

The Review

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RECORD MOBILIZATION

By Claude Turcotte

LAST FALL, MEMBERS OF UNION ORGANIZATIONS AND OF SEVERAL COMMUNITY GROUPS VIGOROUSLY OPPOSED THE GOVERNMENT PROJECTS TO DISMANTLE THE PROVINCE AND THOSE CONTRIBUTING TO THE IMPOVERISHMENT OF THE GOVERNMENT CHAREST WORKFORCE. OUR MULTIPLES ACTIONS WERE QUICK, EFFICIENT AND RAISED PEOPLE'S CONSCIOUSNESS; AN ACCOMPLISHMENT WE CAN ALL BE PROUD OF.

Yet, this same government had cunningly adopted a strategy designed in such a way that we would not have the time to explain these projects and mobilize.

Hence, it waited to table these controversial bills at the National Assembly until the very last moment possible or the end of November to adopt them finally while imposing the gag rule as early as mid-December.

Obviously, it has underestimated the reaction power of the union organization membership.

At FTQ, we tallied up more than fifty different mobilization activities that all proved to be very successful. These activities took place at the local, regional and provincial levels. Numerous manifestations, visits of MP's offices, sit-ins in human resources departments of institutions, distribution of leaflets to the population, posting across Québec of the «Province for sale» poster, nothing was spared.

The pinnacle of this mobilization took place on December 11th and 12th, because, on this occasion, FTQ and its affiliated unions blocked access to the Montréal, Québec, Trois-Rivières and Bécancour ports, and closed roads in Abitibi, Gaspé, Saguenay and

North-Shore. Several ten of thousands of FTQ members participated to these two proactive days. No doubt, this was the focal point of all the mobilization organized last fall.

Of course, the Charest Government, even in the face of all opposition, believes that what they are doing is right. Evidently,

the Quebec population does not necessarily agree since the polls indicate that the level of dissatisfaction is at 70%.

Let's keep it up

Yes, laws have been enacted, but we must not, for that matter, give in. We have to fight against their application and attempt to get at

least the withdrawal of some of the most controversial provisions. Furthermore, since this government is still just beginning its mandate; we must take away any aspiration of gaining grounds on the path it followed last year.

Already, three activities involving inter-central labor bodies are planned for the next coming weeks.

March 7th

As part of the activities for the International Woman's Day, a manifestation will take place in each Quebec region. We will emphasize common demands from women's groups and from the union movement by pointing out that the workers are not getting richer but poorer because of subcontracting and privatization.

April 14th

Anniversary of the election of the Charest Government. A delegation will go to the National Assembly with a view to denounce anew the dismantling project hidden behind the laws that have been imposed upon us.

May 1st

We want to make this year's « May Day » a big national manifestation for both the unionized people and the population at large. Participation to this manifestation must be an all time record-breaker.

The last draw: a strike

In our tool paraphernalia to make this government understand, we cannot put aside any possibility. A strike is therefore not excluded even if it must be used as a last resort.

Union Solidarity Pact

DELEGATES REPRESENTING ALL THE 500,000 FTQ MEMBERS HAVE ADOPTED AT A GENERAL COUNCIL MEETING HELD ON FEBRUARY 24TH A UNION SOLIDARITY PACT. WE CANNOT BUT STRONGLY URGE YOU TO ADOPT IT AT YOUR NEXT GENERAL ASSEMBLY.

RESOLUTION

Whereas laws were adopted under the gag measure by the Charest Government last December;

Whereas the consequences of the application of these laws on the right to unionize, on the freedom to choose a union in healthcare, on opening doors to subcontracting of cheap labor, on affordable and qualitative public services;

Whereas a significant number of our members have already started to feel these effects from day to day in their environment;

Whereas the willingness expressed by this Government to maintain its course with policies for which it does not have a popular mandate;

Whereas the necessity to strengthen the ranks and oppose the government policies with a proactive solidarity;

It is resolved that this solidarity pact is a commitment to do

everything possible to support those among us who will be the target of measures emanating from the laws enacted in December (against subcontracting of cheap labor or support FTQ unions in healthcare, for example) and to participate to the co-ordination of activities initiated by FTQ, its unions and its regional councils.

We are also making the commitment to support as best as we can the actions that could be initiated both to defend our labor relations as well as social acquired rights.

We are making the commitment to lead the debate, right now, on the principle of having a general strike that could be set off in case of a frontal attack against all or a portion of the FTQ members that would require a means of this nature; such a debate could lead to a General Council meeting or even, to a special convention.

We reiterate our commitment to build a society based on equity, social justice, redistribution of wealth and social dialog.

PAY EQUITY

A ruling confirming our claims

By Claude Turcotte

AS YOU HAVE PROBABLY LEARNED THROUGH THE MEDIA, WE HAVE WON AN IMPORTANT APPEAL IN SUPERIOR COURT RECENTLY; WE HAD CHALLENGED SOME PROVISIONS (CHAPTER IX) OF THE LAW ON PAY EQUITY. YOU ARE PROBABLY ASKING YOURSELVES THESE QUESTIONS: «WHAT IS THIS RULING ALL ABOUT? WHAT WILL BE THE IMPACT OF THIS DECISION ON THE LONG PROGRESSION OF THE PAY EQUITY ISSUE IN THE PUBLIC SECTOR?»

In order to better grasp the answers to these questions, it is essential to go over the evolution of this project.

Mars 1987

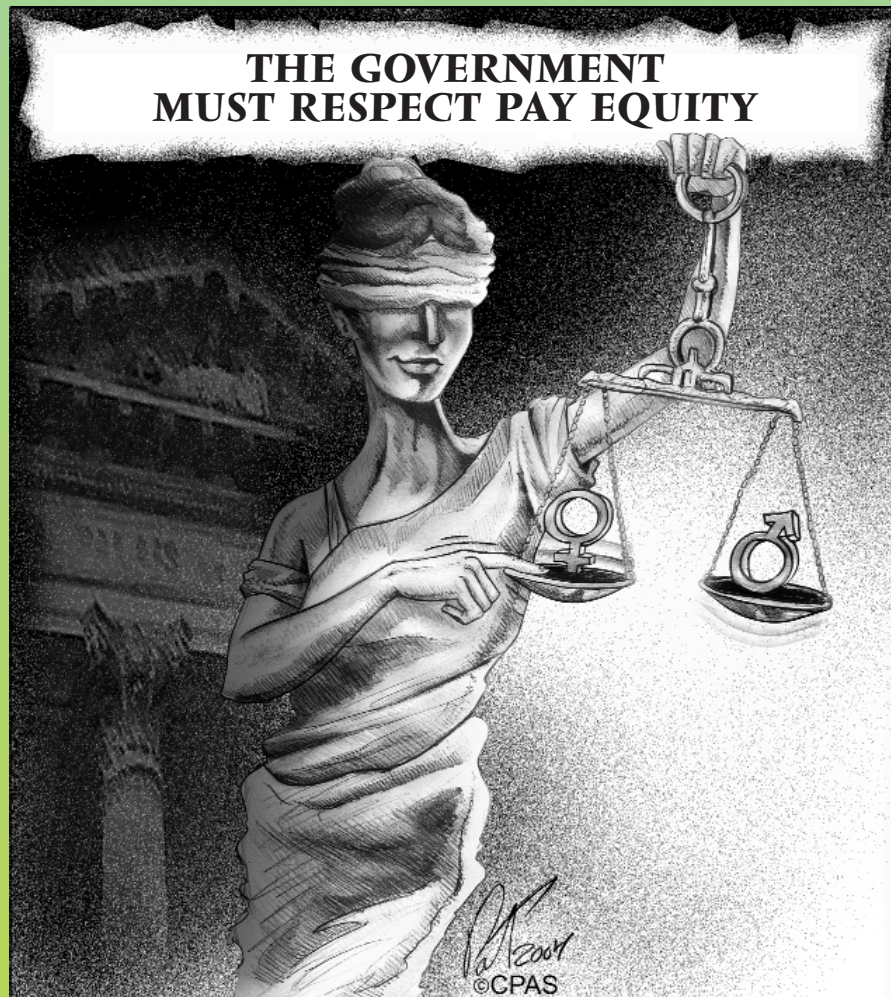
FTQ signs a letter of agreement with the Employers with a view to determine the relative value of job titles (salary relativity).

December 1989

Within the framework of the global Collective Agreement settlement, a partial agreement is entered into covering salary relativity. Salaries of 133 out of 165 positions predominantly held by women are rectified with adjustments varying from 0.9% to 12.1%.

November 1996

The Quebec Government adopts a Pay Equity Law. The general provisions of this law provide for



the adjustment of salary gaps due to the systemic discrimination regarding women. However, Chapter IX of the Law stipulates that an Employer who in the past had done work on salary relativity may be exempted from a more rigorous law application.

November 1998

The Québec Government asks the Pay Equity Commission for an exemption from the application of all the provisions of the law because in the past it has done some work on salary relativity.

We were strongly opposed to this request.

December 2000

Replying to the government's request, the Pay Equity Commission recognizes the work on salary relativity already done on the condition that three elements be rectified including the adjustment of salary gaps considered not sufficient.

April 2001

Following pressure from all the

union organizations, the Government accepts to begin new work on pay equity, among others, the development of a new job evaluation plan. However, it is not progressing fast enough.

Spring 2002

A wide majority of union organizations accept to extend their Collective Agreement for a year to allow for the acceleration of work undertaken the previous year.

Spring 2003

The announcement of a provincial election interrupts the progression of this project.

June 2003

The Quebec Government begins to pay the adjustment of salary gaps in accordance with the salary relativity achieved some fifteen years ago. These payments do not constitute a settlement of the pay equity issue.

January 2004

The Superior Court declares unconstitutional Chapter IX of the Law on Pay Equity. In fact, this means that the Government cannot hide anymore behind the work done in the 80's to say that pay equity is almost attained in the public sector.

Of course, a lot remains to be discussed before arriving at an agreement in accordance with the provisions of the law. We have, however, been able to blow the clouds away and dismissed the shadow hanging over our goals.

MERGER OF INSTITUTIONS

BILL 25: HEADING TOWARDS THE DISMANTLING OF CLSCS!

By Guy Jolicoeur

In spite of all the nice promises made by Liberal Government, with Minister Philippe Couillard leading the way, one of the most tangible results of Bill 25 will be the end of CLSCs (Local Community Services Centres) as the front door of the Health and Social Services Network. This brutal demise of CLSCs will be a great loss for the Network because during their thirty years of existence they will have been the focal point of a phenomenon coveted by several provinces today.

Last January 29th, Health and Social Services Network Development Agencies have replaced Regional Boards, and received the mandate to merge

CLSCs, CHSLDs (Long term care centers) and CHs (hospitals with a local mission) of one or several territories. Needless to remind you that this transformation must be done quickly. Objections from various local representatives are set aside for a formula that does not benefit employees, unions, or the population, and curiously enough, not even endorsed by directors of institutions! Although a consultation is planned for the end of March, Agencies must deliver the goods for April 30th. The Cabinet will review the merger scenario and will take a final decision before June 15th. Mr. Couillard will then appoint Directors for the Boards as well as new directors for these local networks.

A little bit of history

To better understand the current situation, it is relevant to look back. In the 70's, CLSCs were created to liberate hospital emergencies, which were even then making newspaper headlines. The main policy was that if you were in a relatively good health and that your case was considered to be a minor emergency, you could go to a CLSC; for more serious cases, it was the hospital emergency. However, only a handful of doctors answered the CLSC call, opting to open private clinics.

During the 80's, despite the opening of CLSCs all over Québec, there were still a shortage of doctors, and social services were

therefore repatriated from various CSSs (Social Services Centres). Various mandates were added to the CLSC's responsibilities, among which that of delivering services to the vulnerable clients (example: infant care) but what characterizes CLSCs is, above all, the home care program which, while not sufficient, will allow to provide a certain number of home care services to seniors and handicapped individuals.

The last «péquiste» government proposed the creation of Family Medicine Groups (GMFs); this consisted of a group of doctors taking charge of a clientele and ensuring a continuity of medical services. In urban community,

TO BE CONTINUED ON PAGE 3

doctors boycotted once again the idea. One of the unconfessed goals of these reform structures: to compel doctors to leave their private practice from 9 to 5 to provide more basic services. And for this change to be accepted, what better bait than a carrot that would be called CMAs (Affiliated Medical Centres) where a regrouping of doctors, willing this time, would receive via computers an extensive range of tests and consultations from specialists. On the other hand, they would have to provide medical care to vulnerable clients as well as a wider schedule.

Structure Shuffle

Do not forget that a structure reform must provide better medical and social services to the clients. Now, is the merger of institutions allowing to put an end to the isolation of institutions, or to what Minister Couillard amusingly calls «silos»? We have asked a few people working in the network who have confirmed our worse fears. Michelle-Ann Thompson who works at the CLSC Olivier-Guimond (Montréal East) has confirmed that the reform is generating staff demobilization, and confusion for the clients: «I do not share the enthusiasm of the new Montréal Agency Director, Mr. David Levine. My CLSC risks of losing all its political weight within this bureaucratic monster, especially when we know that the Minister is going to appoint all the Board's directors. Taking into consideration that we will have only one representation on the new 15-member board, who is going to fight for our services to the population?»

Manon Leclerc, President of the Local Union at the St. Michel CLSC (Montréal North) feels the same way: «How can anybody assume that with the amalgamation of seven, nine or eleven institutions, each institution is going to understand and respect the needs of the other, that an hospital director is going to understand the importance of prevention services of a former CLSC, and that the budget is not going to be used to cover the budget of emergencies? Nothing is certain right now.»

In fact, there is a different culture involved here between a CLSC, a CHSLD and a Hospital since each institution provides services differently to different clients. It is this specific character that CLSCs want to preserve today and that Minister Couillard wants to remove from the map to force doctors to provide more services. A very bad solution to solve the ongoing issue of shortage of medical services in Québec.

LIFE WITH AN EMPLOYER-LEGISLATOR

By **Claude Turcotte**

HEALTH AND SOCIAL SERVICES NETWORK WORKERS HAVE SOMETHING QUITE UNIQUE: THEIR TRUE EMPLOYER, THE QUÉBEC GOVERNMENT, HAS ALSO THE POWER TO LEGISLATE.

Everybody will easily agree that over the last years, the government did not deny itself this power: decrees, collective agreement extensions, new structure reforms, everything has been touched.

Therefore, in this context, it is not surprising that our demands and our negotiations, take invariably a public character, not to say political.

Last fall, even before the negotiations really started, our Employer, the Government, put his legislator hat on to change the rules of the game. With a gag resolution, he adopted full speed ahead a series of laws including Bill 30 providing for radical amendments both within our union structure and bargaining for the renewal of our collective agreements.

Modifications of our unions

Before Bill 30 was adopted, the union certification structure and network workers unions were defined according to the Labor Code provisions applying to all unionized individuals in Québec. These provisions respect both freedom of bargaining and union democracy.

Bill 30 is sweeping across-the-board these provisions to create an exception system applying specifically to the health and social services workers. Hence, barring exception, workers of a same institution must all be mandatory regrouped in four distinct certification units:

- ▼ Nursing care and cardiorespiratory personnel;
- ▼ Paratechnical personnel, auxiliary services and trades personnel;
- ▼ Office personnel and administrative technicians and professionals;
- ▼ Health and social services technicians and professionals;

These regroupings will take place as soon as the new institutions resulting from the merge of CHSLDs, CLSCs and CHs are set up.

There will be an allegiance vote between the unions already present in each category of employees.

The union who will win the allegiance vote will not represent as it is in the majority of cases presently, workers of a specific site but rather a category of employees present on several sites often far apart from the others. It is particularly true for the Centres de réadaptation (Readaptation Centres) and Centres Jeunesse (Youth Centres), which are serving normally all the region where they started off. There could be a few hundred kilometers between two service points.

We can easily anticipate the problems that this would generate when posting positions, layoffs or availability on the recall list.

Negotiation decentralization

Bill 30 provides for negotiation decentralization towards institutions or towards the region, of different issues. These issues constitute in fact the backbone of our collective agreement.

Suffice it to say that on the list of issues such as the definition of a position, a service, the rules applicable to the recall list, job postings, bumping, statutory holidays, vacation, leaves without pay, traveling expenses except the amount.

Basically, these 26 issues do not generate any direct financial impact. Hence, it is not the number of weeks of vacation that will be negotiated locally but how they are granted.

Several of these topics can on the other hand generate indirect financial impact. Let's say for example traveling allowances. The rate of reimbursement per kilometer traveled for the use of your own car will continue to be negotiated at the provincial level. On the other hand, any notion of home base on which this reimbursement is based will be negotiated locally. The present collective agreement specifies that we can only have one home base. One can easily imagine the important financial impact for workers who must use their car if the employer would obtain the right to assign more than one home base.

Litigation settlement

But if we do not agree at the local negotiations, what will happen? The law provides for a mediator-arbitrator to decide. Will this mediator-arbitrator free to decide to the best of his or her knowledge? No! The law provides that he must beforehand ensure that it will not generate additional costs while ensuring services to the clients are provided. One can therefore easily anticipate the constraints the mediator-arbitrator will have to live with.

And «the icing on the cake», the law provides that the payment for the services of this mediator-arbitrator must be shared equally.

In brief, our Employer is the only Employer who has the power to enact laws to get the best out of a situation. Since our Employer is also the Government, we must ensure that it realizes that there is a political price to pay for acting in such a unilateral fashion.

Mythomania cure

By Martial Demers

IN ITS QUEST TO REDEFINE THE GOVERNMENT ROLE, THE CHAREST GOVERNMENT IS PAINTING THE QUÉBEC ECONOMIC SITUATION BLACKER THAN IT REALLY IS.

WE BELIEVE THAT WE MUST SHED LIGHT ON THE SITUATION TO THWART THE PESSIMISTIC PICTURE PRESENTED.

Did you know that...

- ▼ Since the beginning of its mandate in April 2003, the Charest Government has increased the cost of some public services (mass transportation, day care, electricity, etc.)?
- ▼ The promise to lower taxes is only a mirage because we must already assume privately the additional costs of public services?
- ▼ Contrary to what is normally conveyed, the aging of the population had only a slight influence on the past increase of the cost of healthcare and should not matter that much more in the future? ¹
- ▼ The sharp increase of medication is the main cause of the increase of healthcare costs?
- ▼ Senior citizens are consumers who are paying income tax and therefore contributing actively to the provincial economy and finances?
- ▼ Income tax paid by baby-boomers when they retire will be sufficient to meet the additional needs created by the aging of the population in the healthcare and the public pension systems? ²
- ▼ In Québec more public services are financed by the province (i.e. daycare with reduced contribution, indemnities to children of low income families, drug insurance, student grants) than

in Ontario, where one must buy in the private sector?

- ▼ For each dollar paid in income tax, a Québec resident receives more services than in Ontario. ³
- ▼ Quebec is more egalitarian than Ontario regarding family income? ⁴
- ▼ The tax burden of Quebecers is such that they have more money in their pockets than the Ontario citizens? ⁵
- ▼ That the cost of living is lower in Montréal than Toronto?
- ▼ Ontario citizens have had their share of income tax reduced during 10 years with the Harris government but have had an increase of property tax and all kinds of rate increases? ⁶
- ▼ The tax burden for companies is lower in Québec than in Ontario?
- ▼ If we were to apply the 2001 Ontario fiscal structure to Quebec companies, their global tax burden (income tax and other taxes) would increase by \$1.4 Billion? ⁷
- ▼ Even if the total debt increases in absolute terms, the debt ratio/gross domestic product (GDP), reached 52% in 1997-1998, and today is 44.7% of the GDP?
- ▼ The Quebec labor market is increasingly dynamic and the gap between Québec and Ontario has diminished over the last 20 years, particularly during the last five years, since the zero deficit was reached (1998-2002)?
- ▼ The Quebec picture in terms of investments is rather positive; over the last five years, it has increased by 33.4% in Québec and only 24.8% in Ontario? ⁸
- ▼ According to the Conseil du Patronat (Employers Group) Quebec has 12 public servants by 1,000 residents compared to 8 for Ontario – this figure is not accurate?
- ▼ Must be added public servants from municipalities who, in

Ontario, are assuming some tasks performed in Québec by provincial public servants?

- ▼ Québec has decided to assume by itself some federal functions (i.e. Provincial sales tax, manpower, revenue) or those that are Québec specific (i.e. language, immigration)?
- ▼ When the Treasury Board prepared a comprehensive study in February 2003, it concluded that Québec has 20.3 civil servants per 100 residents as compared to 20 in Ontario? ⁹
- ▼ The addition of benefits created by job creation, new business development and regional support, provincial interventions are mainly responsible for the Quebec economic vitality?

In closing, FTQ has tabled a memorandum as part of the pre-budgetary consultations of the Quebec Finance Minister, Yves Séguin, and in favor of a review of the provincial functions if this review is based on the recognition of the essential role of government programs and public services.

FTQ estimates that the Quebec government must maintain its commitment within a social and economic development strategy whose primary goal would be job creation and, is asking the government, to promote regional development by encouraging major investment supporting structuring activities.

Furthermore, FTQ is asking the government to take into account the fundamental role that education plays in the socio-economic development of Québec and its regions by continuing to reinvest in education in order to give to all the network institutions means to carry out their mandate efficiently.

Furthermore, FTQ is asking the government to reinvest in the healthcare sector, particularly in front-line services such as home care services, improvement of

housing-institution resources and making prevention a priority.

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 3. Jean-François Lisée, « *Forum public à l'UQAM – Un mauvais procès fait au modèle québécois. Les Québécois en ont-ils pour leur argent?* » publié dans *Le Devoir*, 11 février 2003. Cet article est un résumé d'une contribution plus fouillée publiée dans « *Justice, démocratie et prospérité – L'avenir du modèle québécois* », Québec-Amérique, novembre 2003.
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- Source: FTQ Memorandum presented as part of the pre-budgetary consultations of the Finance Minister, Mr. Yves Seguin, January 2004.

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