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Post-Strike-Vote Questions and Answers

As you know, a strike vote was held last week. We learned yesterday that a majority of bargaining unit members who participated in the strike vote, did not vote in favour of a strike. The result of the strike vote means that the Union is not permitted to strike at this time, but it doesn't mean that bargaining is over. The purpose of this document is to provide you with an update on the current status of bargaining, and provide some answers to questions that have been raised.

Does the result of the strike vote mean that the Employer isn't motivated to reach a deal?

The HRHSSA is pleased with the result of the strike vote. While we absolutely respect the right to strike, we continue to believe that a collective agreement can be reached without a labour disruption. However, just because you did not vote for a strike, this does not mean that the HRHSSA will be any less committed to reaching a collective agreement.

In the HRHSSA's January 15, 2019 communiqué on the Status of Collective Agreement Negotiations and Potential Strike, we indicated that regardless of the outcome of a strike vote, we would remain ready, willing and able to continue to bargain with the Union. This continues to be true.

What happened to the mediation session that was scheduled on February 11th?

In January, the Union and the HRHSSA agreed to attend mediation on February 11th. The Union had also proposed meeting on February 10th, but the HRHSSA's bargaining team was not available. The HRHSSA told the Union that we were not available, and instead proposed to meet on February 11th and 12th, or another day later in the week. The Union responded that it was unable to confirm its availability on February 12th. While the HRHSSA asked the Union when it would know its availability for February 12th, it was only yesterday that the Union confirmed to the HRHSSA that it was not available. The HRHSSA had previously expressed concern that one day of mediation might not be enough, however, the Union's negotiator responded that "a deal should be

achievable in one day if both parties are serious about reaching a negotiated settlement.”

At 7:29 a.m. yesterday, before the results of the strike vote were known to the Employer, the Union requested that mediation be postponed. Believing that we would be able to make some headway towards a deal, the HRHSSA replied that it wanted to continue with the mediation. However, the Union negotiator provided the following response:

“As you are aware, mediation is a voluntary process. Normally both parties agree to participate in mediation, because usually there is the prospect of an imminent work stoppage and both parties prefer to reach a negotiated settlement. To the best of my knowledge, there is no imminent risk of a labour dispute at HRHSSA.”

As a result, we will unfortunately not be holding a mediation session on February 11th. However, the HRHSSA remains available and willing to bargain on February 11th.

Does the GNWT have to get a deal in order for the HRHSSA to get a deal?

No. While historically the GNWT bargains before the HRHSSA, this does not mean that the HRHSSA can't reach a deal on its own. The HRHSSA is a different employer than the GNWT, it has a different collective agreement than the GNWT and it falls under different legislation than the GNWT. Further, the HRHSSA has made a settlement offer during bargaining that has not been advanced at the GNWT bargaining table.

As you know, the Union has given strike notice to the GNWT. This does not affect the HRHSSA. The HRHSSA can arrive at a deal with the Union while the GNWT members are on strike.

Is the Union suing the HRHSSA Chief Executive Officer?

No. The Union has filed an Unfair Labour Practice complaint against the HRHSSA, with respect to the emails that were sent out by the former bargaining team. The HRHSSA is responding to the complaint.

What happens next?

Right now, we don't know. The HRHSSA has made it clear to the Union that it wants to return to the bargaining table. The HRHSSA is disappointed in the Union's unwillingness to meet because we believe that we are close to an agreement. However, the Union has told us that they are withdrawing their request for mediation "at this time".

Under the *Canada Labour Code*, both the Union and the Employer have a duty to bargain in good faith, and make every reasonable effort to enter into a collective agreement. This obligation continues throughout the bargaining process, and even during a labour disruption. The HRHSSA wants to be clear that, throughout the bargaining and conciliation process, we have come to the bargaining table with the intention of reaching a collective agreement. The HRHSSA is asking the Union to do the same.

What happens if GNWT employees have a picket line in front of my workplace?

The HRHSSA is not on strike. Therefore, you are required to come to work, even if there is a picket line in front of your workplace. If you were to refuse to cross the picket line to come to work, this would be an illegal strike under the *Canada Labour Code*. However, if at any time while crossing a picket line you feel threatened, concerned, or are unable to make it across, notify your supervisor immediately for alternate arrangements to be made.

February 6, 2019