to be postponed to the end of the parental leave.

Proposal 3

That in the context of maternity leave and parental leave, employees may postpone all their vacation to a time of their choosing.

To allow parents to be with their child based on their family's needs, greater flexibility is needed in taking maternity, paternity and adoption leaves. Presently, the provincial provisions, like the *Parental Insurance Act*, only allow these leaves to be suspended or split up when the child is hospitalized.

Proposal 4

That maternity leave (when a child is born), paternity leave and adoption leave may be split up or postponed with relation to other leaves taken.

Maternity leave allowance

Following the changes in calculating the additional allowance paid during maternity leave that were introduced in the 2016-2020 "national provisions", we must ensure that this allowance adheres to the principle that has always guided this calculation. The working committee's discussions on this subject lead us to conclude that a demand will have to be made to that effect.

Proposal 5

That the additional allowance paid ensures the replacement of net income during maternity leave.

Regional disparities

Taxable aspect of trips out

In some localities, employees receive benefits, allowances or reimbursement of expenses, including those related to trips out. These benefits, allowances or reimbursements of costs may result in a taxable benefit that increases the employee's tax burden, sometimes significantly.

The current provincial provisions ("national provisions") stipulate working committees to look into the problem of the taxable aspect of trips out, but at this point we are not able to confirm with certainty that the problem will be settled once the work ends.

As a result, we believe that it's necessary to have a demand in this sense.

Proposal 6

To require the employer to fully mitigate tax losses linked to any benefits, allowances or expense reimbursements paid to employees for trips out, and to the provision of housing.

Harmonizing working conditions

The conditions that currently prevail from one collective agreement to the next vary in terms of premiums or other benefits paid to employees working in remote regions. Some collective agreements contain letters of understanding ("letters of agreement") granting "settling in" premiums (to help employees get set up in their new place) and retention premiums, paid in addition to the provisions set out in the articles on regional disparities or the provisions on an additional allowance to the basic allowance for the transportation of food.

Some employers also conclude agreements with unions or unilaterally put forward ad hoc measures. We believe that the issue of attracting and retaining personnel in the regions warrants a better, more structured set of benefits, and that

these benefits have to become clear and standard rights for all employees.

Proposal 7

To harmonize upwards all premiums in any form that are paid to employees who work in the sectors, localities and points of service covered by the provisions on regional disparities.

Extending the timeframe for benefiting from the transportation of goods

Access to housing in remote regions is a major issue. It is not uncommon for employees to wait several months or even years before getting housing. Sometimes they have to share their housing unit with other employees. As a result, it can be difficult to plan a good time to transport their personal belongings, furniture, furnishings or motor vehicle to their housing unit.

In this context, the current two-year period in which employees can receive this benefit is sometimes not enough. It needs to be extended to cover as many situations as possible.

Proposal 8

To review Section III, Other Benefits, to enhance the timeframe and conditions under which the employer defrays the costs inherent in transporting employees' personal belongings and those of their dependants, and their furniture, furnishings and motor vehicle.

Health and safety issues specific to northern regions

Occupational health and safety are key issues for all our members. In regions that are far from major urban centres, these issues take on a particular form. Whether it's a question of work premises or housing offered to employees that are at times dilapidated and antiquated, or situations in which a small staff has to deal with emergencies or violence when working with a difficult clientele, sometimes without being able to turn to the police, these settings require specific measures in the collective agreement.

Proposal 9

To remove paragraph 2 of clause 29.28 in the FIQ provincial provisions of the collective agreement and take action on front-line occupational health and safety issues that are specific to remote regions, to prevent accidents, ensure employees' safety and promote employees' health, particularly in regard to antiquated work facilities and housing offered to employees.



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