



Ontario Member Brief

Confidential

To: Ontario Members
From: CAPA Staff
Date: November 9, 2018
Subject: Ontario / CLAC Update: New Steering Committee

BACKGROUND: WHAT STEPS IS CAPA TAKING TO PROTECT ONTARIO PAs FROM BEING FORCED TO JOIN UNIONS?

For years, PAs at The Ottawa hospital have tried to resist a claim by OPSEU to reclassify them as paramedical staff, thus making them part of the OPSEU collective agreement for paramedical staff. After years of litigation, arbitration, and a judicial review, the PAs were unsuccessful and are now members of the OPSEU collective agreement despite their efforts and disagreement.

Recognizing the potential for OPSEU and/or other unions to initiate similar grievances in other hospitals, CAPA consulted an independent labour lawyer for advice on the best course of action for PAs. The report and recommendations we received suggested that introducing an alternative formal “collective bargaining” relationship would be the most effective method of mitigating against further action from other unions. In other words, find a way to represent ourselves, so that another organization can’t come in and lay claim on our representation.

After exploring options, gathering information from CLAC (an alternative union) and consulting with the Board of Directors, CAPA held an online meeting on October 3, 2018 to update Ontario members and seek their input on the way forward (*view the agenda and listen to the meeting [here](#)*).

During the meeting, Ian DeWaard (CLAC’s Ontario Director) presented a phased approach that would see CAPA supporting Ontario PAs in establishing an independent bargaining agent and then approaching a test hospital in the GTA. If successful, bargaining rights could be expanded to other hospitals and locations with 2+ PAs on staff. Ian also described how a Steering Committee of Ontario PAs would lead this work, on an interim basis. Following the presentation and Q & A period, members voiced support to proceed.

CAPA ACTIONS TO DATE

The following is a summary of steps CAPA has taken since the Ontario member meeting:

1. Ontario Member Update

On October 10, 2018 CAPA alerted (via email) all Ontario members that the audio recording and a summary of the October 3 meeting were posted on the CAPA website.

2. Determining the Structure of the Steering Committee

CAPA’s Ontario leadership discussed next steps and a proposed structure of the Steering Committee. In considering the makeup of the steering Committee, CAPA wants to ensure appropriate PA representation, consider the varying geography of PAs, and ensure a link with

CAPA. It was agreed that the Steering Committee would compose of the following individuals through this development stage:

- Chair – Sahand Ensafi (Emergency Room PA, University Health Network)
- Two to three hospital-based PA members
- Provincial Director for Ontario – Deniece O’Leary
- President – Trevor Stone (ex-officio)
- Executive Director – Patrick Nelson (ex-officio)

The role of Committee members is to serve as subject matter experts, help draft a constitution for the new organization, develop membership application cards, attend meetings and prepare minutes, seek authorization from the Labour Relations Board, identify a test site in the GTA, and begin enrolling PAs.

3. Approval from CAPA’s Board of Directors

At the October 18, 2018 face-to-face meeting of the Board of Directors, all members deliberated on the outcome of the Ontario member meeting, the proposed makeup of the Steering Committee, and how to move forward. The Board approved the Committee structure and the steps involved in establishing the bargaining agent and identifying a test site. The Board directed CAPA staff and the Committee to provide regular updates to all Ontario members.

4. Update at CAPA’s Annual Meeting

An update on Ontario labour relations, the status of CAPA’s engagement with CLAC, and the proposed structure of the Steering Committee was delivered during the President and Executive Director’s Report at the Annual Meeting, held in Victoria on October 19, 2018.

5. Finalizing Steering Committee Membership

In order to identify two to three additional hospital-based PAs to serve on the Steering Committee, CAPA reached out to:

- PAs who proactively asked to be involved following the October 3 Ontario Member Meeting, and
- Other PAs who we identified as having an interest in being involved in labour relations issues and activities.

Given the sense of urgency among Ontario PAs for CAPA to act, and our anecdotal awareness of union-related activities happening in some hospitals, it was agreed that this targeted approach to seeking members was both timely and appropriate.

We asked these PAs to submit, by November 1, 2018, an expression of interest (current employer, professional experience, why they want to be involved). Based on these submissions, the following individuals were appointed to the Committee:

- **Robert Harley** (Muskoka Algonquin Health Care, Huntsville)
- **Stephanie Ruttinger** (McMaster University Medical Centre, Hamilton Health Sciences)

NEXT STEPS

The Steering Committee will meet twice in November to finalize a constitution for the new organization that can be brought to the Labour Relations Board for approval. They will also identify a hospital in the GTA that can be approached to serve as our test site. As their work progresses, they will continue to share developments with all Ontario members. And we ask that Ontario members alert CAPA to any new union-related activity in Ontario hospitals.

If you have questions, please let us know by sending an email to admin@capa-acam.ca.