

NEWS

Manitoba Association of

HEALTHCARE

December 2011

Professionals



Solidarity – What does it mean?

Solidarity is something that I believe in. It is something that I have written about and spoken about often over the years. And yet . . . ? It wasn't until recently that a comment from a member had me thinking about solidarity in a new and different light. I have been mulling it over off and on for weeks now. And through those musings have begun to wonder about other people's interpretations of what solidarity means and more specifically what it means to them. And most importantly what does it mean to you the member?



Wendy Despina, President

One of the first places I went to was the dictionary:

sol•i•dar•i•ty (noun)

mutual agreement and support

harmony of interests and responsibilities among individuals in a group, especially as manifested in unanimous support and collective action for something

It says that "solidarity" is a noun. Hmmmm . . . right off the bat I knew I was in trouble as I view solidarity as a verb, an action and something I value. This concept is an active part of my thinking and my doing. I wonder and I am curious how others embrace this word/concept, and to what degree it is part of their lifestyle?

So then what actions define or demonstrate solidarity? Is it the minority agreeing to support the majority? Is it the majority agreeing to support the minority? And what about "I – me" versus "we – us"? Where or when do we as individuals assume ownership or make a commitment?

For myself I know that it is always a case by case situation. I know that I have voted on things where I have gained nothing or even lost something in order for others to gain. Other times I have asked for the support of others in order for me to gain or in the very least to not lose.

The questions just keep coming and those in turn spawn new questions. Are our beliefs rigid and entrenched or are these principles and concepts fluid and alive? Do we struggle with our beliefs and are they such that we may often be tested every day?

What is the foundation for the concept of solidarity? I think in part it is imbedded within our culture, our sense of community. We are so blessed in Canada to live in a country that was built on sharing and support. People throughout our history have made sacrifices so as a nation we could move forward as a whole.

And so . . . I am back to where I began wondering about other people's interpretations of what solidarity means.

What does solidarity mean to you?

In solidarity,
Wendy





Inside This Issue

Member Comments	3
Bargaining Updates	3
Career Profile - Social Workers	6
2011-12 Executive Council	7
41st Annual General Meeting	7
Is Unfair Treatment an Unfair Labour Practice?	12
3rd Annual Staff Rep Conference	14
MAHCP Member Retirees	18
Collective Agreement Question	19

Enclosed with this Newsletter:

- MAHCP Constitution

Editor: Wendy Despins, President
wendy@mahcp.ca

Layout & Design:
Wendy Despins, Joan Ewonchuk

Production:
Joan Ewonchuk, Administrative Assistant



PROUD SUPPORTER OF THE



Visit diabetes.ca/proudsupporter

MAHCP News is published quarterly in March, June, September and December. Advertising will be entertained. For more information, please contact the Editor at 772-0425. *Revenues from advertising will be used to supplement the MAHCP Professional Development Fund.*

Meeting Calendar

Visit the **MAHCP Website Calendar** for more meeting information:
www.mahcp.ca/forum/calendar.asp

December 14, 2011

- Executive Council Mtg
101-1500 Notre Dame
0845 to 1700 hours

December 14, 2011

- General Staff Rep Mtg
Cancelled

December 15, 2011

- SEH Staff Rep Meeting
Smitty's, Steinbach
1200 hours

December 26, 2011

- Boxing Day Stat
MAHCP Office Closed

December 27, 2011

- Christmas Stat
MAHCP Office Closed

January 2, 2012

- New Year Day Stat
MAHCP Office Closed

January 4, 2012

- CCMB Staff Rep Meeting
CCMB - Rm TBD.
1200 hours

January 10, 2012

- Seven Oaks Staff Rep Mtg
Seven Oaks Cafeteria
1200 hours

January 11, 2012

- Executive Council Mtg
101-1500 Notre Dame
0845 to 1700 hours

January 11, 2012

- General Staff Rep Mtg
101-1500 Notre Dame
1830 hours

January 16, 2012

- AHWC Staff Rep Meeting
Golden Terrace Restaurant
1200 hours

January 18, 2012

- HSC Staff Rep Meeting
NA001, Isabel Stewart Bld
1130 to 1300 hours

January 19, 2012

- SEH Staff Rep Meeting
Smitty's, Steinbach
1200 hours

February 1, 2012

- CCMB Staff Rep Meeting
CCMB - Rm TBD.
1200 hours

February 8, 2012

- Executive Council Mtg
101-1500 Notre Dame
0845 to 1700 hours

February 8, 2012

- General Staff Rep Mtg
101-1500 Notre Dame
1830 hours

February 14, 2012

- Seven Oaks Staff Rep Mtg
Seven Oaks Cafeteria
1200 hours

February 16, 2012

- HSC Staff Rep Meeting
NA001, Isabel Stewart Bld
1130 to 1300 hours

February 16, 2012

- SEH Staff Rep Meeting
Smitty's, Steinbach
1200 hours

February 20, 2012

- Louis Riel Day
MAHCP Office Closed

March 6, 2012

- Gamma-Dynacare Staff Rep Meeting
101-1500 Notre Dame
1800 to 1930 hours

March 6, 2012

- Gamma-Dynacare General Meeting
101-1500 Notre Dame
1930 to 2100 hours

March 7, 2012

- CCMB Staff Rep Meeting
CCMB - Rm TBD.
1200 hours

March 13, 2012

- Seven Oaks Staff Rep Mtg
Seven Oaks Cafeteria
1200 hours

March 14, 2012

- Executive Council Mtg
101-1500 Notre Dame
0845 to 1700 hours

March 14, 2012

- General Staff Rep Mtg
101-1500 Notre Dame
1830 hours

March 15, 2012

- SEH Staff Rep Meeting
Smitty's, Steinbach
1200 hours

March 19, 2012

- AHWC Staff Rep Meeting
Golden Terrace Restaurant
1200 hours

March 21, 2012

- HSC Staff Rep Meeting
NA001, Isabel Stewart Bld
1130 to 1300 hours

April 4, 2012

- CCMB Staff Rep Meeting
CCMB - Rm TBD.
1200 hours

April 6, 2012

- Good Friday
MAHCP Office Closed

April 9, 2012

- Easter Monday
MAHCP Office Closed

April 10, 2012

- Seven Oaks Staff Rep Mtg
Seven Oaks Cafeteria
1200 hours

April 11, 2012

- Executive Council Mtg
101-1500 Notre Dame
0845 to 1700 hours

April 11, 2012

- General Staff Rep Mtg
101-1500 Notre Dame
1830 hours

April 16, 2012

- AHWC Staff Rep Meeting
Golden Terrace Restaurant
1200 hours

April 19, 2012

- HSC Staff Rep Meeting
NA001, Isabel Stewart Bld
1130 to 1300 hours

April 19, 2012

- SEH Staff Rep Meeting
Smitty's, Steinbach
1200 hours



Bring your collective agreement to all member meetings.

Member Comments

Concerns about the communications:

"I am a relatively new employee (started 3 years ago), and am one of many new employees who are lost and lack knowledge in the process with negotiating a new contract and the union. Could you explain to us the background, what we can expect in the upcoming months and what actions we should take? Thank you for your time."

In the spring of 2009 your President and Executive Director conducted a tour of meetings throughout the province to meet with the membership. The tour ran site by site March 2009 through June 2009. There were two agenda items, Updates and Central Table Bargaining. Key points covered:

1. Bargaining Process
 - i. Policies
 - ii. Bargaining Committee Terms of Reference
 - iii. Position Descriptions for those involved in bargaining
2. The MAHCP Flow Chart mapping out the entire bargaining process from the collection of proposals to signed collective agreements
3. Survey of Membership – which was available through Survey Monkey or hard copy
4. Proposal form for MAHCP Collective Bargaining
5. Deadline for proposal submissions

6. Proposal vetting meeting fall of 2009
7. Composition of Bargaining Team and how individuals are selected
8. Essential Services
9. Requests to members
 - i. Personal email addresses
 - ii. Cell phone numbers
 - iii. Complete the survey
 - iv. Submit proposals on the MAHCP proposal form

In addition to these meetings a series of articles ran in the MACHP Newsletter providing bargaining process information. These articles began in December of 2008 and concluded in September of 2009. The articles are still available on the MAHCP website in the archived newsletters or members can request a copy of the articles in booklet form from the MAHCP office.

"... First of all I have to say a big thank you to you and the team with regards to the recent bargaining issues. It must be quite a task to ensure all sides are in a somewhat happy place when all is said and done."

(Member comments in black)

continued on page 4

Non-Central Table

Aboriginal Health & Wellness Centre: An agreement was reached on November 10th, 2011. Settlement was 2%, 2% and 2% over three years with an increase in Employer contribution to RRSP by 1% and an increase in paid parking for those who require their vehicles for work.

Brandon Clinic: An agreement was reached and ratified by membership on November 30, 2011.

Highlights of the settlement are as follows

- 3 year 8 month agreement expiring March 31, 2014
- Improvements to vacation entitlement, bereavement leave and parenting leave
- Language on overtime, to ensure equitable assignment of the OT
- Increases to the Employers contribution on the cost of benefit plans from \$150 to \$700
- Salary and pension contribution improvements as follows

Date	8/1/10	8/1/11	4/1/12	4/1/13
Wages	1%	2%	2%	2%
Pension ER		1%	.75%	.75%
Pension EE		1%	.75%	.75%

Gamma-Dynacare Medical Laboratories: We have reached an agreement and have ratified same with GDML. Term of agreement is 3 years with an increase of 7% over the life of the agreement which expires March 31, 2013. In addition to this GDML has acquired Trainor Laboratories as of November 1st, 2011. GDML will be opening a new state of the art Lab facility sometime in the summer of 2012. The Association and the Lab are currently working through all of the related transition items leading up to the move to the new lab.

Jocelyn House: Members ratified a 3 year agreement that provides for 6% increase over the life of the agreement which will expire on January 31, 2014.

Manitoba Clinic: The Manitoba Clinic Collective Agreement was ratified in December 2010 and is in effect until December 31, 2013.

Society for Manitobans with Disabilities: Negotiations have commenced with further dates for bargaining to be held on December 19th, 2011, January 16th, 18th and 19th, 2012.

Winnipeg Clinic: A one year contract extension was signed retroactive to April 1, 2010. Wage rates reflect the April 1, 2010 increase provided to members in the hospitals that were gained in the previous agreement.

Member Comments continued from page 3

In saying that, I have some concerns with the communications with the recent meetings. The four pre recorded phone calls were a bit annoying. I understand that the team wanted to ensure everyone were aware of the meetings, but a few well written e-mails would have sufficed."

Communications are always a challenge and no single process is infallible or preferable to all members. With that premise in mind our Communications Committee has developed a number of processes for communicating with the members. These include:

1. Phone fan out
2. Contact Us
3. Ask the President Form
4. Web site
5. Newsletter
6. Canada Post
7. Email - Of our 4000 members we only have emails for 1836 members
8. Staff Representatives
9. Posters
10. Meetings



Depending on the need some or all of these are utilized.

We only conduct 2 phone fan outs per region. Anyone receiving more than 2 should notify us so we can investigate why. It may be that the member is employed in more than one site or we may have inadvertently entered the number twice.

"Bonus week of vacation I attained 25 yrs of service in 2010. Would I qualify for the bonus week?"

No. The bonus week of vacation commences in 2011. If you attain 25, 30, 35, etc years of service in 2011 or later, you are eligible to receive the bonus week. It must be taken in the vacation year in which it was earned. All employer's HR departments have been notified by the Labour Relations Secretariat and each eligible MAHCP member must submit a request to their own manager.

Concerns about the voting process:

"First, I was not on the voters list. With ID shown I was made to fill out a membership card. Not sure what good this will do. As I'm already a member.

Second, I was given a white envelope. On this envelope we were to write #1. Our name, #2. Our place of employment, and #3. Our occupation.

Third, the ballot I voted on was to go into a little golden envelope and this was to be placed inside the big white envelope. I'm not even sure that this is legal. The act of voting should be anonymous."

Process when voting at a site other than the member's home site or if you're listed as a non- member on the voters list:

1. *When a member starts working the employer automatically deducts MAHCP dues. Not all employers submit contact information for the employees. In order to be eligible to vote, an employee must sign a membership application card. If we have the contact information from the employer we mail a member package that includes this application card. Not all members fill out the card and return it to the MAHCP office. In the absence of contact information we rely on members receiving a membership card from their LRO or Staff Representative. Not all areas have staff representatives and if there are no labour relations issues they may not see or meet their LRO. The requirement of signed application cards is covered under the Manitoba Labour Relations Act.*
2. *It is understandable that this may appear to compromise your anonymity; however the process utilized ensures that a member can vote from any site and also remain anonymous. When the member votes at a site that is not their designated site, the ballot and the process is different.*
 - a. *The ballot is a different colour and format, it is placed in a small yellow envelope with no personal information, (ensuring anonymity)*
 - b. *That envelope is placed in a white MAHCP envelope with the person's name, workplace and occupation.*
 - c. *When the ballots are counted all the white (external) envelopes are set aside and the names are checked against all voters lists.*
 - d. *If that name occurs only once the yellow envelope is removed and set aside.*
 - e. *Once all the yellow envelopes have been separated from the original MAHCP envelope they are then opened and counted.*

Many of you that voted in the advance polls for the provincial election would have encountered a similar process.

"Who counts the votes?"

The votes are counted by certificate;

1. *The ballots are counted by two members of the bargaining team*
2. *Two other bargaining team members check the counts*
3. *If the vote is close the two external scrutineers also count ballots*
4. *All counts are recorded on a MAHCP Ballot Tally Sheet and signed off by every person that counted*
5. *The results for each certificate is recorded on the MAHCP Summary Ballot Count Sheet and signed by the person recording*
6. *The entire process is witnessed by two external scrutineers*

"Do all groups have to ratify the proposals in order for it to be accepted within a group?"

Members vote by groupings that are called "certificates". These certificates are issued by the Manitoba Labour Board, and are usually grouped by your Employer/Site.

Some certificates are instead configured by occupational groupings or programs (ex: the WRHA Pharmacy program certificate has Pharmacists and Pharmacy Technicians at multiple Winnipeg hospitals; the Diagnostic Services Manitoba certificate employees Laboratory Technologists and Technicians throughout the province and cardiology, radiology and ultrasound outside of Winnipeg and Brandon.) The members in these certificates vote as a group, and if they do not ratify an agreement, they would potentially strike as a group.

“Why did the bargaining committee try to tell me how to vote?”

It is part of the process for bargaining that bargaining committees present a tentative agreement to membership with a recommendation to accept, a recommendation to reject, or no recommendation (the latter is rarer). This is standard practice. Ultimately though, members always determine the outcome by how they choose to cast their ballot.

“What happens to vacation plans if there is a strike?”

If a member's vacation has been approved by the employer and a strike occurs during that approved vacation time, generally the employer and the union still honour the vacation.

“I would like a copy of the new Collective Agreement mailed to me.”

Following the ratification of an agreement all the changes are then incorporated into the 22 different agreements. Those are then proofed by the union's and the employer's bargaining teams. Once all the agreements are proofed four copies of each agreement is printed and signed by hand by the bargaining teams. In the previous round of bargaining we had to sign 3600 times for every copy of the Collective Agreement. All memorandums of understanding need to be signed as well as the agreement as a whole. Once this step is completed then the printing begins. The printing of the agreements is cost shared by the employer and the union. The entire process is lengthy and resource demanding.

“Wendy, I just want to say a very big thank you for all the hard work that you have done and continue to do!! I greatly appreciate the countless hours you invest in making MAHCP the best that it can be and in turn, giving members a solid and strong union that stands behind us as we strive to provide Manitobans with great healthcare!! MAHCP would not be what and where it is today without you . . . and you don't hear that nearly enough!!”

“Job Well Done!!! Congrats contract looks good . . . “

“Wendy, thank you so much for your updates. I have appreciated hearing from you.”

“Thank you very much Wendy for all your work!”

“Thank you Wendy. This is a realistic agreement for these times.”

“Thank you so much for the beautiful engraved pen for my retirement. I absolutely love it! And will always remember you with great fondest memories. I am very grateful for being able to be a part of and to represent MAHCP. I was able to meet a lot of great people and I will miss seeing you all. I wish you all the best of health, happiness and the best of luck. Thanks to those who have helped me in the past and present and future!”

“Just a note and thank you and MAHCP for the pen I received as retirement gift. It was a nice surprise thanks again.”

“Thank-you to MAHCP for the retirement gift. The lovely pen will serve as a reminder of my previous life! I am enjoying retirement immensely.”

“I am writing to thank you for the monies I received from the MAHCP Professional Development Fund.”

“Dear Scholarship Committee, Thank you very much for the scholarship that I received this year. I will be attending University this fall. Thank you!”

Are you missing out on an opportunity?

Have you overlooked the MAHCP Professional Development Fund?



Since its inception in 2007 the MAHCP Professional Development Fund has been well utilized by the membership. Over \$15,000.00 has been awarded to members to support them in their profession. This fund is available to qualifying members for professional development relevant to their work or to take courses related to union education.

The maximum frequency of eligibility is once every two years. Successful candidates are required to pay the full amount of registration, and will be reimbursed upon submission of receipt, along with information about the course and an explanation of the relevance of the course to their profession. Maximum award will be \$250.00.

The application form can be obtained either from the MAHCP website or the MAHCP office. Completed application forms and supporting information should be sent to: MAHCP 101-1500 Notre Dame Ave. Winnipeg MB R3E 0P9 or fax to 1 204- 775-6829.

MAHCP Career Profile

Social Workers

by Renee Friesen
Social Worker
Health Sciences Centre



Renee Friesen

What is social work you ask? The Canadian Association of Social Workers describes social work as “a professional concerned with helping individuals, families, groups and communities to enhance their individual and collective well-being. It aims to help people develop their skills and their ability to use their own resources and those of the community to resolve problems.” Social Workers share a common vision for self-determination, equality, and social justice. We advocate for change, on a personal and political level! Our “client” is broader than simply the person in front of us. Each of us is a member of a family, a workplace, a cultural group, a political environment, and even part of a global community! When problems arise in our lives, often they stem from our relationships with people and environmental factors around us. This “person-in-environment” perspective is what makes social work unique.



MAHCP Members from HSC Social Work

Social Workers work in a variety of settings, including community social service agencies, child welfare agencies, justice and correctional services, school systems, government programs, and health care settings. Additionally, some social workers provide private practice therapy services. The largest employers for social workers in Canada are the health care system, government and social programs. Social Workers work with clients of all backgrounds. Our contact with clients may occur in the client’s home, within a facility, in an office setting, or even on the streets! We work with clients “where they are at” figuratively and literally!

Social Workers in health care generally work as part of a multi-disciplinary team. Often, we are also working within a “medical model” system. Social Workers are vital to the health care team, as we bring our own social work perspective to the assessment and treatment of patients. We connect the patients’

health to social determinants of health, linking the physical, social, emotional, and economic factors and how these impact the client’s health and wellbeing. Our assessment and interventions may involve any of these factors.

What does all this mean on a practical level? Well, social workers wear many hats and wear them proudly! We work with clients as counsellors, advocates, mediators, assessors, coordinators/case managers, teachers, and

educators to name a few. Social Workers in health care work with people who are often at the most vulnerable stage in their life, stricken by illness, addiction, homelessness, or grief. A Social Worker in health care may find themselves counselling parents following the death of their child. They may find themselves advocating for addictions treatment for a young person struggling with alcoholism. A Social Worker may find themselves assisting someone with recent paraplegia in adjusting to his/her changed abilities, or helping him locate more accessible housing.

As Social Workers, we are a special breed! We maintain strong beliefs in the innate strength and resiliency of people and their ability to change. We are often challenged, ethically, morally, spiritually, and emotionally in our work as Social Workers. We hear and see things that can be uncomfortable and distressing. Social Workers are trained to be open-minded and non-judgemental in their work. Social Workers are trained to cope with emotionally charged issues and to remain calm in crisis. Social Workers are highly skilled in their interpersonal skills, problem solving skills, their ability to multi-task, and

remain organized. Social Workers are quick learners in health care, as we often work in areas (i.e. HIV, Mental Health, and Oncology) that require specialized knowledge on particular health issues. Social Workers are not afraid to speak out against injustice, within our workplace team or the greater community.

Social Workers in health care generally possess a Bachelor of Social Work degree or a Masters of Social Work degree from an accredited

university. In health care, Social Workers are often required to be registered with the Manitoba Association of Registered Social Workers. Social workers complete a set number of professional development hours every year to maintain their registration. Ongoing education and training often is completed by way of conference/workshop attendance, student supervision and mentoring, committee participation, or research.

Social Work is a challenging profession. People sometimes ask “Why do you do what you do?”. Some days the answer is clearer than others, however most social workers will tell you it is for the hope that our work will have an impact in some positive way for a person, a family, or a community. There is great meaning and satisfaction to be had in social work and many of us could not envision ourselves doing anything else!

MAHCP Executive Council 2011-12



Back Row: Daphne Lafreniere, Al Harlow, Michael Kleiman, Bob Moroz, Leanne Gardiner

Middle Row: David Veronesi, Sylvie Thériault, Gale Rowley, Bob Bulloch, Shelley Kowalchuk, Janet Fairbairn, Margrét Thomas

Front Row: Colleen Bernister, Janelle Morissette, Wendy Despina, Zana Anderson, Tanya Burnside

Missing: John Reith, Ann Patton

Wow! MAHCP's 41st Annual General Meeting

I have only been to three of those 41 annual general meetings. I've been working as a Cytotechnologist for 4.5 years, and have been a staff rep for about 2.5 years, but this will be my first year as part of the Executive Council. I had a great time at this year's AGM, we took pictures of the new council and committees before the meeting, and I got to visit with all of the council members that I will be working with in the next year. I really enjoyed Wendy's creative speech about lost opportunities and regrets, and the need to stick together as a membership, not just for ourselves, but for all of us. This year's meeting was held at the Holiday Inn on Portage Ave., and although it might be out of the way for

many people, there were no columns in the way, and the food was amazing. Many members stayed after the meeting to socialize with food and wine, and to find out who would win a prize. I believe we made some valuable amendments to the constitution at this AGM, ones that will help our union to grow, as we are now a membership of over 4000! In the coming year I hope to help make some positive changes, to learn more about the union, and meet new people.

I hope that my fellow members will be inspired to attend our next AGM in October of 2012. It is a great opportunity to meet each other and the door prizes . . . they are an added bonus!

Janelle Morissette



MAHCP's 41st Annual General Meeting





AGM Prize Winners

- Wayne Mather - \$25 Canadian Tire Gift Cert (Cambrian Credit Union) & Pashmina (La Femme Boutique)
- Bob Moroz, MAHCP Union Swag
- Cindy Falconer, MAHCP Union Swag
- Lorraine Myk, MAHCP Union Swag
- Raquel Vicente, MAHCP Union Swag
- Mary Mykytiuk, Coffee Gift Bag (Gourmet Coffee)
- Lisa Gretsinger, Food Basket (Catering Thyme)
- Diane Duttchen, Chef Knives & Lazy Susan (Maloway & Eliason Insurance)
- Daniel Hunkiye, 16 x 20 Water Colour Painting (Anonymous Member)
- Shirley Luczenczyn, 3 – 5 x 8 Water Colour Paintings (Anonymous Member)
- Shelley Kowalchuk, \$100 Spa Gift Certificate (Inkster Christie Hughes)
- Tara Lavery, \$100 Spa Gift Certificate (Inkster Christie Hughes)
- Brenda Van Dekerkhove, \$100 Spa Gift Certificate (Inkster Christie Hughes)
- Jessie Turner, \$100 Spa Gift Certificate (Inkster Christie Hughes)
- Shauna Rutherford, \$100 Spa Gift Certificate (Inkster Christie Hughes)
- Janet Belog, 2 x \$50 Gift Certificates for the Keg (Allied Properties), Pashmina (La Femme Boutique)
- Mike Bachynsky, Remote Car Starter including free installation (Options Plus)
- Reisa Adelman, Remote Car Starter including free installation (Options Plus)
- Garrett Finck, Husqvarna Leaf Blower (Connexion Industries)
- Monique Martin, Husqvarna Hedge Trimmer (Connexion Industries)
- Lissa Kochie, Samsung Camera, Case & Memory Card (Bridgeport Office Solutions)
- Mike Delorme, \$300 Gift Certificate & Pashmina (La Femme Boutique)
- Carmen Ho, Canon Point & Shoot Camera with Accessories (Photo Central)
- Connie Boudreau, \$500 Gift Certificate (Advance Electronics)
- Deborah Willits, 2 round trip tickets anywhere in MB (Calm Air)
- Daphne Lafreniere, Pashmina and Shawl (La Femme Boutique)
- Ian Greaves, Bottle of Wine (Galaxy Travel)
- Margrét Thomas, Bottle of Wine (Galaxy Travel)
- Michael Smyth, Bottle of Wine (Galaxy Travel)
- Alyson Haiart, Bottle of Wine (Galaxy Travel)



MAHCP Staff Long Service Award



Walter McDowell, LRO and Wendy Despins, President

It is hard to believe that five years have gone by already since MAHCP hired Walter McDowell. It was with pleasure that Chad Harris announced the celebration of Walter's 5 years of loyal service to our members. President Wendy Despins presented Walter with a token of appreciation. Thank you Walter and we look forward to many more years.

International Women's Day

March 8th of each year marks the recognition of women. Since 1911 this day has been set aside in celebration for the economic, political and social achievements of women. By marking this day we have an opportunity to celebrate the achievements made for and by women. And . . . it also provides us an opportunity to continue to raise public awareness to the challenges that still need addressing. Until women are in positions of leadership in all levels of society they will not have achieved equality. There are many activities worldwide to help you celebrate this day and the women in your life. If you are not able to participate in a formal event, please take a moment to reflect on the women in your life and to celebrate their achievements. I have been reflecting on the women in my life, the women who inspire me, enrich me and lift me up. And I thank them for the work they have done and continue to do to make this a better place for all persons.



"If you are neutral in situations of injustice, you have chosen the side of the oppressor."

Bishop Desmond Tutu, South African Prelate

We Need Your Assistance!

In order to keep our database as up-to-date as possible, we need your help. If you change your name, address, home email address, telephone numbers, work site, etc., please let us know. Complete the form below and email joan@mahcp.ca, or mail or fax to MAHCP - 101-1500 Notre Dame Ave, Wpg, MB R3E 0P9 - fax # 1-204-775-6829.

Name _____ Previous Name (if changed) _____

Home Address _____

City/Town _____ Postal Code _____

Home Phone # _____ Home Email Address _____

Employer _____ Site _____

Work Phone # _____ Work Email Address _____

Classification _____

Status (full-time, part-time, term, casual) _____

Date Changes in Effect _____

Is Unfair Treatment an Unfair Labour Practice?



Jacob Giesbrecht
Inkster Christie Hughes,
LLP

Not all employers are happy to have their employees represented by a union. Sometimes there is a sense of uncertainty among members as to how involved they should get with the union. It is important that union members become actively involved in their union. The more members get involved and are vocal about asking questions and asserting their rights, the stronger the union. Employers prefer quiet employees who do what they are told, don't complain and work hard. There is nothing wrong with a good hard day's work. There is something wrong however, with not asking questions when you feel that you are not being treated fairly. Chances are, if the employer is treating you unfairly, they are doing the same thing to everyone else.

Union representatives in the local workplace can be a very useful resource for other members. They can help advocate for and inform members on issues they may find too big to deal with alone. This empowerment can cause employers to take a jaundiced view of union representatives in the workplace. Union representatives and vocal union members can sometimes become targets of an insecure employer. When action is taken by employers or their representatives against a union member because of their membership in the union, the employee must be able to protect herself. There are rules under the Collective Agreement and the law of Manitoba that may help. The employer is prohibited from taking punitive action against a union or its members because they are engaged in legitimate union activity. But what kind of action by the employer is it exactly that is prohibited? This article will attempt to answer that question.

Sometimes the employer will force one employee to be rigidly aware of and adhere to the time that she starts and completes her shift. If she is even a little late a disciplinary meeting is convened. With other employees the employer may take a more relaxed approach. Is this an unfair labour practice?

Some employees may find it easy to access support for education funding from the employer while others are restricted. Some employees seem to be favoured with the shift schedule of their choice, others not. Some may find it easy to get time off to deal with personal matters, others not. Some employees may be selected to sign time verification sheets each

pay period, others not.

Any one of these actions could amount to an unfair labour practice. Conversely, each of these practices may have a reasonable explanation that would disqualify it as an unfair labour practice. The determination in each case has to be made as to whether the employer is demonstrating anti union animus with its actions.

On the issue of fairness, most of the MAHCP Collective Agreements across the Province have the following provisions in place:

402 The Employer agrees to exercise its management rights and to administer the terms of this Agreement in a consistent, equitable and non-discriminatory manner.

2601 It is agreed that there shall be no discrimination, interference, restriction, harassment, or coercion knowingly exercised or practised by the Employer or any employee by reason of age, religion, race, colour, national origin, political or religious affiliation, sex, marital status, place of residence, family relationships, physical handicap nor by reason of her membership or non-membership or activity in the union.

2603 No form of employee abuse will be condoned in the workplace. The parties will work together in resolving such problems as they arise. When such situations arise, employees will report them as soon as possible. Any employee who believes a situation may become or has become abusive shall report this to the immediate supervisor. The Employer shall notify the Association as soon as possible after the receipt of the report. Every reasonable effort will be made to rectify the abusive situation to the mutual satisfaction for the parties. Situations involving abuse shall be treated in a confidential manner by the Employer, the Association and the employee(s).

Article 402 provides that the employer must administer the terms of the agreement fairly. Forcing the grievor to be punctual and no-one else is not fair. Forcing employees to be punctual is not unfair. If the union were to grieve the unfairness in this circumstance a resolution would likely force the employer

to be cognizant of and enforce all employees' punctuality.

Article 2301 and 2303 protect the employee from abuse and detrimental treatment as a result of discrimination, one of the grounds being union membership. The union can grieve unfair treatment if the treatment falls specifically under these two provisions and if the treatment is just generally unfair, a grievance under 402 may apply.

If the Collective Agreement is not of any help the legislation governing the labour environment in Manitoba may. The Labour Relations Act provides:

6(1) Subject to subsection 32(1), every employer or employers' organization, and every person acting on behalf of an employer or an employers' organization, who participates in, or interferes with, the formation, selection, or administration of a union, or the representation of employees by a union that is the bargaining agent for the employees, or contributes financial or other support to a union, commits an unfair labour practice.

And

Unfair labour practice by employer

17 Every employer and every person acting on behalf of an employer

- (b) who seeks by intimidation, by coercion, by threat of dismissal or any other kind of threat, or by the imposition of a pecuniary or other penalty, or by a promise, or by a wage increase, or by altering any other term or condition of employment, or by any other means, to compel or induce any person
 - (i) to refrain from becoming, or to cease to be, a member or officer or representative of a union, or
 - (ii) to refrain from exercising any of the person's rights under this Act, or
 - (iii) to refrain from testifying or otherwise participating in a proceeding under this Act or any other Act of the Legislature or of Parliament, or
 - (iv) to refrain from making a disclosure that he may be required to make under this Act or any other Act of the Legislature or of Parliament, or
 - (v) to refrain from making an application or filing a complaint under this Act or any other Act of the Legislature or of Parliament;commits an unfair labour practice.

Section 6 of the Act usually will not apply to actions of an employer against an employee but

rather where the actions of the employer affect an interference with bargaining rights of the union.

Section 17 is the clause that governs the employer's punitive actions against an individual employee because of their union position or activity in the workplace. The employee must show that the actions of the employer constitute intimidation or a threat so as to dissuade the employee from asserting their rights under the collective bargaining agreement or from union membership.



The Labour Board has set a high threshold for an employee to prove that the impugned behaviour constitutes an unfair labour practice. In order for an employer to be found guilty of an unfair labour practice under section 17 unless there was some evidence that the employer has said or written something to demonstrate the intent to intimidate the employee for their union related conduct. The employer's management style alone, even if it seems harsh, is insufficient to show anti union intent.

Asserting your rights under the agreement and pursuing membership in the union makes the union stronger. It is a course of conduct that is to be protected not punished. The reality is that union representatives and vocal union members can sometimes become targets of an insecure employer. Knowing that this conduct is wrong and seeking help to protect yourself if such a situation arises will help you and other members in the workplace continue to have a strong voice in healthcare field in Manitoba.

This paper is intended as an introduction to the topic and not as legal advice. If you require specific advice with respect to your situation, you should contact a lawyer.

This series of articles will continue in future editions of the MAHCP News. If there is a topic that you would be interested in, please contact Wendy at 772-0425.

3rd Annual Staff Rep Conference October 13, 2011

Wow, I just want to say a few words to express how great it was to be able to attend the Staff Rep Conference and also the AGM in October.

It was a great learning experience for me and I was able to share that experience and the information with fellow members upon my return home. Being able to participate with members in discussions and to learn how important words play on various articles of the Collective Agreement was a great experience. I look forward to learning more at Level 3 Staff Training in the future as it will benefit us all.



Following the Staff Rep Conference the AGM meeting was great and showed the work and importance of solidarity. It is good to meet and be able to converse with so many about what is happening in our province and to share for our future needs.





It makes a difference to be able to meet Staff Reps, LRO's, Executive Council and also many others that are brothers and sisters in the Union. I enjoyed learning about our different roles. It is good to be able to share and sort problems that are happening in our area and get help with what one should be doing. I had a feeling of solidarity with so many members and unity within the organization.

The hospitality was great and we were treated well. My last words, "thank you it was a great experience".

Dawn Derhousoff



Tis the season and that time of year when our focus turns to giving gifts, getting together, and making resolutions for a happy and healthy new year. With these actions in mind, and the 94,000 Manitobans diagnosed with type 1 or type 2 diabetes-and the many more connected to the disease as health care professionals, friends and loved ones-the Canadian Diabetes Association has some fitting holiday time suggestions that blend generosity, connection and goal setting...


Unique Gift Ideas

- ✓ Reserve space for **you and a friend** to attend the March 2-4, 2012, **Women's Winter Camp**. Targeting adult women closely affected by diabetes in their lives, this CDA-hosted event will offer a fun and supportive environment for learning, sharing and recreational activities. For full details please contact Carey Tarr at (204) 925-3800 ext. 232 or Carey. Tarr@diabetes.ca
- ✓ Make a **donation** to the Canadian Diabetes Association in memory of a loved one, in lieu of a holiday gift, or as your team or office's plan for a group gift this season.
- ✓ Purchase a **cookbook** from the Canadian Diabetes Association – a superb stocking stuffer! Call 925-3800 to order.
- ✓ Let friends, family and coworkers know that you welcome a donation to the Canadian Diabetes Association **in lieu of a holiday gift**.

Goal-minded Gatherings

- ✓ Host a **holiday potluck, special event, or series of activities** and collect donations for the Canadian Diabetes Association.
- *Did you know that by raising \$5,000, you can help send 15 children to the CDA's Camp Briardale, a fun and educational summer camp experience children with type 1 diabetes?*

Resolutions to Start the New Year Right

- ✓ The end of the year and the beginning of the next is the perfect time to re-evaluate: call CDA's Clothesline and **clear out your clutter** → (204) 949-9163.
- ✓  Lace up and sign up for Team Diabetes – a fitness and fundraising program through the Canadian Diabetes Association helps you train to **run or walk an international marathon**, while also supporting you to raise funds and awareness for the Canadian Diabetes Association. Upcoming 2012 races include Rio de Janeiro, Reykjavik and the Cayman Islands. For more information, please contact Kelvin Hollender → (204) 925-3800 ext. 225 or Kelvin.Hollender@diabetes.ca
- ✓ If staying local is more your scene, save the date and get training for the **Run for Diabetes in Winnipeg** (September 2012). Choose from a half marathon, 10 k Run/Walk, 3 k Family Run/Walk...and the Kids Fun Run. For more information, please contact Kelvin Hollender → (204) 925-3800 ext. 225 or Kelvin.Hollender@diabetes.ca
- ✓ Participate on a **CDA Event Committee!** The Association hosts a number of events and activities over the year and is in need of your enthusiasm, expertise and creativity. Consider signing on and helping with our Family Camp, Run for Diabetes and Best Banting Evening. For details, please contact Andrea at (204) 925-3800 ext. 228 or Andrea. Kwasnicki@diabetes.ca
- ✓ Look to diabetes.ca, as well as the CDA's **Healthy Living Calendar 2012** and cook up **healthy recipes** for you, your friends, and your family.

- ✓ Mark your calendar and make a date for October to go **door-to-door** for the Canadian Diabetes Association. The CDA's annual Residential Campaign needs canvassers to **volunteer two hours of their time** in their neighbourhood in the fall. Be part of the hundreds of Manitobans who give back in this way. For details, please contact Gwen at (204) 925-3800 ext. 227.
- ✓ As **health care professionals**, you each possess **unique expertise** that could be ideally suited to a special **volunteer role** with the Canadian Diabetes Association – from sharing your talents at the CDA's Women's Winter Camp, to supporting the Run for Diabetes, assisting with Diabetes Risk Assessment events, or helping with our Camps Program, our team will be happy to discuss volunteer opportunities that may be a fit for you. Please contact Andrea at (204) 925-3800 ext. 228 or Andrea.Kwasnicki@diabetes.ca

The Canadian Diabetes Association is pleased to count the Manitoba Association of Health Care Professionals as a Proud Supporter, and wishes each and every one of the MAHCP members a happy, health and safe holiday season!



MAHCP was proud to have TEAM MAHCP participating in this year's annual CDA Run for Diabetes. In addition to having this five member team, other MAHCP members ran individually and some members helped out by volunteering as course Marshalls. Mark your calendar for early September 2012 to participate in the ½ marathon, the 10k or 3k Family Run/Walk or the Kids Fun Run. Or volunteer your time as an organizer or course Marshall.

MAHCP LEGAL ASSISTANCE PLAN

Membership does have its privileges

MAHCP members receive reduced legal fees on house purchases, sales and mortgages as well as Wills, Powers of Attorney and Health Care Directives under the MAHCP Legal Assistance Plan.

Discounts also apply to family law matters and members benefit from a 20% reduction in other legal fees.

For more information, please contact:

Jacob Giesbrecht at
Inkster Christie Hughes LLP
at 947-6801

CORRECTION MAHCP Newsletter September 2011

CANADIAN DIABETES ASSOCIATION AND MAHCP: The Connection

By Shelley Kowalchuk, Physiotherapy
Director

Should have read 

The Orthopaedic Technologists provide wound care and sharp debridement to diabetic patients who develop complex wounds on their feet. They also apply specialized orthopaedic devices such as Total Contact Casts for diabetes related conditions such as Neuropathic arthropathy (Charcot joint) to off-load the affected areas.

Associate Membership Status Available for Retirees

Article 5 of our MACHP Constitution provides for our retired members to hold an associate membership and to continue to be part of MAHCP. A nominal annual fee of \$10.00 has been established by the Executive Council.

Please be aware that this option is available to you or your co-workers who have already retired. This will keep you on the mailing list for the newsletter as well as affording you opportunity to participate in programs.



MAHCP Member Retirees

We are counting on you . . .

If you are retiring or know of someone who is retiring, we would like to hear from you. Neither the Employers nor HEPP provide us with that information so we are counting on you to let us know. You may contact us through email, phone, fax, through your staff representative, board member, on the web site or 1-800-315-3331.

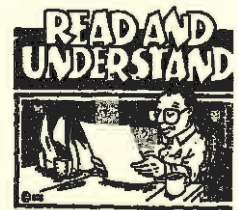
MAHCP would like to congratulate all members who have recently retired. We wish each and every one of you all the best on your retirement.

- **Michele Smith**, EEG Technologist, St. Boniface Hospital
- **Diane Softys**, Respiratory Therapist, HSC
- **Irene Bunch**, Laboratory Technologist, Brandon Clinic
- **Val Karton**, Wait List Coordinator, Brandon RHA
- **Al Saydak**, Radiology Technologist, HSC
- **Bev Mendelson**, Occupational Therapist, Community Therapy Services
- **Jane Seaquist**, Laboratory Technologist, DSM, St Boniface Hospital
- **Barb Lyons**, Laboratory Technologist, DSM NorMan RHA

Our sincere apologies for anyone that has not been included in this list, we know that there are many more retirees out there.

How Well Do You Know Your Collective Agreement?

Question: If I have the most seniority in my area and I submit my vacation request as per the Collective Agreement, can I be denied vacation because the Employer cannot find a replacement?



Answer: No, you cannot be denied because the Employer cannot find a replacement. The Collective Agreement states: "The whole of the calendar year shall be available for vacations to be taken." Employers may try to rely on "operational requirements" being such that since they cannot find a replacement you may not take your vacation. This is not appropriate: operational requirements means the Employer may state that the operational requirements dictate that only one or two people from an area can take vacation at the same time.

"The information contained in this question is meant to be a general rule and should not be considered exhaustive in terms of contemplating every contingency in every work environment. Any questions that members may have regarding their particular situation should be directed to their Labour Relations Officer for clarification."

2011-12 Executive Council

Officers

President	Wendy Despins , DSM - SBH, Laboratory
Vice President	Al Harlow , DSM - Concordia Hospital, Laboratory
Treasurer	Robert Moroz , CCMB, Radiation Therapist
Secretary	Bob Bulloch , HSC, Pharmacist

Directors

Aboriginal Health & Wellness Centre Daphne Lafreniere , Residential Health Support	Physiotherapy Shelley Kowalchuk , HSC
Audiology Leanne Gardiner , Brandon RHA, Audiologist	Radiology Michael Kleiman , HSC
Cardiology Colleen Bemister , Misericordia Health Centre	Recreation Zana Anderson , DLC
Community Therapy Services Margrét Thomas , Physiotherapist	Social Work Sylvie Thériault , HSC
Laboratory Janet Fairbairn , CCMB	Brandon RHA Gale Rowley , Mental Health Clinician
Nuclear Medicine David Veronesi , HSC	Burntwood RHA Tanya Burnside , Pharmacy Technician
Occupational Therapy Ann Patton , HSC	Winnipeg Region Janelle Morissette , DSM - HSC, Laboratory
Orthopedic Technology John Reith , HSC	

Staff Assignments

Lee Manning Executive Director lee@mahcp.ca	Janet Beaudry Executive Assistant janet@mahcp.ca	Joan Ewonchuk Administrative Assistant joan@mahcp.ca	Cathy Langit Administrative Assistant cathy@mahcp.ca	Milcah Abril Secretary/Receptionist milcah@mahcp.ca
--	---	---	---	--

Michele Eger, LRO: Health Sciences Centre (all other HSC Members not included under Ken's listing), Concordia Hospital, Manitoba Clinic, WRHA Corporate Program
michele@mahcp.ca

Walter McDowell, LRO: St. Boniface Hospital, Misericordia Health Centre, Gamma-Dynacare Medical Labs, Jocelyn House
walter@mahcp.ca

Gary Nelson, LRO: Victoria General Hospital, Brandon RHA, Brandon Clinic, Actionmarguerite (Tache), Society for Manitobans with Disabilities, Rehabilitation Centre for Children, CancerCare Manitoba
gary@mahcp.ca

Armand Roy, LRO: Seven Oaks General Hospital, Breast Health Centre, Aboriginal Health & Wellness Centre, Nor-Man RHA, Burntwood RHA, South Eastman Health
armand@mahcp.ca

Ken Swan, LRO: Health Sciences Centre (Lab, Diagnostic Imaging, Pharmacy, EEG), Deer Lodge Centre, Community Therapy Services, Winnipeg Clinic
ken@mahcp.ca

**Moving? Name Change?
Retiring? New MAHCP
Member? Please let us
know!!**

In order to keep our database current,
please keep us informed of any
information changes including addresses
and names. Don't forget to update your
address with your employer too!
772-0425 or joan@mahcp.ca

SAVE THE TREES!!



If you would like to receive this
newsletter and other information by email
only or in addition to your paper copy, please
contact joan@mahcp.ca.

If you think you are supposed to be
receiving email updates, but aren't, your email
provider may be directing MAHCP email to
your "junk" or "bulk" file folders. You may have
to edit your settings.

Word Search

G U I S W H O Z T Y L L Z M D D
M P J Q G V G R G Z E W D M L R
W H I T E C H R I S T M A S R U
E J N H H V F G C H I I F L O M
T E G G D T U R R C T X E P W M
H R L I Z E L B N I S G M T E E
R R E N Q B C B P X N T Y I H R
E O B T Y I G K L A O C W O T B
E V E N M T E E T Y W M H B O O
K O L E R G O R R H G A L O T Y
I G L L A N J O R P E H Q R Y A
N P S I T L T R E E E H P E O X
G A X S H S A S X Y J F A M J Q
S V R W O S L L E B R E V L I S
Y I F E L I Z N A V I D A D L Q
F A W A Y I N A M A N G E R F S

We Three Kings
Deck the Halls
Away in a Manger
Joy to the World

White Christmas
Jingle Bells
Silver Bells
Feliz Navidad

First Noel
Silent Night
Drummer Boy
Let it Snow

*Merry Christmas
and
Happy Holidays!*



from the Executive Council
and Staff of MAHCP



101-1500 Notre Dame Avenue, Winnipeg, MB R3E 0P9
Phone: 1-204-772-0425; 1-800-315-3331; Fax: 1-204-775-6829
Email: info@mahcp.ca; Website: www.mahcp.ca