

# Conciliation between N.S. highway workers, government continues under 'cloud' of Bill 148

RECEIVED FEB 02 2016

February 01, 2016 Local Xpress



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More conciliation dates are set for the provincial government and highway workers, one of the public-sector groups the government feared was most likely to seek arbitration.

Contract talks between the two sides broke off before Christmas. Two conciliation dates in January focused on operational issues, but didn't result in a deal. Peter Baxter, a national representative for CUPE, didn't want to elaborate on those issues, but said they have been enough to keep the two sides talking.

"Had there been no outstanding issues other than the monetary package, we would probably be on our way to interest arbitration as we speak and I'm sure the Liberal government, since they've been threatening to do so for quite a while, would have dropped 148 on us and that would have been that."

Bill 148, passed by the government during the last legislature sitting, essentially imposes a contract on 75,000 public sector workers. The legislation focuses entirely on money – it would see all workers getting four-year contracts with a three per cent increase over the life of the deal and a freeze of the long-service award – and kneecaps an arbitrator's ability to award a contract that exceeds the government's "fiscal plan."

When the bill was introduced, Premier Stephen McNeil said the possibility that the highway workers or doctors could be close to calling in an arbitrator was a big concern and that prompted the legislation's introduction and ultimate passage.

The Liberals have said the bill would be proclaimed the moment a union called for an arbitrator.

Legislation or no, Baxter said the union would follow its normal collective bargaining process, which prevents highway workers from being able to strike.

“It clouds everything,” he said of Bill 148.

“The right to strike was taken away from them through an act of legislation years ago . . . And now the Liberals have enacted legislation which takes that right (to arbitration) away from them.”

Rollie King, the province’s executive director of labour relations, said the government remains optimistic a deal can be reached.

“To the extent that you can predict, we take that as a positive that they wanted to continue talking,” he said.

The highway workers are just one of the unions around which uncertainty remains regarding contract talks.

King said bargaining between the province’s health authorities and the council of unions representing health-care workers still have not started, “despite some repeated requests from the employers.”

Unions have maintained they cannot begin bargaining until essential service frameworks, made necessary by another piece of labour-related legislation, are in place.

King said the government always expected it to take time to establish essential service agreements because this is the first time they are being used. In the future, once a template is established, the process shouldn’t take as long, he said.

“Some progress has been made there; they have not been finalized but they are quite a ways through.”

Mike McNeil, CUPE Nova Scotia’s president, said the essential services process has made starting contract talks more difficult because of the combative relationship between the two sides that was exacerbated by various pieces of legislation.

**“It’s not an easy thing when you’re going from quite adversarial positions in regards to what the union believes should be essential services and what the employer believes is essential services.”**

**The ongoing talks with highway workers and the lack of any talks with health-care workers aren’t the only negotiation-related snags for the government. Members of the Nova Scotia Teachers Union rejected a tentative agreement recommended by the union late last year, but bargaining talks continue. The union representing civil servants recently reversed its recommendation of a tentative agreement and is now recommending its members reject the deal when they vote some time this month.**

**It adds up to mean the Liberals don’t have a contract agreement with a single union of any significant size as it gets deeper and deeper into budget deliberations.**

**King said Bill 148 could also be proclaimed if the government determines no progress is being made with negotiations, although there have been no indications things have reached that point and the premier has said he would wait for the civil servants to hold their vote.**

**Meanwhile, Finance Minister Randy Delorey kicked off his budget consultation tour in his home district of Antigonish on Monday where, among other things, he was asking people which government program they would most want to see protected and which program might they be willing to do without in order to preserve other services.**

**A Finance Department spokeswoman said delays in reaching contracts with unions would have no impact on the government’s budget process.**