

## MESSAGE FROM THE MINISTER OF HEALTH AND SOCIAL SERVICES



### THE TABLE IS SET

Before we step up the negotiations for the health and social services network's collective agreements, I would like to take stock of the important changes that have been made in the last 18 months. The goal of our government was to improve services to the population and we have put a lot of determination and efforts to succeed.

For this purpose, the National Assembly passed two laws that set the table for making real changes in the way we manage and do things. As we speak, establishment mergers have been completed and we are in the midst of reducing the number of bargaining units. In addition, the Commission des relations du travail recently decided to dismiss all union appeals.

This decision will help us complete two important steps: first of all, we will be able to reduce the number of bargaining units, which is necessary to undertake the next step, that is, to negotiate the 26 local matters in each establishment. Managers, employees and local unions will finally start to regain control

over local issues and matters concerning their working conditions. In other words, the new face of labour relations throughout the network is taking shape.

And so the table is set. The CPNSSS has a clear vision of where bargaining should lead. As a matter of fact, you will find an overview of its main orientations in this issue of Porte-Parole.

However, I want to reiterate that these negotiations, both at the sectoral and local levels, will mark a new beginning for the MSSS in terms of how establishments are managed. At every step of this process to reorganize the network — and this includes the upcoming negotiations — our aim has always been the same: to humanize healthcare and services for the benefit of both the people who receive

these services and those who provide and manage them.

The citizens of Québec have legitimate expectations towards their healthcare and social services network. The same goes for those who work within the system. So we must take advantage of the current momentum to promote certain principles that are essential to the network's long-term viability: accessibility, continuity and the quality of services, as well as flexibility and accountability.

In order to achieve this, we must all agree to become catalysts for change in our daily work environment. This could prove to be quite a challenge, especially in a complex and extended network that is sometimes still anchored in the past. But we have no choice. Quebecers have high expectations for us, just as the men and women who work in the network want profound and sustainable changes that will improve the quality of their own life at work.

#### A Strong Sense of Attachment

Our health and social services network is one of the main legacies of modern Québec and it is the source of a sincere and profound sense of attachment from the population. Everyone has an anecdote, a memory or a story to tell and that is not surprising because every family in Québec has called upon its services at one time or another, during happy or sad periods in their lives. And if the population in general is truly proud of its network, it is easy to imagine how you, the people who work in it every day, also feel a strong sense of attachment.

You are all devoted individuals. On average, seniority exceeds 18 years in the network's establishments, despite conditions that are often difficult due to the requirements of the work and the circumstances you work in. Therefore, it is obvious that the people who work in healthcare and social services are very fond of their job or profession and to

their work environment. This should make us all cheer because, day in and day out, you play an essential role in improving the human condition.

We must also recognize that needs have shifted with the aging of the population, that the delivery of health services and care has changed with technological improvements and that the workforce also has evolved over the years. The current situation is worrisome in certain job categories where there is a shortage of personnel. The network has changed, both internally and externally. We must address these issues during the next round of negotiations. What's at stake is the health of the network itself. With our proposals, we wish to confront these problems with realism and openness.

Before I conclude, I would like you to know that, at the bargaining table, our administrators and spokespersons will be guided by one fundamental rule: valuing attachment. That is, the attachment that the workers feel towards their work and their work environment, the attachment of managers and administrators in terms of wanting this reorganization to succeed and, lastly, the attachment of Quebecers towards their health and social services network. As your government, we will keep our eye on our top priority: providing healthcare and social services that meet the needs of our citizens.

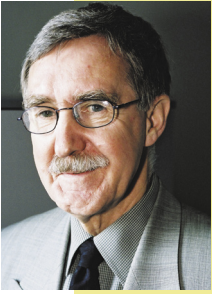
By decentralizing negotiations at the local level, we wanted administrators and employees to regain control over their work environment. This will be accomplished in the next few months. We also wanted to ensure consistency and coherence by centralizing negotiations for larger issues concerning working conditions. The table is now set and, in good faith, we invite you to join us.



Philippe Couillard

**“Day in and day out, you play an essential role in improving the human condition.”**

## MESSAGE FROM THE CHAIRMAN



# THE MAIN ORIENTATIONS OF SECTORAL NEGOTIATIONS

The CPNSSS has established major orientations to guide the current round of negotiations. We consider it essential that every employee in the network be adequately informed of these orientations because in the upcoming months you will be involved in several discussions and decisions. That being said, providing adequate information means providing the right information and trusting people's judgement in making the right choices. We humbly believe that *Porte-Parole* is contributing to that.

Two major themes underlie our proposals for these negotiations: **improving access to services and improving human resources management.**

The point is not to cut back on working conditions or to challenge job security. **Any savings resulting from the reorganization of work will be reinvested into the network and into improving the quality of life at work.**

## IMPROVING ACCESS TO SERVICES CONTEXT

### UPWARD PRESSURE

Demand for health services and care is on the rise

- The population is aging
- Needs are increasing



### DOWNWARD PRESSURE

Service availability is decreasing

- Labour shortage
- Reduced availability
- Increasing absenteeism



**ACCESS TO SERVICES IS NOT THE SAME THROUGHOUT THE NETWORK.**

- The need to improve access to services in every establishment is a priority.

To better plan for its labour force requirements, the *ministère de la Santé et des Services sociaux*, has established nearly twenty working committees whose mandate is to implement strategies that will help us face these challenges. Virtually every profession in the health and social services network has been analyzed for workforce planning purposes (see list on the bottom of the page). Union representatives are involved in this process, along with representatives from the MSSS and from the establishments.

Although the mobilization of all the stakeholders and the harmonization of our efforts in the last few years have yielded promising results, there is still a lot to accomplish and negotiations should allow us to continue improving the situation.

What's more, Bill 83, the *Act to amend the Act respecting health services and social services and other legislative provisions*, requires that each establishment produces a three-year workforce planning strategy. This plan must contain measures for workforce replacement. A similar requirement applies to regional agencies.

## CHALLENGES

- Workload has increased.
- Availability for work has decreased.
- A large number of workers will become eligible for retirement in the upcoming years.
- Absenteeism rates are high.

## BARGAINING OBJECTIVES

- To maintain services to the population and avoid service disruptions.
- To promote better attendance rates through various measures.
- To provide better guidance and coaching for employees who are starting out.
- To promote mutual cooperation in establishments that lack personnel in certain job categories.
- To ensure that more people seek career opportunities in the network.
- To have a sufficient number of qualified and available personnel to work where there is a need.
- To offer optimal conditions to employees who are returning to work after a leave of absence due to sickness or a work-related injury.

## WORKFORCE PLANNING EFFORTS CONTINUE

Virtually every profession in the health and social services network has been analyzed from a workforce planning point of view. These professions include:

- Medical physicists
- Radio-oncology technologists
- Nurses and graduate nurses
- Auxiliary nurses
- Patient care attendants

- Pharmacists
- Clinical and Medical biochemists
- Physiotherapists
- Physical rehabilitation therapists
- Occupational therapists
- Audiologists
- Speech therapists
- Orientation and mobility specialists
- Special education technicians

- Medical technologists
- Medical laboratory technicians
- Cytotechnologists
- Diagnostic radiology technologists
- Nuclear medicine technologists
- Respiratory therapists
- Medical electrophysiology technician
- Perfusionists
- Biomedical engineering technicians

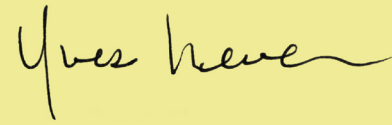
Consistent with the orientations of Mr. Philippe Couillard, Minister of Health and Social Services, our orientations focus on human beings, the men and women who work in the network as well as those who receive healthcare and social services. More than any other function of government, the network is on the front line for improving the human condition. This should be reflected in the way we organize work and guarantee access to services and care in the future. Presently, we are in the process of

implementing the adjustments that were set forth in the recent legislative changes. The time has come to work together to find the best solutions for simplifying, revising and modernizing our methods in order to keep improving our services to the population of Québec, meanwhile taking into consideration the individuals who provide and manage these services.

We are entering into these negotiations with a very positive outlook and with an open mind

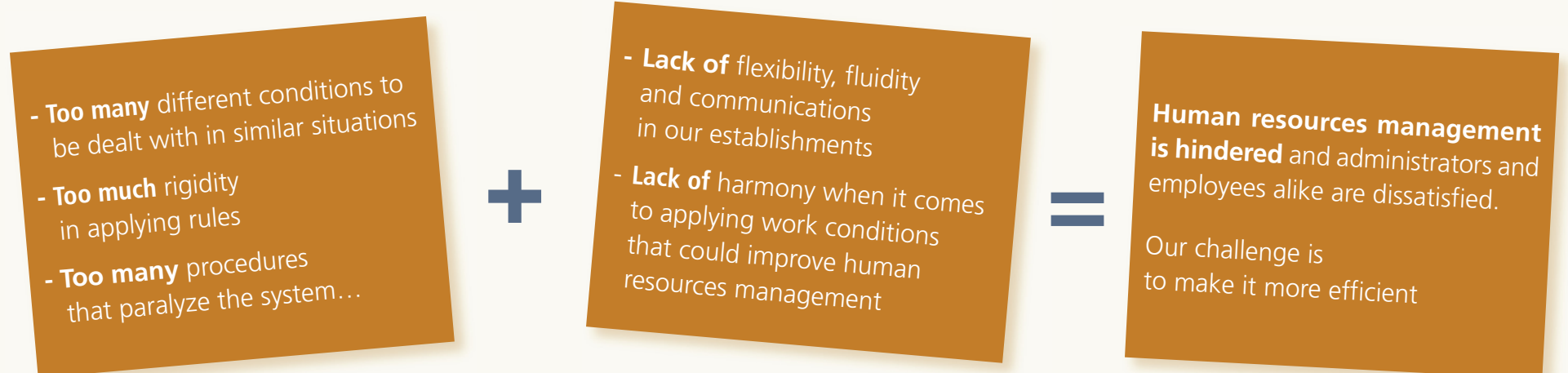
for discussions and proposals that are consistent with improving everyone's well-being.

Yves Neveu



Chairman of the Board  
CPNSSS

## IMPROVING HUMAN RESOURCE MANAGEMENT CONTEXT



When it comes to human resources, everything has changed in the last two decades, both in terms of internal and external circumstances, except for collective agreements. The current negotiations should allow us to deal with these pluses and minuses by making the necessary adjustments. In pursuing its mission of delivering the best possible services to the population, the employer will make concrete proposals to reach that goal while staying within the limits of the financial framework established by the government and also aiming to optimize the availability of human resources.

The employer is **not proposing a reduction in labour costs**. Indeed, the aim is to ensure the proper and careful management of public funds, meanwhile guaranteeing suitable working conditions for all human resources in the network.

### CHALLENGES

- The system dates back to a time when labour force was abundant and when the needs of the population were under control.
- Job titles were defined in 1975 and have not been revised since. While minor adjustments have been made, job descriptions no longer reflect reality. Moreover, they do not take into consideration Bill 90, which amended the Professional Code by defining the notions of field of practice and reserved activities.
- Collective agreements were negotiated in relation to the missions of individual establishments that have since been merged. With bills 25 and 30, the matters to be negotiated at the sectoral level essentially concern universal benefit plans, both in terms of their content and application. It doesn't seem appropriate for these employment conditions to vary from one collective agreement to another.

### BARGAINING OBJECTIVES

- To revise collective agreement provisions that generate unnecessary costs, without directly affecting the employment conditions of the workers.
- To adapt collective agreements in such a way as to guarantee more flexibility in reorganizing services to improve their quality.
- To revise job titles so as to:
  - Recognize the evolution of duties
  - Value the work and enhance tasks
  - Promote multi-skilling
  - Optimize the use of employee skills
  - Adapt certain job titles to match the Professional Code and other legislations
- To develop measures aimed at improving the organization of work.
- To promote the rehabilitation of employees on disability leave.
- To standardize collective agreements so as to have only one agreement per labour organization.
- To standardize such notions as parental rights plans, employee transfers resulting from reorganizing work, employment security and personal holidays.

- Biomedical engineers
- Human relations officers
- Psychologists
- Psychoeducators
- Social workers
- Social work technicians
- Ambulance technicians
- Managers and non-unionized employees

As for specialized professions in the field of nutrition — dieticians, nutritionists, food consultants and dietary technicians — a working group has been established and workforce planning will start soon.

Generally speaking, the MSSS keeps up to date on changes and revises its workforce projections and action plans accordingly.

Workforce planning efforts are under way, both at the regional level and within each establishment, to look at expected departures and identify activity sectors that are more at risk, in order to establish remedial action plans.

# DECISION FROM THE COMMISSION DES RELATIONS DU TRAVAIL

## ALL UNION APPEALS WERE REJECTED

Last March 23rd, the CRT entirely sided with the government and rejected all appeals from the unions who were trying to prevent the application of Bill 30.

### Bill 30 Can Now Come Into Full Force

The unions were claiming that Bill 30 was **unconstitutional** and that its adoption had violated the principles of the constitution. The **Commission rejected** this claim.

Furthermore, the *Commission* pointed out that “the purpose, objectives and activities of unions are not protected under the constitution.”\*

“The new face of labour relations is taking shape. In the upcoming months everyone — administrators, employees, unions — will have a contribution to make to this process.”

The unions were claiming that Bill 30 **violated the workers’ right to organize**. The **Commission rejected** this claim.

Furthermore, the *Commission* declared that Bill 30 “does not in itself affect the workers’ right to form, maintain or belong to a union.” Moreover, the CRT stated that “giving unions the right

to maintain certifications for bargaining units that represent only one profession, by reason only that such units reflect the workers’ common desire to organize, would amount to granting these unions an unfounded right.”\*

As for the issue of freedom of association, the CRT concludes that “the right to apply for certifi-

cation with the purpose of becoming a bargaining agent does not constitute, in light of Supreme Court Jurisprudence, a right protected by freedom of association.”\*

The unions were claiming that Bill 30 **violated their freedom of expression**. The **Commission rejected** this claim.

Furthermore, the *Commission* firmly established that “Bill 30 does not however infringe on freedom of expression as constitutionally protected by the Charters. The claim that imposing the establishment of four bargaining units would deny the workers their freedom of expression (...) cannot be sustained. Once again, Bill 30 does not prevent the formation of an association. Nor does it directly limit the individual or collective freedom of expression of the workers in the social affairs sector.”\*

The unions were claiming that Bill 30 **violates the workers’ right to equality** by imposing a representation system that causes prejudice to their dignity. The **Commission rejected** this claim.

Furthermore, the *Commission* determined that “the fact that a majority of the workers in the network are women in itself does not allow us to conclude that differential treatment under this representation system will be based on gender. (...) The difference in treatment arises from the particularities of this sector of activity.” Moreover, “in light of the above, we cannot claim that Bill 30 will impose on the workers a disadvantage, stereotypes or bias that would cause prejudice to their right to dignity.”\*

### Making Up for Lost Time

As mentioned in the decision: « Having concluded that Bill 30 does not cause prejudice to the right of the workers in the social affairs sector to organize, nor does it cause prejudice to their freedom of expression or violate their constitutional right to equality as guaranteed under the Charters of Québec and Canada, it is not necessary to further analyze the constitutional validity of this law. With all claims of unconstitutionality having been rejected, the *Commission*, must continue to apply Bill 30. (...) In the days following this decision, the *Commission* will certify the unions that are authorized and revoke prior certifications.”\*

The CPNSSS is satisfied that the *Commission* rejected the union appeals and it is now time to resume the process where we left off. As soon as the *Commission* grants the certifications, the establishments will be able to start negotiating the 26 matters that were transferred to the local level.

With every transformation that takes place, the new face of labour relations is taking shape. In the upcoming months everyone — administrators, employees, unions — will have a contribution to make to this process.

\*unofficial translation

## THE NURSING SHORTAGE

# MAKING HEADWAY IN RESOLVING THE PROBLEM

### The facts

As of March 31st, 2004, the number of nurses on the job market exceeded our projections by 903 nurses. This can be explained by:

- Improved nursing school graduation rates
- Better retention of new nurses
- Increasing number of graduates from outside Québec
- Retired nurses returning to work
- Hiring of nurses from France

However, according to the MSSS’ actuarial projections, the situation is still worrisome.

With several nurses about to retire and the increasing needs of the population, there are reasons to be concerned. It is important to mention that the shortage is more severe in some regions, as well as in critical care units and throughout the network when it comes to filling evening, night and weekend shifts. Another challenge for a majority of establishments is in finding replacements for the vacation period.

### Adaptation strategies to cope with the shortage

Worried about the labour shortage and its potential impact on accessibility to services and care, the ministère de la Santé et des Services sociaux established a national program for reorganizing work three years ago. Initially aimed at the nursing sector, the program was expanded in the fall of 2004 to include every sector experiencing a shortage.

PROJECTIONS	
YEAR	NURSES
2006	1,647
2007	2,053
2008	2,792
2010	4,465
2015	10,436
2020	17,119

For the 2004-2005 period, 15 projects out of 46 were selected and funded for a total amount of \$2,333,000. These work reorganization projects were proposed by different establishments with diverse missions and from different sectors. These establishments can therefore become examples

to be followed by other establishments that will be seeking solutions in the future.

Analyses and hands-on experience have clearly demonstrated that a better organization of work can contribute to improving the accessibility and quality of services, in addition to increasing job satisfaction by maximizing the use of skills and expertise and improving the quality of life at work.

### A Symposium to Help Us Go Further

The Association québécoise d’établissements de santé et de services sociaux du Québec (AQESSS), in partnership with the ministère, will soon hold a symposium to present the results of nearly thirty work and care reorganization projects. They will also introduce a guide outlining the conditions for success which is intended to trigger more reflection, discussions and action.

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CPNSSS – 3700 Berri Street, suite 300, Montréal, Qc, H2L 4G9

