



March 2018

Submission to The Labour Relations Code Review Committee regarding proposed changes to the BC Labour Relations Code

Public Service Alliance of Canada, BC Region

Who We Are

The Public Service Alliance of Canada BC Region represents 18,000 workers employed in large and small communities throughout British Columbia.

PSAC BC members work for the federal government, agencies, and crown corporations and in the transportation, security, and community service sector.

Nationally, the Public Service Alliance of Canada is one of the country's largest unions, representing over 180,000 workers in every province and territory in Canada and in locations around the world.

Recommendations

The Public Service Alliance of Canada BC Region wholeheartedly agrees with the submission provided by the BC Federation of Labour and in doing so recommends the following items:

General

1. Continue the ongoing review of the Code by allowing the Section 3 committee to be seized of the question of labour relations improvement on an ongoing basis – rather than every 16 years. s.3.
2. Support the work of the Labour Relations Board by encouraging government to properly fund the board so that critical services like certification votes are not delayed, or conducted by mail, simply because of a lack of resources.
3. Ensure effective and timely decisions by extending the timelines for decisions provided by vice-chairs to those given by arbitrators. s. 91, s. 128, s. 159.1.

Unfair Labour Practices

4. Avoid infringement of workers' Charter right of association by increasing the use of remedial certification in cases of unfair labour practices. s. 14.

Acquisition of Bargaining Rights

5. Repeal of the Employer Speech provisions during organizing drives, because they infringe workers' Charter rights to choose to join a union. s. 8.



6. Clarify when open (raiding) periods fall by setting them in a regular period in the calendar year, rather than the anniversary of the collective agreement - which is often unknown to interested parties. s. 19.
7. Restore a system of union certification on the basis of membership cards alone. s. 24.
8. Establish faster timelines to ensure labour peace by causing more expeditious voting. If certification votes are necessary, the application threshold shall be in line with those in other Canadian provinces. The timeline for a vote on any issue shall be not more than two working days. s. 24.

Successorship Rights

9. Broaden Section 35 to strengthen successorship rights to prevent subverting collective agreement obligations through contract flipping; and Repeal s. 6 of Bill 29-Health and Social Services Delivery Improvement Act, 2002 and s. 4 and 5 of Bill 94- Health Sector Partnerships Agreement Act, 2003.

Replacement Workers

10. Protecting workers' Charter-protected collective bargaining rights, including the right to withdraw their labour by re-committing to British Columbia's laudable ban on replacement workers. s. 67.

Essential Services

11. Restore Charter-protected collective bargaining rights to teachers by removing education as an essential service. s. 72.

Variations of Certifications

12. Correct issues with partial decertification applications by extending the rules and timelines for full certifications to this type of application s. 142.

The Public Service Alliance of Canada BC Region echoes the rationale for all these recommendations as outlined by the BC Federation of Labour in the written submission they provided to the Committee.

Thank you for the opportunity to contribute to this important process.