

NO! NOTHING'S SETTLED

The Charest government is hammering FSSS – CSN members

Ever since it was elected, the Charest government has consistently signalled its contempt for union organizations and its determination to roll back our working conditions.

It rammed through adoption of the disastrous Bill 30, which broke up our unions and arbitrarily restructured them into four job classes in the mega-institutions created by Bill 25. Besides paralysing collective bargaining, Bill 30 caused profound divisions in the labour movement.

Government and management had clearly opted for a strategy of forcing all the union organizations to accept concessions in their collective agreements and penalizing FSSS members even more harshly.

At no time did the management committee offer the FSSS an agreement containing any improvements in working conditions.

The decree is nothing less than the demolition of our collective agreements and a major worsening of our working conditions.

We have to fight back!

Seven hundred delegates representing all FSSS unions voted on February 1, 2006 in

Drummondville to adopt an action plan aimed at vigorously opposing Bill ~~142~~.

The FSSS action plan has two fundamental objectives :

- ✗ to win back our right to negotiate our collective agreement;
- ✗ to obtain fair treatment in their rights and benefits for all workers, regardless of the union organization to which they belong.

Non-negotiations

The FSSS collective agreement expired in June 2003. From then through to December 16, 2005 – the day that Bill ~~142~~ was passed, decreeing our working conditions until 2010 – management showed no interest in or willingness to negotiate in good faith. All the efforts made by the FSSS up until the very last minute to try and achieve a settlement were fruitless.



Working conditions decreed by Bill 142

On the fateful date of December 16, 2005, the Charest government took the dictatorial step of passing Bill 142, a decree that imposes our working conditions for the next four years. In contrast to previous rounds of collective-

bargaining, the government and employer associations refused to conduct bargaining talks in good faith. Concessions on our working conditions were the only outcome that was acceptable to them.

Rates of pay for 2004 and 2005 were frozen. On April 1 of 2006, 2007, 2008 and 2009, there will be 2% raises in pay – less than the projected rise in the cost of living. Compared with the unionized private sector, the public sector is paying salaries that are 22.3% lower.

The decree worsens many of our non-monetary working conditions. Here are a few examples :

Salary insurance

Even if it contradicts the opinion of the attending physician, the employer's physician will be able to compel an employee on salary insurance benefits to return to work gradually. He will also have the authority to terminate or extend a gradual return to work. Furthermore, it will take longer to requalify for salary insurance benefits after an absence.

Medical arbitration

The decree eliminates the right to be accompanied by a union representative in medical arbitration. The medical arbitrator will also have the authority to order a gradual return to work, whereas previously it was only the attending physician who was authorized to do so.

New list of job titles and job descriptions

A number of job titles are merged in the new list of job titles and job descriptions imposed by the decree. Management is using this to achieve greater staff mobility and preserve arbitrary job requirements for positions.

Despite its demands in this regard, the FSSS was never able to negotiate this reform of job titles.

Obligation to hold a position

In the nursing and cardio-respiratory care personnel class, employees will be obliged to hold a position involving a minimum of eight shifts per four-week period. Refusing to do so will be considered a resignation. In other words, it will be impossible to only be on call, or to be part-time for fewer than the number of shifts required by the decree and on call for other shifts. The FSSS opposed this obligation when the employer party proposed it.

Arbitration: a return to 40 years ago

For 40 years, the cost of arbitration has been paid by the employer. With the decree, the party that loses in arbitration will pay the costs. This will certainly leave unions poorer and affect their capacity to defend their members.

Union leave

The rules on union leave that have been in use since the 1960s have been shredded by the decree. Bill 142 will have the effect of reducing the union's power to represent its members and affect its mission of defending them.

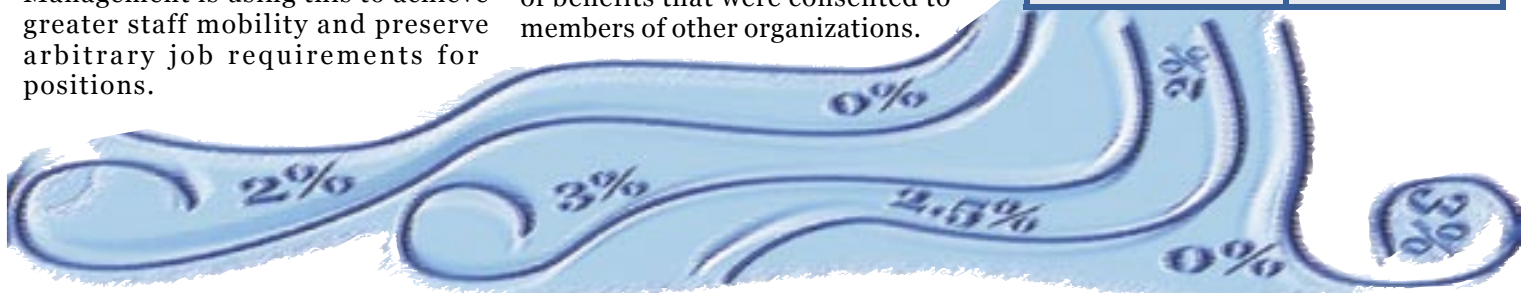
Benefits denied to FSSS members

The government chose to be incredibly petty in drafting the decree, depriving FSSS members of benefits that were consented to members of other organizations.

These omissions in the decree amount to sheer discrimination, and include :

- ✗ an increase in budgets for the development of human resources;
- ✗ an increase in the employer's contribution to drug insurance;
- ✗ an increase in pay for post-graduate training for technicians;
- ✗ part of the \$62 million budgeted for measures aimed at attracting and retaining staff in occupations where there are staff shortages;
- ✗ the additional 5 to 10 days off per year for employees aged 55 and over in occupations where there are staff shortages;
- ✗ the budget for supervising and coaching new employees in the nursing care and cardio-respiratory care class.

Public-sector pay			
Our demands		The decree	
January 2004	3 %	April 2004	0 %
January 2005	3 %	April 2005	0 %
January 2006	2,5 %	April 2006	2 %
January 2007	2,5 %	April 2007	2 %
January 2008	2,5 %	April 2008	2 %
		April 2009	2 %



The FSSS – CSN action plan to oppose the decree

The FSSS action plan is aimed at putting pressure on the government, MNAs and management in local institutions.

We will use work with the media and an ad campaign to raise public awareness of the shameful nature Bill 142 and its discriminatory measures that penalize FSSS members. The federation will also ask national organizations and public figures in Québec to publicly support the struggle of our members.

The CSN will challenge Bill 142 in court in Québec and before the International Labour Organization (ILO).

Members' involvement is the foundation of the action plan

Let's be very clear: the success of the struggle against Bill 142 depends to a large extent on members' participation. Consequently, members are asked to make their opposition to the decree visible by wearing the orange ribbon and putting up *FSSS nego: No! Nothing's settled* posters and stickers in very visible locations.

Delegations from each union will meet with local managers and boards of directors to protest the deterioration in our working conditions that the decree imposes. We'll remind managers that their employer association was acting on their behalf when it endorsed the decree. We'll tell them that the decree will have a perceptible impact on the climate of work and staff motivation.

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March 8, which is International Women's Day, will be an opportunity to organize special events, emphasizing that the deterioration in working conditions will affect the people who work in health care and social services, 79% of whom are women.

A special disruptive activity outside institutions is planned for March 14, which is the day on which the National Assembly resumes.

FSSS members are invited to make the struggle against the decree widely known by informing their families and friends and sending letters to the editor in local and province-wide media.

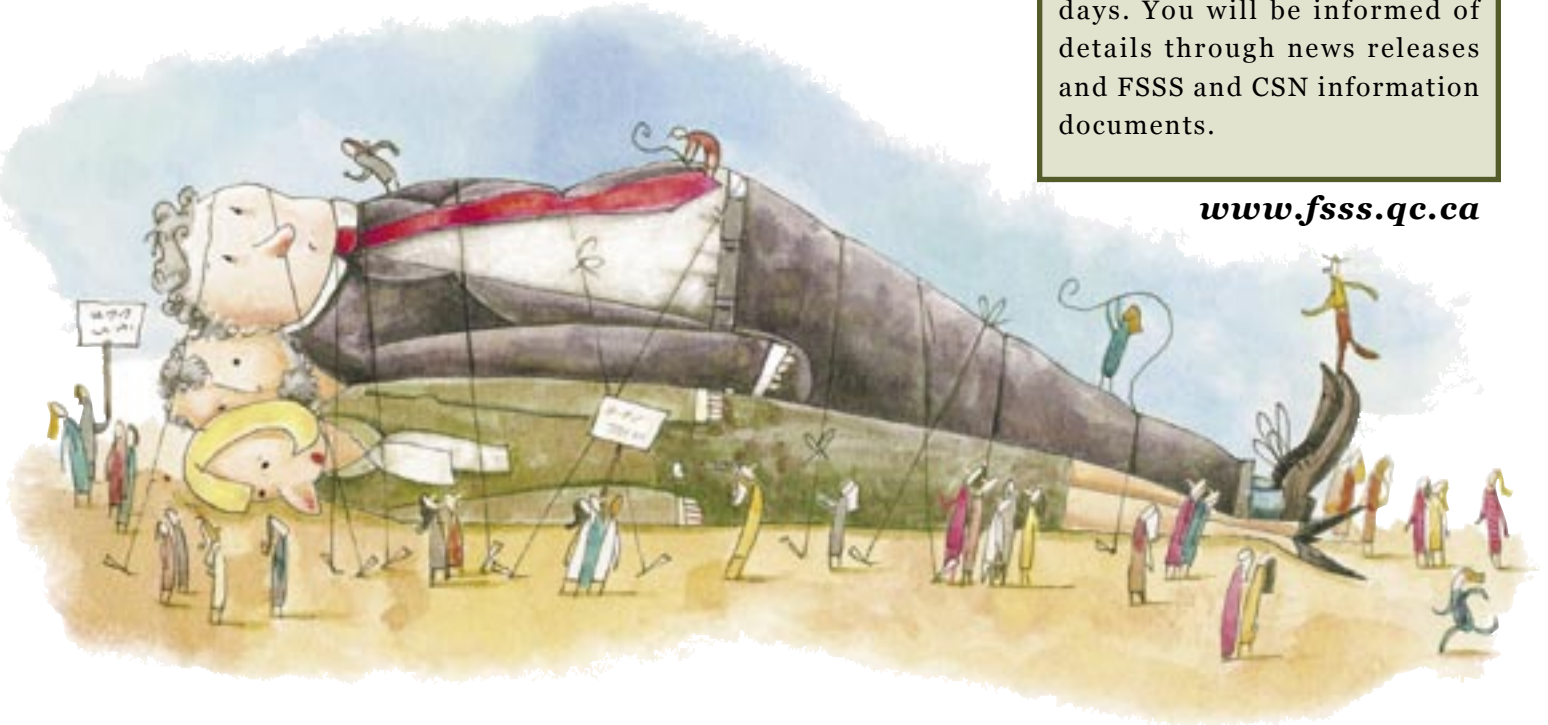
Dates to keep in mind

National and regional activities will be organized on :

- March 14, the day on which the National Assembly resumes work;
- April 14, the anniversary of the election of Jean Charest;
- May 1, International Workers' Day;
- in June, the FSSS plans to hold a national demonstration.

Members are invited to participate in large numbers in the activities that take place on each of these days. You will be informed of details through news releases and FSSS and CSN information documents.

www.fsss.qc.ca





Claudette Carbonneau, president of the CSN



Pierre Lamy, president of the FSSS-CSN

A vengeful government

The decree is appalling. The pay rates it imposes will make 500,000 people even poorer until 2010, although their pay already lags more than 20% behind what is paid in the unionized private sector.

But for FSSS unions, the decree is even worse. After devious manoeuvre to avoid meeting its obligation to negotiate with the largest group of unionized employees in health care and social services, the government proceeded to chop up their collective agreement, which provided the best non-monetary conditions in the system.

This vengeful attitude is discriminatory for FSSS members. There's simply no comparison with the decrees imposed on the other groups. It's shameful and appalling. Strong steps to oppose it must be taken immediately.

Resist vigorously!

Bill ~~142~~ is a brutal attack on all Québec government employees. It is a blow to the entire health and social services sector, and even worse for FSSS members.

This move to settle scores with our federation – seen as too militant and too troublesome – was planned long in advance by the government and employer associations.

The decree will have harmful effects on the climate of work and labour relations.

In the past, our federation has already engaged in vast movements of mobilization. Each time that we were faced with an impasse, we fought back. Each time we met the challenge.

The struggle that lies ahead will be no exception.

The symbol of our resistance

Like the red square used by the students, the symbol of the FSSS's resistance is an orange ribbon in the form of an "X".

Members are invited to wear it daily as a first form of defiance of Bill ~~142~~. You are strongly encouraged to use this symbol of the campaign in any other way that seems appropriate.

