



## FOR IMMEDIATE RELEASE

### **Saskatchewan Healthcare Unions Propose Consultation Framework For Essential Services Legislation Development**

**Regina, Saskatchewan, March 20, 2012** – Earlier today the five Saskatchewan Healthcare Unions submitted a framework for consultation to the provincial government on new essential services legislation that includes an outline of key essential service principles. The goal is to partner with the government to ensure that any new legislation developed will protect both the health and safety of the public.

“Patient safety and positive patient outcomes are of central importance to our organizations and we recognize the vital role our members play in these areas,” said Saskatchewan Union of Nurses (SUN) President, Rosalee Longmoore. “For this reason a collaborative approach that involves all stakeholders responsible for the delivery of health services is critical in order to maximize efficiency in developing essential services legislation.”

*The Public Service Essential Services Act*, or Bill 5, that limited the ability of public sector workers to go on strike during a labour dispute was ruled unconstitutional by a Queen’s Bench judge on February 6, 2012. This ruling is being appealed by the provincial government; however the government has indicated a willingness to work with provincial labour organizations to jointly improve legislation in a manner that will uphold the principles of essential services.

“We look forward to substantive and meaningful consultations with the Saskatchewan government, to develop new essential services legislation that protects both the health and safety of the public and collective bargaining rights,” says Canadian Union of Public Employees (CUPE) President Tom Graham.

Healthcare delivery is the primary focus of every piece of essential service legislation across the country and the submitted essential service principles focus on a continued improvement to public health and patient experiences.

“We believe the work of our members is paramount to maintaining public safety and should not be withdrawn unnecessarily” notes Service Employees International Union-West (SEIU-West) President, Barbara Cape.

The five healthcare unions; Canadian Union of Public Employees (CUPE), Health Sciences Association of Saskatchewan (HSAS), Service Employees International Union-West (SEIU-West), Saskatchewan Government and General Employees Union (SGEU) and Saskatchewan Union of Nurses (SUN) represent over 38,500 healthcare workers in the province of Saskatchewan.

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## **For Discussion: Legislation Consultation Framework and Essential Service Principles**

Health care unions recognize that our members provide services that protect the health and safety of the public and that those services should not be withdrawn unnecessarily. We look forward to substantive and meaningful consultations with the Saskatchewan government, with a view to developing new essential services legislation that protects both the health and safety of the public and collective bargaining rights.

We believe the following are the hallmarks of an effective consultation process:

- Consultation takes place prior to the tabling of new or amended legislation and before decisions are firmly made;
- The parties to essential services consultation are the government, unionized employers and unions whose members' interests may be affected;
- The parties are allowed sufficient time to prepare and participate and their submissions are given fair, reasonable and good faith consideration with a view to building consensus before the tabling of amendments or legislation;
- All parties have access to all relevant information, including written submissions and documents presented in the course of consultations including draft amendments or legislation;
- The government takes submissions seriously and discusses them in full with a view to reaching a suitable compromise and/or demonstrably integrating submissions in the final outcome.

If there is to be essential services legislation, we regard the consultation process as critical to ensuring that new essential services legislation is built upon principles developed in a consensus-driven dialogue between the Government of Saskatchewan and other parties who have a role and responsibility in the delivery of health services. As unions representing health care workers, we have a significant role to play.

We support the inclusion of the following principles :

- The definition of essential services must be limited to where interruption would endanger the life, personal safety or health of the whole or part of the public.
- During a work stoppage, the full range of services normally provided by the employer will not continue.
- Essential services legislation should not create barriers to collective bargaining such as requiring the parties to conclude essential services agreements where there is no indication of a potential work stoppage.
- Essential services legislation should provide for acceptable alternative means of resolving collective agreements.
- Essential services legislation should provide for an independent third party dispute resolution for any issues in dispute arising from negotiation of essential services agreements, including what constitutes an essential service.
- Essential services legislation should incorporate dispute resolution and administrative processes that are reasonable, efficient, transparent and independent;
- Unions must have meaningful input into determining which employees will provide essential services;
- The legislation should be compliant with international law regarding the freedom of association.

These statements are made without prejudice to any legal action or positions taken with respect to SFL et al and Province of Saskatchewan.