

P|E|A

BC's Union for Professionals

DUTY  
*with*  
DIGNITY

1974-2024

*50th Anniversary Revised Edition*

BENJAMIN ISITT

**DUTY**  
*with*  
**DIGNITY**

THE PROFESSIONAL  
EMPLOYEES ASSOCIATION  
IN BRITISH COLUMBIA

1974-2024

*50<sup>th</sup> Anniversary Revised Edition*

BY BENJAMIN ISITT

# **DUTY WITH DIGNITY**

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# **PREFACE**

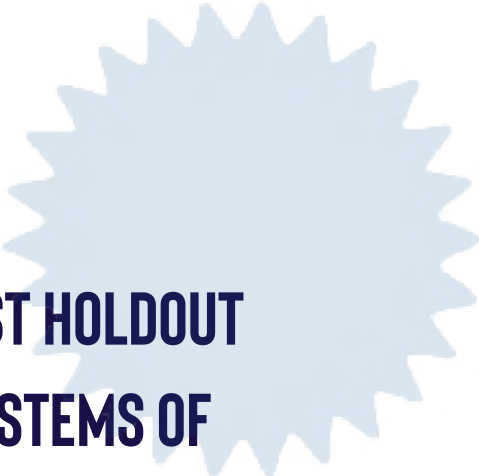
From its inception in 1974 until the present, the Professional Employees Association (PEA) has sought to balance the duty of professionals to the public interest and to their licensing bodies with a desire for dignity and fairness in their working lives. This balancing of duty with dignity runs through the history of the PEA and has shaped its approach to collective bargaining in the BC public service and the education, health and legal-services sectors.

In assisting the PEA in the preparation of this history, I would like to acknowledge the volunteerism of grassroots members and chapter and association executive officers who contributed to the growth and success of their organization throughout its 50-year history. I would also like to recognize the hard-working staff as well as the pioneers who established the foundation for the association during the long period that preceded formal recognition of professionals' right to bargain collectively in the 1970s. Specific assistance in the preparation of this book was provided by Toshie Arakawa, Patrick Craib, Brett Harper and Jordana Whetter.

I hope you will find this history useful in understanding the past, present and future of professionals' contribution to British Columbia – the collective effort to balance duty with dignity – striving for fairness at work and strong services that benefit all British Columbians.

**Benjamin Isitt,  
Victoria, BC**

**January 2024**



**“WE’RE THE LAST HOLDOUT  
FOR THE OLD SYSTEMS OF  
PATERNALISM AND EDICTS, AND  
I THINK THAT IT’S TIME WE GOT  
ON WITH THE JOB.”**

# CHAPTER ONE

---

## ROOTS

“What the bill seeks to do implicitly is to provide a system of free and full collective bargaining for the public servants of this province which is long, long, long overdue. We’re the last jurisdiction in Canada to present such a system to its Legislature. We’re the last holdout for the old systems of paternalism and edicts, and I think that it’s time now we got on with the job.”<sup>1</sup>

-Ernest Hall, Provincial Secretary and Surrey MLA, speech in the BC Legislature during debate on Bill 75, the Public Service Labour Relations Act, 25 October 1973

On February 18, 1974, the BC Government Professional Employees Association (BCGPEA, later renamed PEA) came into being at a meeting in Victoria’s Empress Hotel, representing licensed professionals employed in BC’s public service. The association’s roots could be traced decades back, to organizing and advocacy work of engineers, foresters, agronomists and other professionals employed by the provincial government. This foundation was transformed into formal bargaining rights following Dave Barrett’s election as premier. In the decades that followed, the PEA would extend the benefits of collective bargaining to professionals in diverse fields, from legal services to education to health services. From its inception, the PEA strived to balance members’ professional duty with the desire for dignity and fairness in their working lives.

## ENGINEERS, FORESTERS AND THE LIMITS OF INDUSTRIAL “VOLUNTARISM”

The foundations for the PEA could be traced to 1958, when professional engineers employed by the BC government formed an employees’ group “for the purpose of presenting the views of the members of the group on matters relating to salaries and conditions.”<sup>2</sup> The impetus for the group’s formation was a ruling from their licensing body, the Association of Professional Engineers of BC, that participation in an impending strike of the BC Government Employees Association (BCGEA, later renamed BCGEU) would constitute a breach of professional ethics. The engineers responded by resigning from the BCGEA, which had represented them in negotiations with the employer and provided medical and other benefits.<sup>3</sup>

A steering committee consisting of Gordon Kidd, J.W. Peck, and Douglas Watts (a future mayor of Oak Bay) received recognition from the Association of Professional Engineers to organize a founding meeting in Victoria in May 1958, where an executive was elected. A constitution was drafted and by the autumn of 1958, 75% of the 148 eligible engineers in the public service had joined the BC Government Group of Professional Engineers, which met with the provincial secretary, Wesley Black (the Cabinet minister responsible for the BC public service) and requested to henceforth be recognized as the representative of engineers in dealings with the Civic Service Commission.<sup>4</sup>

From the outset, the Engineers’ group was ambivalent in its attitude toward formal collective bargaining as well as relations with the larger employee group in the BCGEA. When UBC law professor A.W.R. Carrothers conducted public hearings into the potential for collective bargaining within the public service, a representative of the engineers expressed concern over being associated “with an organization that might use the strike weapon in achieving its ends,” insisting that “professional engineers under their constitution could not strike, so they felt that they should be separate from the Employees’ Association in any wage negotiations.” According to a document prepared by the BCGEA, the engineers’ spokesperson suggested they did not want collective bargaining rights, but “merely the right to ask their employer for changes in wages or working conditions.”<sup>5</sup>

One engineer, however, A.R.C. James, took strong exception to this position, describing as “utterly ridiculous” the suggestion that “any kind of collective bargaining is contrary to professional ethics.”<sup>6</sup> He was assured



by the secretary-treasurer of the BC Government Group of Professional Engineers that the group did indeed want collective bargaining rights.<sup>7</sup> The vulnerability of professionals within the BC public service was graphically revealed later in 1958 when H. Lee Briggs, an engineer, was fired from his job with the BC Public Utilities Commission for speaking out publicly against a government plan to refinance debt, which would result in an additional \$260,000 in interest charges. The Vancouver Island branch of the Association of Professional Engineers, representing 90 engineers on the island, unanimously endorsed Briggs's position, with the branch president informing the Victoria Chamber of Commerce: "An engineer is responsible to the people he serves – that is the public first, and, secondly, to his employer."<sup>8</sup> In the wake of this controversy, the entire provincial Cabinet of W.A.C. Bennett met with the executive of the BC Government Group of Professional Engineers to discuss its salary demands.<sup>9</sup>

In the years that followed its formation, the Engineers' group worked to advance the interests of professionals in their relations with the provincial government. However, with no bargaining certification, and a strong aversion to "militant" tactics such as strikes, the engineers were left with few options but to rely on the good will of the Provincial Secretary and Cabinet to accommodate requests for changes to wages or working conditions, lacking formal procedures to obtain legally binding agreements. The Engineers' group lamented the loss of "intermediate and senior professional engineers who have left the Government service," requesting in a 1959 brief that the civil service "pay salaries comparable with those paid by other large employers, governmental bodies and private organizations."<sup>10</sup>

Notwithstanding dissatisfaction with salary levels, the professional engineers explicitly refused to support job action when the BCGEA launched the first province-wide strike by provincial civil servants, the famous "Four-Hour Strike" of March 13, 1959 (which the government decried as unconstitutional and sought to quash with a court order). On the eve of the strike, the Engineers' group advised provincial secretary Wesley Black that

we as Professional Engineers, consider it to be unethical for us to take part in any militant action against our employer. We are, therefore, prepared to carry on our duties in spite of any strike action that may result from disagreement between the Provincial Government and the BC Government Employees Association.<sup>11</sup>

While the group had expressed hope in a 1958 letter to the BCGEA that “good relations and a spirit of cooperation will exist between us,” relations between the organizations were coloured from the outset by the Engineers’ insistence on constituting themselves as a distinct entity from the larger association of government employees.<sup>12</sup>

By 1960, Foresters and Agrologists employed in the BC public service had formed their own distinct employee groups, following in the example of the Engineers, and the three professional associations had established a joint council by the end of that year “to discuss problems of mutual concern as well as how the best use can be made of professional people in government service.” As the chairperson of the joint Council of the Professional Government Groups informed the head of the BC Civil Service Commission, the organizations collectively represented nearly 400 professional people in the BC public service (consisting of about 150 foresters, 100 agrologists and 125 Engineers). The joint council’s first communication with the government focused on professional development opportunities available to engineers, foresters and agrologists, lamenting that professionals were being discouraged from taking leaves of absence “for temporary service in world service organizations such as UNESCO” and requesting clarification and “a definite policy” on participation in executive training and in-service courses.<sup>13</sup> The head of the commission responded that requests for leave for overseas service were “always approved” and that eligibility for executive and in-service courses was determined by government departments rather than the commission.<sup>14</sup>

Throughout the 1960s, the professional groups expanded their operations and coordination within the BC public service, assisting professionals in resolving individual grievances while addressing “the perennial [issue] of low salaries” as well as benefits, promotional policy and professional development. These groups also reached out to the pre-existing association of government medical officers, and established a liaison with government lawyers and psychiatrists, who were contemplating forming associations.<sup>15</sup>

Initially, there was substantial resistance to formalizing the structure and capacity of the various associations. Engineers had decided at their 1960 annual general meeting against establishing a dues system, and instead forwarded a \$5 invoice for rental of the Douglas Building cafeteria to the Association of Professional Engineers of BC for payment.<sup>16</sup> However, as the professionals saw reasonable demands met with intransigence

by the employer, there was a growing willingness to strengthen their respective organizations. In 1962, the Engineers held a special meeting to consider their “protest against the salaries paid to Government engineers,” approving a special assessment of \$2 from each member to finance the attendance of representatives at board of reference hearings on salary levels. The secretary-treasurer was empowered at the same meeting to “look after the financial affairs” of the group and withdraw funds.<sup>17</sup> Later in the decade, regional representatives would be appointed from the larger centres of the province.<sup>18</sup>

Morale within the BC public service waned and an appetite for collective bargaining grew over the course of the 1960s as W.A.C. Bennett’s Social Credit government consistently rejected the salary demands of employee groups. In 1963, the Engineers’ group warned the head of the Civil Service Commission of “general dissatisfaction” among middle and senior engineers with the salary scale, “and a loss of morale resulting there from ... The Province can ill afford to lose these energetic, talented and aggressive young engineers.” This was resulting in a “bankruptcy of leadership talent” and the promotion of technicians within the various ministries, due to a shortage of qualified engineers.<sup>19</sup> The president of the Engineers’ group, T.A.J. Leach, expressed hope that through persistent effort the professionals would “make a ‘break through’ which would see a reasonable scale of salaries.”<sup>20</sup> In 1964, there was modest movement from the employer, when the Civil Service Commission recommended an across-the-board increase of between \$15 and \$25 per month depending on job classification, amounting to a total increase of \$2.5-million in compensation within the public service.<sup>21</sup> A year later, the head of the commission joined other senior BC government officials in discussing the recruitment problem among professionals at the BC Natural Resources Conference in Prince George. Highways Minister Phil Gaglardi also acknowledged a serious shortage of engineers during a speech at the University of Victoria in 1967.<sup>22</sup>

Professionals’ growing openness to collective bargaining also reflected dissatisfaction with the role of their licensing bodies in advocating for fair compensation. Many engineers felt that the Association of Professional Engineers of BC was dominated by senior-management and contract engineers, rather than employee engineers (who accounted for 80% of the profession), and that this had influenced the association’s luke-warm pursuit of the BC Government Group’s salary demands. As J.W.G. Kerr, president of the government Engineers’ group, reported to the 1965

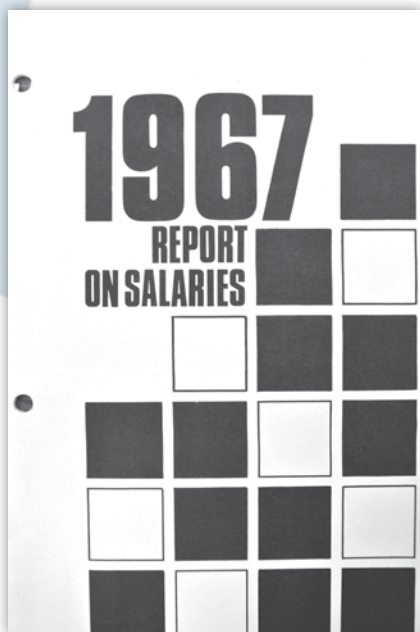
annual general meeting, the group was unable to negotiate with the employer from a position of strength, given “our own unwillingness ... to take group action to obtain our goals by withdrawing services” and “because of the tepid support received in the past from the Council of the Association of Professional Engineers.”<sup>23</sup>

A growing number of professionals considered joining the BCGEA in the late 1960s, a process facilitated by amendments to that organization’s constitution creating a new category of “Professional Members,” who “shall not be required, or expected, to participate in the taking of any strike vote or to engage in any work stoppage.”<sup>24</sup> The executive of the BC Government Group of Professional Engineers’ initially responded favourably to these moves, describing the BCGEA as “the obvious vehicle for coordinating the professional interests of the various government Groups.”<sup>25</sup> However, momentum toward a merger was pre-empted when the BC government introduced legislation in 1966 to reform the Association of Professional Engineers, salvaging a licensing body that was growing increasingly unpopular and prompting the Government Engineers’ group to decide that it was no longer “prudent” to pursue a merger with BCGEA. Instead, the engineers proposed improvements to the Engineering Profession Act to reduce the number of government appointees on the licensing board and provide statutory protection for engineers’ right to the closed shop, compulsory dues check-off and binding arbitration (the amended legislation was ultimately shelved by the government, in the face of opposition from inside and outside the profession).<sup>26</sup> “The future of engineering as a Profession depends not on members’ immediate support of a heterogeneous union but rather on close attention and assistance given our reformed professional association,” the executive declared.<sup>27</sup>

But the door was not closed on the question of merger or other forms of wider co-operation and solidarity, as the BC Government Group of Professional Engineers rounded out the 1960s navigating a path between insularity and solidarity, between duty and dignity. A request from the BC Government Group of Professional Foresters to submit a joint salary proposal to the province in 1967 was rejected by the Engineers’ executive, as was a request to financially support BC ferry workers during a strike, with the executive noting that “every engineer could give or not give as he saw fit.”<sup>28</sup> However, by 1968 the Engineers’ group was again seriously examining some form of merger or dual membership with the BCGEA, which pointed to its two “special group branches” within in

**RIGHT:** Throughout the 1960s, professionals in the BC public service sought to persuade the government to provide fair compensation, relying on the tactics of reason and detailed reports such as this one, prepared by the BC Government Group of Professional Engineers.

*Credit: PEA Archives*



structure, including the BC Ferry and Marine Workers' Union.<sup>29</sup> Engineers' president D.A. Shaw suggested that the BCGEA deserved the support of the engineers: "I see little danger of this liaison forcing engineers, against their will, into a union complex at the risk of losing their identity."<sup>30</sup> Engineers' vice-president John Austin had earlier extolled "the merits of re-uniting" with the BCGEA and discussed relations with the Federation of Engineers of Quebec.<sup>31</sup> Demonstrating one of the first inclinations toward political action, the Engineers sent delegates to a BCGEA meeting to plan a mass rally at Victoria's Crystal Garden on November 22, 1968.<sup>32</sup> By 1970, when the Civil Service Commission told the Engineers that its "hands are tied" in salary negotiations, vice-president T.A. Prentice insisted that "the only progress engineers will make in bettering their lot is to join with the BCGEU."<sup>33</sup>

The tide was turning in favour of unity and co-operation. By the end of the 1960s, 90% of the 250 engineers in the employment of the BC government belonged to the BC Government Group of Professional Engineers, while another 200 foresters were organized into the BC Government Group of Professional Foresters. The level of organization among these two groups of licensed professionals was significant given the absence of formal bargaining rights and the entirely voluntary nature of employees' participation in these organizations. Under the leadership of R.D. Bennett, an Engineer who worked in the BC Forest Service (and therefore worked closely with foresters), talks proceeded with a view toward greater co-operation. A representative of the foresters attended

the engineers' 1971 annual meeting, while liaisons were established between the various professional groups, including nurses, as well as with the BCGEU (which had replaced the word "association" in its name with "union" in 1969).<sup>34</sup> A 1971 study into collective bargaining among professionals had suggested that engineers could not "wait to get unified action from the other professional bodies, such as legal, architectural, medical and dental," and therefore proposed amendments to the Labour Relations Act to remove a provision (in place since 1954) excluding engineers from collective bargaining rights.<sup>35</sup> John Austin, an executive officer of the Engineers' group, had earlier broached "the possibility of forming an Association of Professional Employees within the Service," an idea that was discussed "with all professional groups in the Government."

## **THE BARRETT GOVERNMENT, THE HIGGINS COMMISSION AND 1973 PUBLIC SERVICE LABOUR RELATIONS ACT**

In August 1972, the New Democratic Party (NDP) led by social worker Dave Barrett was elected to power in British Columbia, replacing the Social Credit government that had governed since 1952. The NDP was directly affiliated with the labour movement, under the aegis of the Canadian Labour Congress, and was therefore more receptive to demands from employee groups for legislative changes after two decades of tension under Social Credit rule.

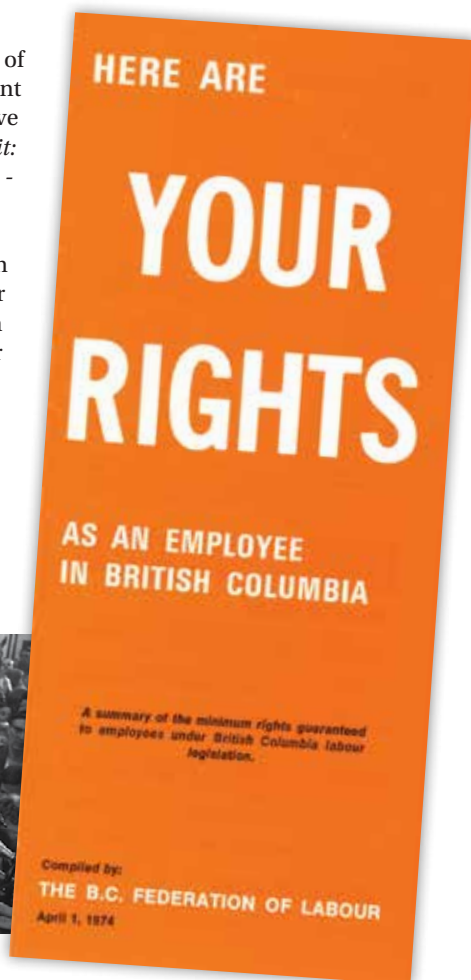
Alongside a far-reaching reform program that extended from agriculture and taxation to health, education, forestry and energy policy, the Barrett government initiated a review of the provincial Labour Code and formed a commission of inquiry to examine collective bargaining in the public service. The commission was headed by Richard Higgins, the province's chief personnel officer in the Civil Service Commission since 1970. A *Victoria Daily Colonist* newspaper columnist had earlier suggested that if the government wanted to attract the best people, it had to "pay at least a fair salary and give them basic bargaining rights."<sup>36</sup>

The Higgins Commission received substantial input from engineers, foresters and other professionals employed by the government. The overwhelming message was that licensed professionals should have their own bargaining unit distinct from other government employees, to avoid placing professionals in the difficult position of unwillingly participating in strikes or other labour actions that might conflict with their legislated



**RIGHT:** The PEA organized in the context of the more sympathetic policy environment that accompanied the election of the Dave Barrett NDP government to power. *Credit: Box 16, File Y.05 (External Organizations - BC Federation of Labour), PEA fonds*

**BELOW:** Dave Barrett, premier of British Columbia from 1972-75. Barrett, a former social worker who had been fired from his job at Haney Correction Institute for political activism, combatively told the Legislature during debate on Bill 75, the Public Service Labour Relations Act: "Are you for the civil servants or against them? I'm all for them. It's a pledge we made and we intend to keep it." *Credit: The Canadian Press*



codes of professional conduct. Higgins included this recommendation in his report to the government, which responded by proposing a distinct bargaining unit for licensed professionals when it tabled the Public Sector Labour Relations Act in the BC Legislature in April 1973.<sup>37</sup>

The legislation established the two main criteria for membership in the bargaining unit that became the PEA: (1) employment in a professional classification in the public service as understood within the terms of the Act; and (2) membership in an association having statutory authority to license a person to practice his or her profession.<sup>38</sup>

Rising to speak in favour of Bill 75, the Public Services Labour Relations Act, Premier Dave Barrett reminded members of the Legislature that he had been a civil servant prior to his election as an MLA:

The one single issue that I've been involved in before I was elected to this House, right up to the time we formed a government, was a promise to provide collective bargaining for civil servants. ... Why shouldn't the civil servants have the right to collective bargaining? Why should they be second-class citizens? They were promised it in our four-hour strike of 1958. ... There is going to be a vote on this bill. ... A year ago August we had a vote and we're happy with that result too. So, Mr. Chairman, here it is. The chips are down. Are you for the civil servants or against them? I'm all for them. It's a pledge we made and we intend to keep it."<sup>39</sup>

Members of the legislative assembly voted 42 to 2 to approve Bill 75 at second reading in late October and it passed unanimously on November 7, 1973, receiving royal assent the same day.<sup>40</sup>

## THE PEA IS BORN

Finally, on February 18, 1974, the BC Government Professional Employees Association (BCGPEA) officially came into being at a meeting in Victoria's Empress Hotel. The association's original name reflected its initial emphasis on professionals employed within the BC public service, which would later expand to include other groups of professionals in the legal services, education and health sectors as the association developed in the decades that followed. As *The Professional* would later record, "The prime mover in the organization and establishment of the Association" was Department of Highways engineer Derek Parkes, who served on a steering committee that included government architect Ron Waterfield. The committee signed up more than 60% of licensed professionals employed by the BC government and proceeded to hold the founding meeting.<sup>41</sup>

From its inception, the PEA and its membership conceived of themselves as functioning differently from other labour organizations in British Columbia. This mirrored debates among teachers, nurses and other licensed professionals who had an uneasy relationship with the practices of trade unionism and the broader labour movement, viewing their interests as distinct from those of the broader working class. Constitutionally, the PEA recognized the individual right of professionals



to decide whether or not to participate in job action, in contrast to other organizations such as the BCGEU that established constitutional provisions to discipline members for failing to respect picket lines.<sup>42</sup>

The PEA also aimed to respect the diversity of professionals in the structuring of its electoral process for executive elections. As an association with a membership drawn predominately from two professions at its inception – engineers and foresters – “the founders feared that there would be a tendency for members to vote only for those candidates they knew, and because familiar colleagues would likely be colleagues in the same profession, the result would be to prevent members from the less populous professions being elected.” The constitution therefore included a provision prohibiting “plumping,” or the practice of voting for fewer candidates than the total number of offices to be filled.<sup>43</sup>

"LABOUR CODE OF BRITISH COLUMBIA ACT"  
LABOUR RELATIONS BOARD

## CERTIFICATION

The LABOUR RELATIONS BOARD, after such enquiry as the Board considers adequate, is satisfied that the employees named herein constitute a unit appropriate for the purpose of collective bargaining and that the other requirements of the Code have been met, and

THEREFORE HEREBY CERTIFIES

the British Columbia Government Professional Employees  
Association

as the bargaining agent for the employees in a unit composed of employees  
in a professional classification in the Public Service  
Classification structure who are members of an association  
that has statutory authority to license a person to  
practice that profession, other than those persons described  
in clause 4(a) of the Public Service Labour Relations Act

and  
said Unit is located by the Act, employed by  
The Government of the Province  
of British Columbia,  
Parliament Buildings,  
Victoria, B.C.

Given at Vancouver, British Columbia, this 3rd day of May, A.D. 1974

LABOUR RELATIONS BOARD

By   
"S. S. FECH"  
Vice - Chairman

LEFT: The PEA's certification from the BC Labour Relations Board to represent licensed professionals employed in the BC public service. Issued May 3, 1974.

*Credit: File "Certifications,"  
Box 17, PEA fonds*

At the PEA's founding meeting, Department of Highways engineer Derek Parkes was elected as the association's first president, leading a six-member executive committee. Offices were established in Victoria and Vancouver and administration and organizing staff were hired, led by executive director Geoff Holter.<sup>44</sup> Buoyed by the mandate from the membership and the newfound legislative right to bargaining collectively, Parkes and the PEA turned their attention to applying for certification from the BC Labour Relations Board and negotiating the PEA's first collective agreement.

CHAPTER 144

Public Service Labour Relations Act

[Assented to 7th November, 1973.]

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Inter-  
pretation.

I. (1) In this Act, unless the context otherwise requires,

"agency of the Crown" means any board, commission, association, or other body, whether incorporated or unincorporated, all the members of which, or all the members of the board of management or board of directors of which,

(i) are appointed by an Act or by the Lieutenant-Governor in Council; or

(ii) if not so appointed are, in the discharge of their duties, public officers or servants of the Crown, or, for the proper discharge of their duties are, directly or indirectly, responsible to the Crown;

"bargaining agent" means

(i) a union that has been certified by the board as an agent to bargain collectively for a bargaining unit; or

(ii) the agent designated under section 3 to bargain on behalf of the Government;

"bargaining unit" means a unit of employees appropriate for collective bargaining referred to in section 4;

"board" means the Labour Relations Board continued under the *Labour Code of British Columbia Act*;

"collective agreement" means a duly executed agreement in writing between the bargaining agent for the Government and a bargaining agent for a bargaining unit containing provisions respecting the terms and conditions of employment of employees, including provisions respecting rates of wages or salary, hours of work, or other working conditions of employees;

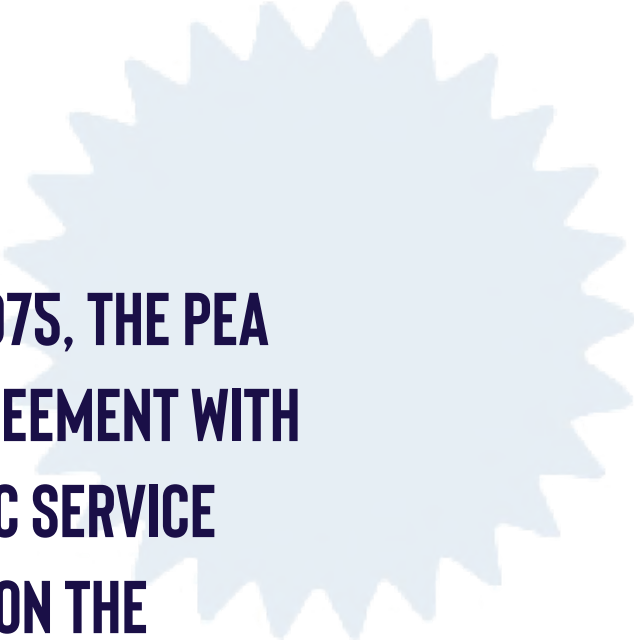
"collective bargaining" or "bargain collectively" means

(i) negotiating in good faith with a view to concluding a collective agreement, or a renewal or revision of a collective agreement;

(ii) the reduction to writing of the terms of agreement arrived at respecting matters required to be inserted in a collective agreement by this Act, and other matters agreed to by the parties;

(iii) the execution of the agreement by or on behalf of the parties; and

(iv) negotiating from time to time for the purpose of settlement of disputes and grievances of employees included in the agreement, or represented by an employees' bargaining agent;



**ON MAY 14, 1975, THE PEA  
REACHED AGREEMENT WITH  
THE BC PUBLIC SERVICE  
COMMISSION ON THE  
ASSOCIATION'S FIRST MASTER  
AGREEMENT.**

## CHAPTER TWO

---

### 1974: WINNING COLLECTIVE BARGAINING RIGHTS

“The Legislature of this province, after listening to representation from various groups concerned, decided that eleven groups of self-licensing professionals, ranging from agrologists to veterinarians, and including both doctors and dentists, should comprise one unit for the purposes of collective bargaining.”

-BCGPEA Press Release, December 1974

In May 1974, the BC Government Professional Employees’ Association (BCGPEA) received formal certification from the BC Labour Relations Board for a union comprised of all licensed professionals in the BC public service with the exception of nurses (who by legislation formed their own association). This marked the culmination of nearly two decades of organization and advocacy by professionals in the public service, as the foundation established in previous years was transformed into legally-recognized collective bargaining in the more sympathetic policy environment that accompanied the election of Dave Barrett’s government to power in the 1970s. As first contract negotiations demonstrated, the challenge of balancing duty with dignity continued.

## CERTIFICATION AND THE FIRST CONTRACT

The PEA applied for certification with the BC Labour Relations Board on March 29, 1974. According to the application submitted by president Derek Parkes and vice-president J.E. Bickert, 629 of the 1053 licensed professionals in the proposed bargaining unit were members in good standing of the PEA – 60%.<sup>1</sup> The bargaining unit would later be adjusted slightly to consist of 1039 professionals in the following occupational groups:

- Accountants,
- Agriculturalists (Agrologists),
- Architects,
- Dentists,
- Doctors,
- Engineers,
- Foresters,
- Land Surveyors,
- Pharmacists,
- Physiotherapists, and
- Veterinarians

Respecting the majority support among the employees, the government did not contest the application and the LRB certified the PEA bargaining unit on May 3, 1974.<sup>2</sup> For the first time, licensed professionals in the BC public service were represented by a certified bargaining agent that could negotiate collectively on their behalf.

In the wake of this certification victory, representatives of the PEA sat down with negotiators from the BC Public Service Commission to begin negotiating the association's first legally binding collective agreement. Cost-of-living adjustments were a major concern for the professionals and the association, reflecting widespread "stagflation" in BC and beyond as the long period of economic growth across the developed world was disrupted by the "oil shocks" of the early 1970s.

Bargaining meetings to negotiate the PEA's first contract began in July 1974, taking place in Victoria and proceeding until the spring of 1975. Early during negotiations, the PEA accepted an offer from the commission for a retroactive pay increase of 10%, effective from the time of certification in

April 1974. PEA members began receiving these retroactive payments in October 1974 before a final agreement had been reached.

However, on other issues there was substantial distance between the PEA and the provincial government, particularly on the question of managerial exclusions and the scope of the bargaining unit as it pertained to medical officers employed by the provincial government. The province proposed that 166 senior professionals be excluded from the PEA bargaining unit as managers (a number that would later be reduced to 50), as well as 41 of 125 doctors employed by the province. Hoping to win the PEA's approval, the provincial negotiators dangled an enticing financial carrot, offering the "dues check-off," payroll deduction of association dues in exchange for the PEA's acceptance of the employer's definition of who constituted management and its agreement that medical officers would be excluded from the bargaining unit.

The PEA's negotiating team rejected this offer, notwithstanding the financial security it would have provided during the bargaining process, providing a passionate explanation to members in the pages of *The Professional*:

The life of this Association would be much more secure and the work of the Executive and Negotiating Committee much easier, if we could receive dues check-off. But to do so in a context which allows for the driving of a management wedge between professional and professional, and which accepts the right of one group of professionals (that is, the Medical Officers) to conspire with the Government to violate the statute under which we exist would result in a much greater threat to the long term welfare of the BC Government Professional Employees Association.<sup>3</sup>

To fill the financial gap created by the absence of the dues check-off, the PEA appealed to professionals for voluntary contributions, initially in the form of lump-sum cash payments for the six-month period from July 1, 1974 to January 1, 1975, and later through voluntary consent forms authorizing payroll deduction, which the employer was obliged to honour under the provisions of the BC Labour Code.

Ultimately, three-quarters of the PEA's 900 members contributed voluntarily to the association's finances for the second half of 1974, calculated at the rate of 1% of base pay. As the negotiations with the provincial government dragged on into 1975, more than 800 members signed the voluntary payroll deduction forms, with about 85% of all members of the bargaining unit agreeing to voluntary payroll deduction of association dues before the contract was settled and collection became

automatic for all employees.

Throughout the bargaining process, the PEA kept in frequent contact with the membership, holding general membership meetings in the nine regions of the province and publishing detailed reports on the progress of negotiations and specific contract language in the newsletter *The Professional*, which was distributed to every member twice per month. In September and October 1974, an initial round of regional membership meetings was conducted in Prince Rupert, Victoria, Vancouver, Williams Lake, Prince George, Kamloops, Kelowna and Nelson. (Dawson Creek would later be included in these regional meetings as negotiations progressed). At these meetings, members learned about the progress of contract talks and ratified specific contract clauses that had been tentatively agreed by negotiators for the PEA and the employer. Efforts to keep members closely informed through *The Professional* appear to have been effective, with members unanimously ratifying the contract terms at seven of these regional meetings. At the eighth meeting, which took place in Victoria's Newcombe Auditorium on Sunday September 29, 1974, "there was one dissenter," *The Professional* reported.<sup>4</sup>

The distinctive character of professionals within the public service was evident as negotiations unfolded with the BC Public Service Commission. "A new relationship seems to be taking form between representatives of the Public Service Commission and the Association," the negotiating team reported, "a more frank and friendlier relationship." Commission representatives had "noted the very real differences between bargaining with ourselves and with a conventional trade union. The concept of professional unionism is being carefully advanced by the BCGPEA and, as negotiations progress, it is falling on increasingly sympathetic ears."

However, appearances could be deceiving, as the PEA's inaugural round of contract negotiations took a decisively negative turn at the end of 1974. In November, PEA negotiators believed they had reached agreement on all substantial issues with the provincial government, and recommended ratification of a proposed Master Agreement to PEA members. A total of 275 professionals ratified the contract terms at regional meetings held between December 2 and 10, 1974, with the PEA declaring triumphantly: "on Wednesday, December 11th, negotiations were concluded for the first Master Agreement between the BC Government Professional Employees Association and the BC Government." However, the provincial government negotiators on the Public Service Commission were unable to reach agreement on the contract terms, with one of three



commissioners refusing to recommend ratification to the Treasury Board, thereby vetoing the stance of the other two commissioners. This division reflected an ongoing dispute with one particular group of professionals – the salaried medical officers in the provincial civil service.

## **CERTIFICATION OF MEDICAL OFFICERS AND THE DOCTORS' LOBBY**

For some time, provincial medical officers and the wider medical profession had lobbied hard to have salaried medicals officers excluded from the PEA bargaining unit, but the PEA held firm to the position that the intent of the BC Public Service Labour Relations Act must be respected, which included the medical officers within its certification.

Hoping to resolve the dispute, the PEA had applied to the BC Labour Relations Board in November 1974 requesting an interpretation of the scope of its certification. The board delayed hearings on the question, and in the intervening period the president of the BC Medical Association entered the fray, suggesting publicly that his organization could replace the PEA as the certified bargaining agent for the medical officers.

In an escalating war of words, the PEA issued a notice to members and a press release in December warning that the attempt by the BC Medical Association to have medical officers excluded from the bargaining unit “would violate the intent of the Public Service Labour Relations Act.” It suggested that if the government sought to transfer certification to the medical association, it should introduce amendments to that effect in the Legislature. Failing that, the PEA would “have no part in breaking the law” and would “take appropriate steps” to prevent its members, including the medical officers, from doing so.<sup>5</sup>

In the face of this certification dispute and pressure from the medical profession, the Public Service Commissioners were unable to reach agreement on the proposed Master Agreement. They therefore failed to recommend ratification to the Treasury Board, notwithstanding the fact that each clause had been previously approved by a commissioner negotiating on behalf of the province and subsequently ratified by the PEA.

On 31 January 1975, Dave Barrett’s provincial Cabinet entered the fray, repudiating the December 11th agreement and ordering a cessation of negotiations between the Public Service Commission and the PEA.<sup>6</sup> This coincided with the opening of separate talks between the Minister of

Health and the medical officers, as the Cabinet considered introducing amendments to the legislation to change the certification of the medical officers. (The PEA would later sue the BC government and the BC Medical Association “for conspiracy to negotiate an unlawful contract,” settling out of court for \$10,000 in the spring of 1977).<sup>7</sup>

A flurry of lobbying and legal manoeuvres unfolded, as the PEA lodged two formal complaints with the Labour Relations Board against the provincial government for “unfair labour practices.” The first complaint related to the conduct of the Minister of Health in negotiating independently with the medical officers, in violation of the PEA’s certification as the exclusive bargaining agent. The second complaint related to the conduct of the Cabinet in ordering a cessation of contract negotiations.

As these complaints wound their way through the LRB process, the PEA executive met informally with three members of the Barrett Cabinet – provincial secretary Ernest Hall, labour minister Bill King and agriculture minister Dave Stupich – as well as the chairperson of the Public Service Commission and PEA bargaining consultant Wally Ross, former provincial secretary of Barrett’s New Democratic Party. Following this meeting, which took place on February 12, 1975, the PEA issued a press release announcing that negotiations would resume the following week and that the government had agreed to ratify contract terms notwithstanding any legislative changes that may be contemplated relating to certification of the medical officers. A second meeting was scheduled to acquaint Cabinet ministers with the PEA’s position on the certification dispute.

Reaching out to the membership, the PEA held special meetings in Victoria and Vancouver at the end of February 1975, to update professionals in the two most populous urban areas of the province on the progress of negotiations and to ramp up pressure on the government to reach a settlement. The PEA expressed its regret that due to “the pressing needs for decision making,” as well as “poor travel conditions existing throughout the province,” it was not possible to schedule regional meetings outside Victoria and Vancouver, but that representatives from the seven outlying regions were authorized to send delegates to attend the meetings on the coast. The meetings were “very-well attended and vocal,” *The Professional* reported. “The membership made very plain its displeasure with what it regarded as a breach of good faith on the part of the Government” and gave the PEA executive unanimous votes of support.

Following these meetings, the PEA notified members that while the Executive remained “committed to the non-adversarial approach,” professionals should “formulate ... ideas on alternative courses of action for presentation to and discussion at the next membership meeting in your area” — raising the prospect of job action for the first time in the PEA’s history. At regional membership meetings in March 1975, members approved the strategy of “a more vigorous or aggressive approach to the collective bargaining process,” as the executive undertook steps to “ensure that members of the public and of the Legislature are properly informed of the objectives of this Association, its history and the debacle of its past negotiations.”<sup>8</sup>

## REACHING AGREEMENT

As a result of this flurry of activity, which included many letters and telegrams from professionals to members of the Barrett government and the endorsement of a “more aggressive approach” by members, the province agreed to return to the negotiating table in the spring of 1975. PEA executive members and staff held several successful meetings with provincial Public Service Commissioner Clay Perry, a former activist in the woodworkers union, where a framework for resuming negotiations was agreed. In exchange, the PEA agreed to withdraw its “unfair labour practices” complaint against the Health Minister as a sign of good will.

Talks resumed between the two parties in April 1975, with the government accepting without amendment 87 of the 182 clauses previously negotiated for the earlier December 11th agreement. Over the next six weeks, negotiators from the PEA and the commission worked to reach agreement on the remaining issues, relating to pay, hours of work, and health and dental benefits. Midway through the renewed bargaining process, in late April 1975, provincial secretary Ernest Hall, the member of the Barrett Cabinet responsible for collective bargaining in the provincial civil service, addressed the PEA’s second annual general meeting at the Victoria Labour Hall, discussing the challenges associated with collective bargaining and professional employees. Hall’s participation at the PEA annual general meeting reflected an improvement of relations between the association and the government.

On May 14, 1975, PEA negotiators reached agreement in principle with the BC Public Service Commission on the association's first Master Agreement. The new contract differed "from conventional union contracts," *The Professional* claimed, reflecting the association's desire "to protect and further the professional values of independence and flexibility." Specifically, the PEA successfully negotiated amendments to the draft language requiring the employer to "adhere to the qualifications established by the appropriate professional licensing body or bodies in the appointment and retention of professional employees." The contract also specified that employees would perform their duties "in accordance with the standards of conduct, code of ethics and by-laws established by his appropriate professional licensing body" and that a professional employee could "refuse to append his name, signature and/or seal to an instructed course of action which conflicts with his concept of his professional responsibilities."

Demonstrating the desire of professionals to play active roles in their scientific and technical fields, another clause proposed by the PEA recognized the right of professionals to "prepare and publish articles and technical papers on [their] own time provided only that such publication shall not conflict or interfere with the professional responsibility of the professional employee in the performance of [their] duties." Professionals also proposed to retain control over their working day, with contract language specifying that "the hours of work shall be flexible" within the context of a "high standard of service to the public" and a 35-hour work week.

Alongside these contract provisions relating to the professional status of members of the bargaining unit, the first Master Agreement included a number of other provisions benefiting the working and personal lives of PEA members. These included a dental-benefits plan and extended health-care plan, and the provision for six-months unpaid maternity leave (with an option for an additional eight months of unpaid leave), as well as six months of unpaid leave for an employee who was adopting a child. The contract provided for a basic annual vacation of four weeks, and recognized the right of professionals to stand for election to municipal, provincial or federal office, with a provision for unpaid leave for those professionals elected to the BC Legislature or Canadian Parliament.


PEA members ratified their first Master Agreement in June 1975, with 96% of members voting in favour of accepting the negotiated agreement (with 759 of 950 professionals in the bargaining unit returning the

ratification ballots). The Master Agreement was signed by the PEA negotiating committee and representatives of the Public Service Commission on June 20, 1975, marking the conclusion of negotiations with the BC government.



ABOVE: On May 14, 1975, PEA negotiators reached agreement in principle with the BC Public Service Commission on the association's first Master Agreement, which was ratified the following month when 96% of members voted in favour. The new contract differed "from conventional union contracts," *The Professional* claimed, reflecting the association's desire "to protect and further the professional values of independence and flexibility." *Credit: PEA Archives*

**THE PEA SAID THE GOVERNMENT  
WAS MISGUIDED IF IT BELIEVED  
THAT “PROFESSIONALS DO NOT  
HAVE THE GUTS TO STAND UP  
FOR SELF-RESPECT AND FAIR  
TREATMENT.”**



## CHAPTER THREE

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### WAGE CONTROLS AND THE 1979 STRIKE VOTE

“The Executive endorses this course reluctantly but unanimously... because the bargaining process is not functioning in a manner consistent with the aspirations that led to the Association’s founding.”

-PEA Statement announcing Strike Vote, September 26, 1979

With the ratification of the first Master Agreement, professionals and their association had achieved a degree of financial security and stability in the workplace that was unprecedented in the history of the PEA or its predecessor organizations. Building on the system of voluntary payroll deduction established during the contract negotiations, the Government of British Columbia began collecting union dues on behalf of the PEA from all licensed professionals as an automatic payroll deduction (the “dues check-off” or “Rand Formula,” a hallmark of collective bargaining in postwar Canada). Augmented financial resources through the dues check-off enabled the PEA to expedite repayment of a \$10,000 loan it had borrowed from the BC Hydro Managerial and Professional Employees to meet a financial shortfall midway through the contract talks.<sup>1</sup>

Stable and predictable financial resources also enabled the PEA to pursue a modest expansion of administrative staff at its offices in Victoria and Vancouver, where the three existing employees were working well “in excess of a 35 hour week.” The association issued a posting for a new Research Officer, to undertake economic analysis on the impact of collective agreements, develop legislative proposals, and assist the executive director with negotiations as well as communications between the head office and members in the regions. A group of dissident members initially opposed the creation of this position, fearing a “top-heavy administration” was in the making, but the newly elected president, architect Ron Waterfield, assured members that “the policy of the Association is in the hands of the Executive and will remain there-in.”<sup>2</sup>

As soon as the 1975 Master Agreement was concluded, the PEA turned its attention toward the negotiation of subsidiary agreements (“sub-agreements” or component agreements) envisioned under the legislation and Master Agreement, addressing the particular issues and conditions of professionals in the following occupational groups:

- Accountants,
- Agriculturalists,
- Architects,
- Dentists,
- Engineers, Geologists and the Inspector of Dykes,
- Forest Agrologists,
- Foresters,
- Land Officers,
- Land Surveyors,
- Pharmacists,
- Physiotherapists, and
- Veterinarians.

Negotiations for these component agreements began immediately after the signing of the Master Agreement, with the PEA submitting proposals for the Land Surveyors’, Physiotherapists’, Architects’, Dentists’, Engineers’ and Foresters’ components during the summer of 1975. When tension at the bargaining table raised the prospect of arbitration, PEA executive director Geoff Holter warned that members should “not rule out the possibility of a long and difficult struggle to satisfactorily resolve salary issues.”<sup>3</sup> Alongside negotiations for these component agreements, the



**BELOW:** In October 1975, the PEA adopted its first logo, designed by Ken Patton, a member of the Architects' component in the BC public service. The logo would adorn the masthead of *The Professional* until 1980, when professionals decided to expand membership in the association beyond government employees.



**THE PROFESSIONAL**  
**PROFESSIONAL EMPLOYEES ASSOCIATION**

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PEA turned its attention to the implementation of the Master Agreement itself, which ran until December 31, 1976, forming a joint committee with representatives of the employer to examine alternatives to the current dispute-settling methods and collective-bargaining legislation, with a report pending in the spring of 1976.

The association also began looking beyond the provincial civil service with a view toward extending the benefits of collective bargaining to other groups of professionals in BC, a process facilitated by a proposed change to the provincial Labour Code to remove an exclusion on the bargaining rights of professional employees. In August 1975, the PEA hosted a gathering in Victoria of groups representing 50,000 professionals in BC, where the formation of a Professional Council of British Columbia was discussed. The PEA also provided staff support to the Professional Association of Residents and Interns (PARI) during negotiations at Lower Mainland and Vancouver Island teaching hospitals in 1977, foreshadowing the association's evolution into a bargaining agent for professionals outside the public service.<sup>4</sup>

## WAGE CONTROLS AND SOCREDS

Collective bargaining for professionals and other BC workers in the second half of the 1970s was shaped by the imposition of federal wage controls, which placed limits on the autonomy of employees and employers to freely negotiate the terms of compensation. Collective bargaining was also shaped by a change in the provincial government in the 1975 general election, as the New Democratic Party was defeated by a resurgent Social Credit party, which introduced substantial changes to labour legislation and policy.

### “THE RAND FORMULA”

The Rand Formula, or “dues check-off,” is a hallmark of the labour relations system in BC and Canada.

Named after former Supreme Court of Canada Justice Ivan Rand, the formula represented a compromise established after the Ford Windsor strike of 1945. In exchange for accepting a prohibition on the right to strike during the life of collective agreements, workers and their organizations received the financial security arising from the payroll deduction of union dues by employers from each employees’ pay cheque.

This replaced the system formerly in place during the era of “labour before the law,” when unions collected dues from each member in the workplace through an elaborate system of shop stewards. This required a substantial investment of time and volunteer labour, and produced revenues that were often uneven owing to the voluntary nature of the dues payments.

The Rand Formula, which was incorporated into the PEA’s first collective agreement in 1975 and into all subsequent contracts for the various chapters, provided unions with stable and predictable revenue. This allowed for continuity in staffing, the settlement of grievances and negotiations, sustained organizing efforts, and the accumulation of substantial financial reserves as a form of “insurance” in the event of work stoppages. The Rand Formula is based on the premise that since all employees in a workplace benefit financially from the work of the union, they should all contribute financially to maintain the union’s operations. Freedom of association is established by making membership in unions voluntary, even when all employees contribute financially through the payroll deduction of union dues.

In recent years, the Rand Formula has come under attack by opponents of labour and worker rights across North America, often under the ambiguous guise of “the right to work” and “employee choice.”

In October 1975, as the PEA was midway through negotiating component agreements for professionals in the BC public service, the Pierre Trudeau Liberal government in Ottawa announced its wage control program, changing the landscape of labour relations across the country. While 600 PEA members in four components, including Engineers and Geologists, Foresters, Physiotherapists and Pharmacists, had negotiated and ratified salary adjustments and other issues with the provincial government, 300 members in the remaining eight components were at various stages of the bargaining process. Responding to the uncertainty created by this new federal policy, the PEA requested an emergency meeting with the Public Service Commission and wrote to the minister responsible, provincial secretary Ernest Hall, expressing concern over the compensation for these 300 professionals and urging prompt attention and fair treatment.

However, in December 1975, Hall and his government were replaced by a new administration, led by Bill Bennett, son of former premier WAC Bennett. Shortly after the new premier and provincial secretary Grace McCarthy had assumed office, the Public Service Commission informed the PEA that “all of the outstanding agreements will be submitted to some form of anti-inflation review.” The PEA argued that its outstanding components should be exempted from this review, while the BCGEU and Registered Nurses Association of BC announced they were suspending negotiations with the government until its labour-relations policy was decided.

In February 1976, the PEA informed its membership that the Public Service Commission had received a mandate from the new government to resume negotiations on component agreements, but suggested these talks would take place in a more constrained fiscal climate:

“It should be noted that the Commission is operating under greater restraints than it was previous to the December 11 election. The motivation for that restraint seems to be coming from Treasury Board. As an Association we are, of course, exerting every pressure possible to achieve a consistency with our previously settled components. It is too early to predict how successful we will be.”<sup>5</sup>

There had been difficulties with the previous NDP government during the initial round of contract negotiations, but these tensions were amplified with Social Credit at the helm. Notwithstanding the restraint policy of the new government, the PEA succeeded in concluding component agreements for all occupational groups by June 1976, bringing

to a close the association's first round of collective bargaining — more than two years after it was certified as bargaining agent for professional employees.

The PEA settled into a pattern of negotiating the Master Agreement and assisting professionals in addressing grievances and other issues arising in the workplace. In the first year following the signing of the Master Agreement, the PEA assisted members with 30 grievances. It also developed closer working relationships with other unions representing employees in BC's public sector, demonstrating the need for unity in the face of the twin challenges of wage controls and a more fiscally conservative provincial government.

In the summer of 1976, the PEA consulted with members on the idea of forming a Public Sector Employees Coordinating Committee, which would represent nearly one quarter of a million employees in organizations including the PEA, BCGEU, BC Teachers Federation, Hospital Employees Union, Health Sciences Association and Registered Nurses Association of BC. The committee would “coordinate opposition to recent attacks,” specifically “the resistance of the BC Government to agreeing to fair pay increases... the spate of recent government layoffs, and the legislative incursions against employees' bargaining rights.”<sup>6</sup>

However, the PEA executive decided to “indefinitely set aside” the idea of joining the proposed council, focusing instead on the creation of a new network of professional and managerial employees, to develop “new forms of bargaining relationships which break away from the adversary stereotypes of traditional management and labour.”<sup>7</sup> This decision reflected the ongoing ambivalence of professionals to having their association function like a trade union. The Professional and Managerial Employees Council of BC (PAMEC) was formally constituted at a meeting in Vancouver's Bayshore Hotel in July 1976. PAMEC brought together 12,000 professionals from the BC Hydro and Power Authority, BC Telephone Company, University of British Columbia Faculty Association, Health Sciences Association as well as professionals and managers from the BC public service. Demonstrating the PEA's central role in the formation and activity of PAMEC, executive director Geoff Holter was elected as the council's founding president.

## THE SECOND MASTER AGREEMENT

In October 1976, with the ink still fresh on the PEA's 12 component agreements, negotiations opened on the second Master Agreement. The PEA had consulted with the membership before talks began, circulating a questionnaire, forming a contract committee with representation from all components, and convening regional membership meetings where contract proposals were ratified. Feedback revealed dissatisfaction with the prolonged nature of negotiations for the component agreements, with 78% of members supporting the concept of a single component for all professionals employed within the BC public service (which was pursued in an adapted form through an all-component subsidiary agreement screening committee). Members also expressed a strong interest in improving contract language relating to the hours of work, revealing professionals' desire to maintain flexibility in work arrangements, as well as desiring improvements in the extended benefits plan.



LEFT: In the late 1970s, the PEA was a leading force within PAMEC, the Professional and Managerial Employees Council of British Columbia. PEA executive director Geoff Holter served as President of PAMEC. *Credit: Box 30, file Y.01 (External Organizations - PAMEC), PEA fonds*

This feedback shaped the proposals that the PEA's negotiating committee pursued in negotiations with the employer over the winter of 1976-1977. As a result of legislative changes introduced by the Bennett government to the Public Service Labour Relations Act and related legislation, the Treasury Board acting through a new Government Employee Relations Bureau replaced the Public Service Commission as the bargaining agent representing the BC government.

This new entity adopted a decidedly less collaborative approach in relations with the PEA than the prior commission, with the PEA informing members early in negotiations of "significant areas of disagreement" between the association and the government. The government had proposed to amend or delete 141 of 178 clauses in the Master Agreement, while the PEA was proposing 52 amendments, many minor in nature. Progress on the second Master Agreement was also impeded by the government's insistence on "package bargaining," requiring acceptance of the entire package of proposals, rather than allowing for agreement on specific clauses, as had occurred during the first round of negotiations.

Of particular concern to professionals, the BC government proposed several substantive changes to the collective agreement:

- increasing the number of excluded managers from 78 professionals to 223;
- eliminating the Joint Standing Committee of PEA representatives and management;
- eliminating the annual cost-of-living allowance (COLA); and
- removing the flexible hours provision of the agreement.

The government also proposed substantive changes to the extended benefits plans that the PEA had negotiated on behalf of professionals and proposed to limit salary increases to 1.4% over the two-year life of the agreement, amounting to a reduction in real earnings at a time of high inflation.

Early into the second round of contract negotiations (which dragged on for nearly two years until 1978), the government announced the formation of a commission of inquiry into the effectiveness of the Public Service Labour Relations Act, consisting of former Public Service Commissioner Dick Higgins. In its submission to the second Higgins Commission, the Government Employee Relations Bureau proposed that the PEA and Registered Nurses Association bargaining units be dissolved,

and that all negotiations with government employees be undertaken by the BCGEU. Not surprisingly, the PEA responded with alarm, issuing its own strongly worded submission to the commission where it suggested that retention of the licensed professionals' bargaining unit was essential for "professional morale" and for "operational efficiency of the public service."<sup>8</sup> PAMEC also threw its support behind the PEA, urging the government to oppose the recommendation "that collective bargaining for professionals in the Public Service be destroyed."<sup>9</sup>

PAMEC also weighed in on two controversial pieces of government legislation — Bill 89, amendments to the Labour Code that threatened to impede the organization of unorganized workers and widen the grounds for managerial exclusion; and Bill 91, which denied collective bargaining rights to university faculty associations — claiming the government was "pandering to employer pressure groups."<sup>10</sup> On the issue of wage controls, PAMEC issued a press release "opposing any continuation of wage controls over public sector employees after the regular controls program has lifted" and indicating its readiness to support a campaign against an extension of the controls.<sup>11</sup>

Contract negotiations between the PEA and BC government were also complicated by the government's announcement in the spring of 1977 that responsibility over BC government properties would be transferred to a new BC Buildings Corporation (BCBC) and that the Ministry of Public Works would be eliminated, raising questions over the job security of architects and other professionals employed in those areas. Negotiations ensued, aimed at ensuring any displaced employees would obtain alternative employment within the public service, at the same time that the PEA applied to the BC Labour Relations Board for successorship rights to represent those employees transferred to the new BCBC.

By the summer of 1977, the PEA was growing frustrated with the slow progress of contract negotiations, and convened regional membership meetings in eleven communities around the province "to discuss the slow progress made at the negotiating table" and "consider the various tactical alternatives to be pursued."<sup>12</sup> The greater tone of militancy within the PEA reflected a substantial departure from the strong philosophical preference of professionals to maintain a non-adversarial relationship with the employer, which was viewed as part of the professional duty to the public. However, the experience of other government employee groups in the late 1970s was fuelling a belief within the PEA that job action, or at least the threat of it, may be necessary to secure a satisfactory



settlement.

In March 1977, the Registered Nurses Association of BC and the Psychiatric Nurses Association had served strike notice on the government, with 89% of nurses voting in favour of job action after 18 unsuccessful months of negotiations. This show of strength by the nurses helped to shift the government's position, resulting in a tentative agreement within a matter of days. In the midst of the nurses' dispute, the PEA informed its members that "the collective agreement permits them to choose whether or not to cross the picket lines." This statement was cautious, but demonstrated a shift from earlier disputes prior to the collective bargaining era where professionals had openly decried job action.<sup>13</sup>

In September, the BCGEU representing the bulk of provincial civil servants threatened to strike, applying sufficient pressure on the government to secure a settlement. Geoff Holter, the PEA's executive director, suggested that professionals may soon face a similar choice, "between a completely unacceptable final government offer and job action." The "only thing" the province's Government Employee Relations Bureau responded to, according to Holter, was "confrontation and crisis."<sup>14</sup>

PEA president David Armit, a forester, discussed the dilemma facing professionals in his report to the association's fourth annual meeting, held in Victoria in October 1977. While expressing hope that "reason will prevail and the employer's representative will come to accept the merits of non-adversarial collective bargaining procedures," Armit conceded that professionals "may have to consider what job action is ... warranted" to obtain a satisfactory agreement and make "the critical individual decision" on what action they were prepared to take to ensure the employer respected the PEA.<sup>15</sup> By February 1978, *The Professional* directly discussed the prospect of a strike vote for the first time. Advising members that BC finance minister Evan Wolfe was unlikely to agree to binding arbitration, in the belief that arbitrated settlements were "too costly," "the Association's statutory option would be precisely the same as that applying to the other public service unions: the right to conduct a vote by secret ballot as to whether or not employees will strike."<sup>16</sup>

However, job action was ultimately not necessary to obtain the PEA's second Master Agreement. In March 1978, the association reached tentative agreement with the Government Employee Relations Bureau on a master and subsidiary agreement with the assistance of a



provincially appointed mediator. The agreement replaced an optional benefits package from the previous contract with lump-sum overtime compensation valued at 7% of an employee's annual base salary, payable in cash or time-off or both.

The government also agreed to provide an additional week of vacation to employees after 20 years of service (to a total of 6 weeks), to retain flexibility in working hours, to introduce a short-term illness and long-term disability plan, and to increase the employer's share of payments for dental and extended-medical benefits from 50 to 70%. Salaries increased by 5% for 1977 and 3.15% for 1978 across all occupational groups (adjusted from the Anti-Inflation Board limits of 6% and 4%, respectively, to take into account adjustments for job reclassification and benefit improvements).<sup>17</sup>

The PEA's negotiating committee and executive unanimously recommended acceptance of the government's proposals. Ballots were mailed to all members as membership ratification and information meetings were held in ten communities around the province. The association signed the second Master Agreement with the government representatives on April 18, 1978.

## 1979 STRIKE VOTE

The PEA had little respite between ratification of the second Master Agreement and resumption of negotiations with the government. In August 1978, a contract committee was established, chaired by architect David Lichtensteiger, to formulate bargaining proposals that were ratified by members at regional meetings in 12 communities the following month. While majorities at every meeting supported the committee's recommendations, a member at the Victoria meeting objected to the association's salary proposal, which the PEA noted in an update to members.

Of particular concern to the PEA entering the third round of bargaining was the growing proliferation of technical positions within the BC public service, which required professional training but not formal professional registration or licensing. "We view this trend with alarm," *The Professional* noted, "since these positions are not within our bargaining unit." These new technical positions were represented by the BCGEU, rather than the PEA, contributing to tension between the two employee groups. The PEA

requested that members submit information to PEA staff, in confidence, on this “erosion in the professional complement in the public service.”<sup>18</sup>

At the PEA’s fifth annual general meeting, held at the Victoria Labour Hall in October, president Gerry Duffield drew members’ attention to the need for solidarity in the upcoming round of bargaining, which he said

## OATH OF OFFICE AND PROFESSIONAL RESPONSIBILITY

In the summer of 1978, an agrologist in the BC Ministry of Agriculture resigned amid controversy over public comments he had made to the *Vancouver Sun* relating to work in the ministry.

The PEA’s Professional cautioned members of their obligation in the Oath of Office, a condition of employment under Section 42 of the Public Service Act:

“I will not disclose or make known any matter of thing which comes to my knowledge by reason of my employment therein, except insofar as my official duty requires me to disclose, make known, report upon, or take official action regarding the same or except insofar as I may be duly authorized to disclose or make known the same.”

While professionals owed a duty of confidentiality to the employer, the PEA reminded members of their right under the Collective Agreement to refuse to append their name to a report or government action that, in their opinion, conflicted with their professional responsibility:

“Professional Responsibility: The Employer recognizes that an employee must conduct his work in a manner consistent with the standards of conduct, code of ethics and by-laws established by his appropriate professional licensing body. No employee will be disciplined for refusal to append his name, signature and/or seal to an Employer-instructed course of action which, in the employee’s opinion, conflicts with the aforesaid standards of his licensing body, provided that in such a case the employee shall, upon request, be required to prove the violation of the relevant professional standard or code and the Employer shall have the right to seek alternative advice.” (Article 3.06)

Source: “Oath of Office,” *The Professional*, 20 July 1978; “Professionals and the Press,” *The Professional*, 2 August 1978. See also “Arbitrator upholds suspension for insubordination,” *The Professional*, 1 August 1986; “Government directive sets out standards-of-conduct rules,” *The Professional*, 25 March 1988; “Job Expectations: What’s Reasonable, What’s Not,” *The Professional*, 23 June 1992; “Standards of Conduct: What is okay, What not?” *The Professional*, 29 March 1995.

would be the toughest yet for the association. “We are an aggregation of 14 professions,” Duffield said, “thrown rather than drawn together, and our only strength in bargaining with the Government Employee Relations Bureau is our numbers ... How we maintain solidarity is entirely up to you, the membership, not the Executive.”<sup>19</sup>

The PEA’s negotiating committee opened discussions with the Government Employee Relations Bureau in October 1978. In contrast to the earlier round of bargaining, where the government had proposed “massive cutbacks” and 150 changes to the contract, the bureau proposed a more “modest” 30 proposals in its initial submission to the PEA.

While an early skirmish erupted over a government proposal that the contract extend indefinitely beyond a two-year expiry date, the employer withdrew this proposal after the PEA declared it “totally unacceptable” as granting unreasonable “leverage to the Employer.”<sup>20</sup>

Non-monetary issues were resolved fairly expeditiously and collaboratively, but talks stalled in early 1979 when the government negotiators indicated they had “no mandate” to negotiate cost items. When salary proposals were submitted in February, the distance between the PEA and the employer was evident. The province offered a 2.6% increase for 1979, at a time when the cost of living was increasing at a rate of nearly 10% per year, and on the heels of the second Master Agreement which had seen professionals’ real incomes decline by 9.4%. The government offered a further increase of 3% for 1980, far below inflation. The PEA responded to these salary proposals by demanding that annual increases keep pace with inflation and scheduled a series of membership meetings around the province.

Employees’ salary demands reflected “salary erosion caused by wage controls,” *The Professional* noted, alongside “an anticipated jump in inflation this year which would reduce the real value of salaries further.” BC woodworkers were demanding 18% increases, postal workers were demanding 17%, and the BCGEU was demanding 12%. The PEA pointed to a 1979 report by the Conference Board of Canada, which suggested that wage controls had “alienated labour and demonstrated again how governments with their pro-employer bias are quick to act against labour but slow to act for labour.” The “perceived hostility toward labour” had led to “extreme bitterness” and “dominated labour-government-business relationships in the last three years.”<sup>21</sup> This message was reinforced by the Governor of the Bank of Canada, who claimed that it was unrealistic to expect workers to accept “increases in their money incomes that fall far

below increases in consumer prices.”<sup>22</sup>

It was in this context that the PEA took its first strike vote. This decision was influenced by recent settlements in the public service, by nurses who reached an arbitrated settlement that included a 7% annual pay increase and the BCGEU which won annual increases of 8% over three years (a settlement matched for employees at the BC Building Corporation after they threatened to strike in September). This left the PEA as the only employee group in BC’s public service without a contract. Anticipating the need for an escalation in tactics, the PEA reminded members that recent history had “made it clear again and again that the provincial government is far more responsive to confrontation than it is to the collegial approach to negotiations.”<sup>23</sup>

The PEA assured professionals that if it decided to conduct a strike vote, the executive had “no intention of asking all members to leave their jobs,” in the same way that the BCGEU had “never intended to pull all 40,000 GEU public servants off their jobs.” Rather, the PEA would “develop imaginative methods for hobbling important government operations with a minimal removal of members from their jobs,” working in cooperation with “other organizations.” The PEA executive dismissed the possibility of a lock-out, suggesting the provincial government’s inclination to lock-out its employees would be “tempered by its own fear for the respect that BC organized labour has for picket lines.”<sup>24</sup> Mindful of professionals’ aversion to militant tactics, the PEA harkened back to the example of the registered nurses, who had secured a settlement in 1976 after taking their first strike vote, “despite attitudes very similar to our own regarding the strike weapon.” *The Professional* speculated that the PEA may be “reaching the same crossroads in its history.”<sup>25</sup>

The PEA reached that crossroads on September 21, 1979, when the association’s negotiating committee announced that it was breaking off negotiations with the province and recommending to the executive that “we immediately move into mediation and seek a strike mandate from the membership.” The trigger was the government’s refusal to move on important cost items, specifically salaries, cost-of-living adjustments and overtime compensation. Assuming a fighting tone, the PEA said the government was misguided if it believed that “professionals do not have the guts to stand up for self-respect and fair treatment.”<sup>26</sup>

The executive approved the strike vote and meetings were held in a dozen BC communities in late September and early October 1979, where professionals received additional information about the dispute and

voted by secret ballot on the question mandated by the provincial Labour Code: “Are you prepared to strike?” The outcome was overwhelmingly clear: a total of 919 professionals cast ballots in the strike vote (out of 993 members of the bargaining unit) and they voted 95% in favour of a strike.

The PEA held a press conference in Victoria the day after the ballots were counted, expressing its gratitude to the membership for the strong mandate and indicating its desire to proceed with mediation or, if the government was willing, arbitration. However, executive director Geoff Holter warned that if neither of these avenues produced the desired outcome, the PEA would strike if necessary “to win a fair settlement.” The strike mandate represented “a major departure from past practice in dealing with the BC Government,” the PEA noted in a press release. Members with “long connections” with the association felt “some regret” over the change in tactics: “This Association was founded on the ideal of achieving good industrial relations without confrontation and displays of power. The ideal foundered on years of employer resistance.”<sup>27</sup>

The PEA’s escalation of tactics in the 1979 contract dispute paid off. Just as strike votes had forced the government’s hand in earlier disputes involving the registered nurses and the BCGEU, the threat of job action by the PEA spurred negotiations on the outstanding issues, aided by Labour Relations Board-appointed mediator Peter Dowding, who had brought the two sides together during the previous round of contract talks. On November 2, 1979, negotiators from the PEA and the government reached a tentative agreement with Dowding’s assistance. The proposed contract fell short of an across-the-board 8% increase for 1979, but worked out to a 16% increase over the two-year life of the contract when salary adjustments and a lump-sum payment were factored in. It was “the most that could be squeezed” from the government “without a full-scale strike,” the PEA negotiating committee advised professionals in recommending ratification.

The contract was approved by a vote of 58% of PEA members at regional meetings in November 1979. This reflected substantial dissatisfaction among professionals with the salary terms, but also reluctance to defeat the government’s mediated offer and go on strike. The contract was signed with the government on November 29, 1979. In the wake of the contract dispute, the PEA received a complaint from the Association of Professional Engineers of BC (APEBC), alleging that the strike vote had violated a provision in the APEBC’s code of ethics requiring an engineer to “regard his duty to the public safety and health as paramount.” The

PEA Engineers' Chapter executive responded, pointing out that section 9 of the APEBC code of ethics required an engineer to "uphold the principle of appropriate and adequate compensation for those engaged in engineering work."<sup>28</sup> In the wake of this controversy, the PEA directed all chapters (which were organized by occupational group within the public service at that time) to arrange to meet with their respective licensing bodies "to clarify professionals' bargaining rights under the Public Service Labour Relations Act."<sup>29</sup>

	No. Members	No. Members Voting	No. Members Voting For	No. Members Voting Against	No. Members Voting Not	No. Members Voting Not	No. Members Voting Not	Total
Eng's	118	-4	+4	110	10	-2	+4	112
F. Eng's	39	-1	+2	38	26	-1	+1	26
Elec.	276	-20	+8	259	257	-4	+2	245
L.B.	35	-1	+0	34	33	-0	+0	33
Arch.	15	-1	+0	14	14	-1	+0	13
Surg.	327	-6	+7	323	290	-0	+5	299
Geom.	30	-0	+0	30	30	-0	+0	30
Surv.	10	-0	+0	10	10	-0	+0	10
D.O.	10	-0	+1	11	10	-0	+1	11
Pharm.	23	-1	+1	23	19	-0	+1	20
Physice	39	-2	+0	37	32	-0	+0	32
Physicls	69	-0	+4	73	57	-0	+3	60
Vets	12	-0	+0	12	12	-0	+0	12
Tech.	13	-0	+0	13	13	-0	+0	13
Others	2	-0	+0	2	2	-0	+0	2
<b>TOTAL</b>				<b>970</b>				<b>921</b>
								<b>95%</b>

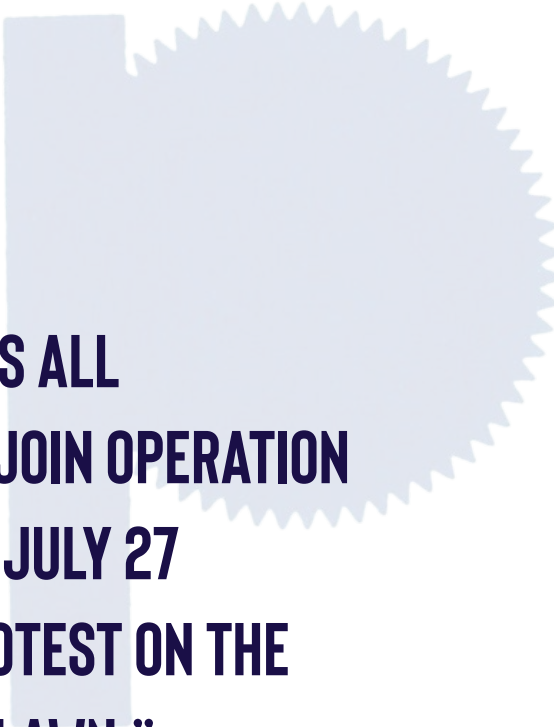
ABOVE: The PEA conducted a strike vote among professionals in the public service in 1979, with members voting 95% in favour of a strike (and 93% of members of the bargaining unit casting a ballot). This show of strength helped secure a negotiated agreement. *Credit: PEA fonds*

## CONSOLIDATION AND GROWTH

The 1970s closed with the PEA in a buoyant mood and in good administrative shape. The organization had long retired loans incurred during the first round of bargaining and had developed a modest “contingency reserve” as a safeguard for extraordinary expenditures arising during the bargaining process. The Vancouver office had relocated to Burnaby in 1977 to accommodate additional space and expand to full-time weekday service (before later returning to Vancouver in 1981).<sup>30</sup> The PEA also assumed responsibility as bargaining agent for government-employed Psychologists in January 1978, after the province introduced a licensing act for members of that occupational group.

However, there were also ominous signs on the PEA’s horizon. Growing erosion of the professional complement within the BC public service (a reflection of the proliferation of technical positions as well as ongoing managerial exclusions), spurred the PEA to consider growth outside the BC public service. In the midst of the third round of contract talks in March 1979, the PEA executive had struck a committee “to consider broadening the base of membership in the Association.” This reflected the PEA’s vulnerability to “legislative assault” and “a general feeling that our size seriously undermines bargaining effectiveness.” PEA expansion would entail “representing professionals outside of the regular public service.”<sup>31</sup>

The 1980s opened with the PEA moving in this direction of an expanded landscape while consolidating its position within the public service.



**“THE PEA ASKS ALL  
MEMBERS TO JOIN OPERATION  
SOLIDARITY’S JULY 27  
POLITICAL PROTEST ON THE  
LEGISLATURE LAWN.”**



## CHAPTER FOUR

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### 1980s: SOLIDARITY AND GROWTH

“The decade of the 1980s was a bad time to be a government employee in this province. From 1983 through the end of the decade the government of the day manifested disdain for the public service and for the notion that government had any responsibility to preserve and improve public services to the people of the province.”

-PEA memo, March 1993

In the 1980s, the PEA consolidated its role representing licensed professionals in the provincial public service while expanding into other workplaces around the province, including the Legal Services Society, Prince George School District and Vancouver Mental Health Society. The PEA also strengthened its ties with the labour movement, developing relations with the Canadian Labour Congress and BC Federation of Labour. This broadening out was shaped by, and occurred against the backdrop of, the provincial Social Credit government’s increasingly confrontational stance in collective bargaining with employee groups. Beginning in 1983 and continuing for the rest of the decade, the PEA joined with other public-sector employee organizations in mounting robust challenges to the government’s agenda of “restraint” — which entailed large-scale downsizing of employment and services and attacks on the rights and entitlements that professionals and other public-sector workers had secured through the bargaining process.

## EXPANDING BEYOND THE PUBLIC SERVICE

In March 1980, the PEA held a referendum of the membership asking two important questions:

1. “Do you agree that the Constitution should be amended” to expand the membership of the association beyond the provincial public service?
2. “Do you agree that the Executive should makes alliances and affiliations” with other employee organizations, such as the Canadian Labour Congress and British Columbia Federation of Labour?

The Executive strongly recommended affirmative votes on both questions. The initiatives were “critical” to maintaining bargaining effectiveness and adjusting “to the hard-line negotiating attitude increasingly favoured by government in dealing with licensed professionals,” the executive suggested. The government had adopted the view that collective bargaining “must be a contest of adversaries, with winners and losers.” The October 1979 strike vote had demonstrated “how responsive the government can be to a show of strength.”<sup>1</sup>

Expanding membership beyond the public service would provide the association with “greater financial and human resources for future job action,” while affiliation with the central bodies of the Canadian and British Columbia labour movements would ensure that “in future confrontations” the association’s “job action plans will be respected and supported by external organizations.”

Ballots were circulated to all members and regional meetings were held in twelve communities, with executive members on hand to discuss the proposals. Professionals responded favourably to both questions, with 77% voting in favour of expansion beyond the public service and

**RIGHT:** The PEA’s new logo, designed by government architect Tom Laszlo, first appeared in this October 1, 1980 issue of *The Professional*. It reflected members’ decision to expand their association beyond the public service, replacing the Dogwood-adorned logo with this stylized “P” signifying a professional seal. *Credit: The Professional, Oct. 1, 1980*



76% favouring affiliation with the labour movement. The PEA responded to this mandate by opening discussions with the Canadian Labour Congress and other labour bodies to negotiate terms for affiliation (a process that concluded, following several fits and starts, in 2016).<sup>2</sup>

## EXPANDING BEYOND THE PUBLIC SERVICE: FROM BCGPEA TO PEA

In March 1980, PEA members approved a change to the association's constitution to allow for membership from outside the BC public service. Since the association's formation in 1974, it had exclusively represented licensed professionals employed by the BC government, but the difficult round of bargaining in 1979 and further challenges on the horizon spurred a desire for greater stability through diversification in the association's membership ranks.

Seventy-six percent of members approved this constitutional change in a referendum vote, and the name of the association was formally changed from BC Government Professional Employees Association (BCGPEA) to the Professional Employees Association (PEA).

Before the end of 1980, the PEA had applied to the BC Labour Relations Board to serve as bargaining agent for 35 lawyers at the Legal Services Society, which was responsible for delivery of legal aid in the province. As *The Professional* reported in December, "this is the first such application since our constitutional change enabled organization of non-public service professionals and if the application is successful would give the PEA its second bargaining unit."

Other employee groups would join the PEA in the decades that followed.

On the question of expanding beyond the public service, the association's constitution was amended to officially change its name from the BC Government Professional Employees Association (BCGPEA) to the Professional Employees Association (PEA). A logo contest was launched among members, with a \$100 cash prize, to replace the Dogwood-adorned logo in place since 1975 with a new logo, reflecting the process of broadening out beyond the public service.<sup>3</sup>

## SOLIDARITY BY NECESSITY

The PEA's growing ties to the broader labour movement reflected a phenomenon that has been described as "solidarity by necessity," strengthening systems of mutual support in the face of a hostile provincial government. Within the PEA, there was a growing acceptance of thinking and acting like a trade union. Professionals maintained a strong sense of duty in their roles as professionals, while realizing that developing organizational muscle and connections with other labour groups was essential to ensure fair treatment and compensation in their working lives.

When BC nurses went on strike in the spring of 1980, the PEA executive "strongly recommended" that members "respect nurses' job action by refusing to cross their picket lines" and urged professionals to refuse to perform duties usually performed by nurses even if picket lines were absent.<sup>4</sup> The executive pointed out that the nurses had pledged to respect PEA lines during the association's bargaining dispute with the provincial government the previous year.

The PEA also ventured into the political field, joining with other public-sector unions in the spring of 1980 to protest Bill 28, the Pension (Public Service) Amendment Act, which proposed to increase the share of pension contributions paid by employees and limit cost-of-living adjustments to 8% annually (at a time when inflation was rising sharply, exceeding 11% in Greater Vancouver in 1980, and pensions were fully indexed). The PEA and other unions responded rapidly and rigorously to this perceived threat to the income security of pensioners. In a letter to the provincial secretary, the PEA described it as "astonishing and unacceptable" that the government would introduce legislation along these lines with no consultation with the affected current and former employees.<sup>5</sup>

The PEA encouraged members to participate in protest rallies in Victoria, Vancouver and Chilliwack in June 1980, a process facilitated by a Labour Relations Board ruling that found that walking off the job to attend these protests did not constitute "strikes" as defined by the Labour Code and was therefore not illegal.<sup>6</sup> The government responded to this pressure by tabling a revised piece of legislation, Bill 43, and formed a consultative pension committee with representatives from the PEA and other labour organizations. It also sought contract language in the next round of bargaining to prevent PEA members from leaving work to participate in protests such as those against the pension bill. The PEA

lambasted this proposal as “an infringement on members’ democratic rights.”<sup>7</sup>

The PEA entered contract negotiations for its fourth Master Agreement in the autumn of 1980, forming a contract committee chaired by government psychologist Dr. Judy Smith and ratifying bargaining proposals at regional membership meetings in September, which were submitted to the Government Employee Relations Bureau. When talks opened on September 26, 1980, the PEA’s negotiating team conveyed a tough stance, indicating it had no intention of spending the next year in slow negotiations and declaring that if there was no appreciable progress toward a settlement by the time the contract expired on December 31, 1980, that the PEA would “cease to talk and will seek other ways in enforcing a quick and satisfactory settlement.”<sup>8</sup>

PEA president Al Carver, an accountant, discussed the bargaining situation as well as ongoing tension with the BCGEU when the association held its annual general meeting in Victoria in October 1980. The BCGEU had vied to represent professionals in BC’s public service since the PEA was founded in 1974, Carver claimed, while professionals feared that “representation of a professional viewpoint would not be adequately served by the BCGEU” and that “employment aspirations would be lost in the general body of government employment.”<sup>9</sup>

Tensions also emerged within the PEA around this time, centring on the “red-circling” of certain employees as a result of a government-initiated Licensed Science Officer (LSO) salary settlement. A number of professionals, particular professionals in the Architects’ chapter in the public service, were unhappy with the settlement approved by the PEA executive, and proceeded to requisition a special general meeting in accordance with the association’s constitution and bylaws. At the meeting, which took place in Victoria on January 6, 1981, several resolutions were endorsed and referred to the general membership for approval in a referendum.

The resolutions proposed changes to PEA procedures for ratifying bargaining proposals and collective agreements with the employer. The first resolution, which the PEA executive endorsed and which received support of 87% of professionals in the referendum, amended the PEA’s constitution to allow a single PEA chapter within the public service to request ratification of contract proposals by mail-in ballot (the previous practice required support from three chapters for a special ballot). The second resolution, which the PEA executive “strongly rejected” and

PEA president Alan Carver described as “undemocratic, unworkable, and possibly illegal,” proposed that ratification of collective agreements would require a “double majority” — majority support of all members of the bargaining unit as well as a majority of members of each chapter. This proposal was defeated by 94% of professionals who voted in the referendum.<sup>10</sup>

Throughout the winter of 1980-81, the PEA strived to reach agreement with the government on the fourth Master Agreement. The government’s initial salary proposals, submitted in December 1980, were substantially lower than the PEA’s: 6% in 1981 for the majority of PEA members and 6.5% in 1982, in contrast to the PEA’s salary demand of 13.5% in each of the two years (against a backdrop of an 11% increase in the consumer price index in Vancouver, a rate commensurate with average pay increases achieved by employees in other collective agreements negotiated in BC around this time).<sup>11</sup> While both sides made minor concessions (to annual increases of 7.5% and 12%, respectively), the PEA intimated in *The Professional* that “negotiators are increasingly persuaded that job action may be necessary to win a satisfactory settlement.” In preparation, the association formed a Job Action Co-ordinating Committee to plan “nuts-and-bolts” logistics and circulated a job action questionnaire to all members, to “select strike targets” should a strike be necessary. Targets were selected to ensure “maximum impact is felt by the employer while the inconvenience to members is kept to a minimum.”<sup>12</sup>

An informal poll conducted in February 1981 showed that 79% of PEA members were prepared to strike, prompting the executive to authorize a formal strike vote.<sup>13</sup> Balloting was conducted at regional membership meetings in twelve communities in late February and early March 1981, under the supervision of Labour Relations Board observers as mandated in the Labour Code. The strike vote focused on the PEA’s demand that all outstanding issues, including the salary issue, be settled through binding arbitration, a demand that the Government Employee Relations Bureau had rejected. “GERB knows that its position would not stand up in arbitration,” the PEA informed members, “and so the Bureau continues to reject the arbitration option.”<sup>14</sup>

## A GREATER UNITY

The PEA's increasingly militant approach to collective bargaining reflected a pattern within BC's public sector and a trend toward greater unity with the broader labour movement. In the spring of 1981, the PEA executive had made a "very strong recommendation" to professionals to respect picket lines of striking BC Telephone Company workers and CUPE municipal workers who were on strike in the Lower Mainland.<sup>15</sup> When CUPE workers at the Greater Victoria Public Library picketed an office building in downtown Victoria shared with the BC Ministry of Highways in May 1981, 940 Blanshard, the PEA re-iterated this recommendation that professionals "exercise their contractual right to refuse to cross the CUPE picket lines."<sup>16</sup> PEA executive director Geoff Holter sent a strongly worded letter to an engineer at the Highways Ministry who had crossed the CUPE picket lines.<sup>17</sup>

The PEA also sought to strengthen solidarity within the language of its Master Agreement. In the 1981 contract talks, the association had proposed a clause to allow professionals to refuse to perform work that would otherwise be performed by an employee who was on strike, responding to management efforts during the 1980 nurses' strike to have PEA members perform this work.<sup>18</sup> When the BC Federation of Labour imposed a "hot edict" on government transportation vehicles during a labour dispute at the Insurance Corporation of BC in June 1981, the PEA advised its members that while they did not technically have a provision in their collective agreement allowing them to refuse to operate "hot" equipment, the Executive recommended that professionals "endeavour — short of refusing a direct order — to avoid operating 'hot' Government cars on employer business."<sup>19</sup>

In the summer of 1982, the need for solidarity was again emphasized by the PEA. The BCGEU went on strike against the provincial government, after contract negotiations stalled in the face of a substantial gap between the rate of inflation and the government's salary offer. While acknowledging that professionals' codes of ethics required them to conduct themselves in a manner that would "not endanger public health and safety," the PEA executive urged members, "wherever possible, to refuse to cross any BCGEU picket line that may be encountered in the coming days."<sup>20</sup> Despite this unanimous recommendation from the executive, some PEA members refused to respect the BCGEU picket

## STRIKE NOTICE: MARCH 1981

On March 20, 1981, the PEA served 72 hours strike notice on the BC government – the first time in the history of the association that government licensed professionals had initiated job action.

Earlier that month, PEA members had voted 88% in favour of a strike (with 90% of professionals casting ballots). At issue in the contract negotiations was the government's salary offer, which at 7.5% annually fell far below the rate of inflation (which the consumer price index pegged at nearly 13% in Vancouver in 1981). The PEA demanded a 12% annual increase and requested binding arbitration to reach a settlement.

Upon serving strike notice, the PEA notified the BC Federation of Labour of the particulars of its strike intentions, to ensure that other unionized workers respected PEA picket lines. The PEA Strike Committee had selected "strike targets" with the "objective of producing maximum pain on the government, minimum inconvenience to PEA members."

The threatened job action helped to narrow the distance between the PEA and the employer – with the government increasing its salary offer to 8% in the first year and 12% in the second year of the collective agreement; the PEA, for its part, indicated a willingness to have the 1981 increase "staged" over the year.

Hours before the strike was scheduled to begin, the parties reached a tentative agreement. Professionals would receive an 8% increase effective January 1, 1981 and a further 2% effective August 1, following by 12% in 1982. Physiotherapists and pharmacists would receive additional increases commensurate with market conditions.

PEA members approved the agreement with an 86% ratification vote and the contract was signed in April 1981, averting a strike. However, the association acknowledged that "the flow of information to all regions... was insufficient in the critical final stages of negotiations." Many members learned of the tentative agreement via media reports, rather than through the PEA, and there was confusion over whether or not they should strike. The association executive pledged to improve communications in the next round of bargaining.

Source: "PEA serves walkout notice after 88% strike mandate given," *The Professional*, 23 March 1981; "Tentative agreement reached, strike averted," *The Professional*, 23 March 1981; "86% ratify tentative agreement," *The Professional*, 14 April 1981; "Executive to study communications improvements," *The Professional*, 30 April 1981.



lines, prompting an uproar from the strikers. A BCGEU member wrote in the Victoria newsletter of Local 1201 that he was “mad enough to spit” at PEA members for crossing the picket lines. PEA executive director Geoff Holter responded, pointing out in a letter to the editor that: “Professionals have fortunately never had to ask your members to respect PEA pickets.”<sup>21</sup> Meanwhile, PEA members rejected a proposal from the Engineers’ chapter at the 1982 annual general meeting that would have increased membership dues from 1% to 1.3% for a 12-month period (to reimburse professionals for lost income during the BCGEU strike). A subsequent constitutional amendment was approved by referendum vote, requiring ratification of any dues increase through a mail-in ballot.<sup>22</sup>

The PEA was also taking steps to strengthen ties with other groups of professional workers across Canada. In 1980, it had contributed \$1000 toward the Association of CAE Engineers & Scientists in Quebec during a strike of professionals in that province. Later in the decade, it would support members of the Professional Institute of the Public Service of Canada (PIPSC) in opposing federal cutbacks to the National Research Council.<sup>23</sup> While the Professional and Managerial Employees Council of BC (PAMEC) dissolved in the face of inactivity (with the \$3000 remaining in its treasury disbursed to member associations), renewed efforts were afoot to form a national umbrella organization of professionals in Canada. In May 1981, delegates at a conference in Toronto decided to form the Network of Professional Employee Organizations (called simply the “Network”). Consisting of representatives from organizations including the PEA, PIPSC, the Federation of Engineering and Scientific Associations, the Canadian Teachers Union and the Canadian Association of University Teachers (CAUT), the Network served as a national forum for sharing information and best practices. A national conference was held in November 1983, examining the bargaining position of professional workers in what it described as “the post-controls period,” and the organization continued to operate until the mid-1980s.<sup>24</sup>

Notwithstanding these moves toward greater solidarity and cooperation, there were also examples of more narrow attitudes in the PEA’s ranks. For example, in January 1981, the PEA executive had refused a request from a member on Vancouver Island for a monetary contribution toward the Special Olympics, deciding that “donations to any charitable cause should be made on an individual basis by its members.” Consistent with this philosophy, the PEA executive endorsed

individual contributions to local food banks in 1983. “One sign that we are in the midst of a recession is the emergence of a new phenomenon, food hamper collection boxes,” the association informed professionals, referring to boxes that had appeared around government offices to supply unemployed workers with the basic necessities of life. “Your executive endorses these efforts and encourages all PEA members to donate whatever staple items they can to food bank collection boxes.”<sup>25</sup>

## “RESTRAINT” AND OPERATION SOLIDARITY: 1983

In the summer of 1983, a major confrontation erupted between the British Columbia government and public-sector employee groups, including the PEA. The catalyst was the “restraint” agenda of Premier Bill Bennett, introduced by the government after it received a renewed mandate in a general election and consisting of 27 legislative bills relating to the scope of public services, the bargaining rights of employees, and social entitlements from rent control to human rights. The wholesale attack on public-sector employees’ jobs and broader social rights impelled PEA members to join with labour and community organizations in a historic mobilization against the government.

At the time of the May 1983 election, the PEA had been in the midst of stalled contract talks for its fifth Master Agreement between government licensed professionals and the provincial government. Despite early signs of progress, which led PEA negotiators to believe that a settlement “might be imminent,” the Government Employee Relations Bureau revealed that it had no mandate from the Treasury Board to negotiate salary levels with the association.<sup>26</sup> The PEA had initially approached the round of negotiations “in a spirit of co-operation and restraint,” but warned the bureau that it was “under pressure to resort to more conventional labour relations approaches,” which would become “irresistible” if no progress was made.<sup>27</sup> When the government refused to return to the negotiating table after the election, the PEA filed a complaint with the Labour Relations Board, alleging that the government was “failing to comply with its statutory obligations to negotiate.”<sup>28</sup>

The contract talks between the PEA and the province were eclipsed in July 1983 when the Bennett government introduced its package of bills in the Legislature. In a special edition of *The Professional*, the PEA described the legislation: “Bill 3, the Public Sector Restraint Act, proposes to give all public sector employers the unfettered right to discharge any

of its employees ‘without cause,’” cancelling job-security provisions in existing collective agreements and making future job-security provisions null and void. “It would empower the government to fire any public service PEA member.” Another piece of legislation, Bill 2, the Public Service Labour Relations Amendment Act, eroded the bargaining rights of public-sector employees, empowering the employer to unilaterally alter work schedules, determine job classifications and nullify flextime and modified work weeks. Bill 11, the Compensation Stabilization Act, proposed that the “employer’s ability to pay” be treated as the overriding consideration when determining pay increases, that wage controls be extended indefinitely, and that permissible pay increases be reduced from 0 to 9% to the range of -5 to +5%.<sup>29</sup>

In a meeting with provincial secretary James Chabot, PEA executive director Geoff Holter said that the government’s failure to consult on the far-reaching legislation had undermined the stated goal of “improved productivity,” with professionals who had hitherto considered themselves to be “valued participants in the government’s plans and operations” feeling they had been “cast aside” in a “callous” manner.<sup>30</sup>

The PEA moved quickly in the wake of the premier’s announcement, joining with the BC Federation of Labour and other provincial unions in responding to the provincial government’s agenda. The labour organizations formed “Operation Solidarity,” a ten-point program to provide coordination and impetus to a provincial campaign to defeat the legislation, which would soon marshal under the banner of the Solidarity Coalition. A strategy of mass demonstrations was initiated in the summer of 1983, with future plans escalating toward province-wide job action. As the PEA informed members on July 20, 1983:

“The PEA supports Operation Solidarity’s July 27 political protest on the Legislature lawn, 3:00 pm.

The PEA asks all members to join in the July 27 political protest.

The protest rally is not a strike. A Labour Relations Board decision re the 1980 pension protest affirms employees’ right to join in such political protests.”

When public-sector employers filed a subsequent application to the Labour Relations Board the day of the Victoria protest, requesting that work stoppages to attend the protest be declared illegal strikes, the application was similarly denied. Professionals were therefore free to attend the protest without being accused of “breaking the law,” though the PEA advised that their pay would likely be docked.<sup>31</sup>

The PEA's growing openness to militancy did not translate into a wholesale abandonment of professionals' traditionally cautious stance. As provincial government employee John Macwood informed the association headquarters in July 1983, land surveyors were "willing to contribute more money to [the] anti-rights fightback, but no general strike." This ambivalence reflected a common characteristic running through the PEA's history — the tension between members' sense of professional duty and their willingness to stand up for dignity and fairness in their working lives. The impact of the government's "restraint" legislation and budgetary cutbacks was felt as professionals began to receive layoff notices in the public service and beyond, from psychologists and engineers employed by the BC government, to a lawyer employed by the Legal Services Society, to a social worker at Greater Vancouver Mental Health.<sup>32</sup>

In August, the PEA urged its members to join an Operation Solidarity rally at Vancouver's Empire Stadium and to assist with Operation Solidarity initiatives in regions throughout the province "from Nelson to Nanaimo." As was the case with previous actions, the Empire Stadium rally was scheduled during working hours to demonstrate that "public sector employees are willing to make personal sacrifices" and "that Operation Solidarity is willing to disrupt the operations of public sector employers if that is necessary to win fair legislation."<sup>33</sup> The PEA also urged members in Victoria to fill the gallery of the BC Legislature during debate on the contentious bills, commending the Official Opposition for "waging an effective fight against the legislation" and urging members "to support them" — one of the first partisan statements that appeared in the pages of *The Professional*.<sup>34</sup>

As PEA executive director Geoff Holter told members at the association's annual general meeting in 1983, the government's unilateral attempt to rewrite the rules governing the association's activities and its members' working lives had led the PEA to break "with past traditions of neutrality on political questions, of avoiding public confrontations, of trying to distance ourselves from some of the more strident and militant positions of the mainstream of the labour movement."<sup>35</sup>

The campaign against the government's "restraint" agenda was imbued with increased urgency when draft amendments to the BC Labour Code were leaked in August 1983, intended "to completely undo the current Labour Code, which is viewed as a model on this continent, and which has provided ten years of unprecedented stability and peace



ABOVE: PEA members joined tens of thousands of trade unionists and community allies at demonstrations such as this one at Vancouver's Empire Stadium in August 1983, part of the Operation Solidarity movement against the provincial Social Credit government's "restraint" agenda. *Credit: Labour Heritage Centre*

in labour relations in BC." The PEA was particularly concerned with the proposed amendments, believing the government's failure to consult with employee organizations risked provoking "massive disruption" and that politicization of the Labour Relations Board would lead to a "lack of confidence" in the agency.<sup>36</sup>

In the midst of the Solidarity mobilization, the president of the Professional Institute of the Public Service of Canada (PIPSC), Jack Donegan, sent a telegram to Canadian Prime Minister Pierre Trudeau on behalf of the PEA, expressing concern over BC's "restraint" program and drawing the prime minister's attention to the federal power to disallow provincial legislation: "In addition to the powers of reservation and disallowance contained in section 90 of the British North America Act,

the federal government has far reaching leverage over the provincial governments through its shared cost and other funding programs... leverage which must be used now, to prevent the denial of basic human rights and freedoms in the province of British Columbia.”<sup>37</sup> The PEA also joined a BC Supreme Court action against the government, along with the BC Federation of Labour and BC Teachers’ Federation, asserting that Bills 2 and 3 violated the freedom of association provisions of the recently adopted Canadian Charter of Rights and Freedoms, and were therefore unconstitutional.<sup>38</sup>

A year earlier, the PEA and partner unions representing professionals across Canada had submitted an appeal to the International Labour Organization (ILO) in Geneva against the federal Public Sector Compensation Restraint Act (Bill C-124). However, the ILO’s response represented a rebuke of the union’s position, finding that Bill C-124 did not unduly interfere with the right of workers under the International Convention on Freedom of Association and Protection of the Right to Organize “to participate in the determination of their terms and conditions of employment.”<sup>39</sup> Even so, the ILO would later send a mission to Canada to investigate “deteriorating labour relations between four provincial governments and their employees,” with particular reference to the loss of job security in BC and the Compensation Stabilization Program, which it found to be in violation of Convention 98 of the ILO and “contrary to the principles of voluntary collective bargaining.”<sup>40</sup>

By November 1983, a number of unions, from the BCGEU to the teachers’ federation to the woodworkers’ union, representing tens of thousands of workers in the private sector, had pledged support for a province-wide general strike to force the Social Credit government to back down on the 27 bills. The proposed political strike was coordinated around the contract negotiations of BCGEU members and other public-sector employees, who were in a legal strike position: the PEA, BC Nurses’ Union (formed out of the Registered Nurses Association of BC), Health Sciences Association, Hospital Employees Union, firefighters in the Lower Mainland, and CUPE workers at municipalities and school boards throughout the province.<sup>41</sup> Workers in these various unions would join the BCGEU in an escalating job action to force the government to back down. Reflecting this strategy, the PEA earmarked \$100,000 to compensate professionals in the public service and Greater Vancouver Mental Health for lost wages for respecting BCGEU picket lines (\$53,000 of this reserve was ultimately paid out).<sup>42</sup> Premier Bill Bennett had earlier



announced that the Legislature would recess indefinitely for a “cooling off” period, suspending passage of the contentious legislation, as tens of thousands of protesters marched past the governing Social Credit party’s annual convention in Vancouver.

**What are people doing about it?**  
**S**o people are angry. More than 100,000 British Columbians have joined together at rallies to protest the budget and the new laws. People are telling the Premier and their MLAs by phone, at meetings, in person and by letter that the legislation must be withdrawn.

People are working with the **Solidarity Coalition**. The **Coalition** includes religious groups, community groups and labour groups. A majority of British Columbians are members of one of the groups in the **Coalition**.

**What does the Solidarity Coalition want?**  
**T**he government didn't tell you what it planned to do before it got elected. It didn't give you a fair chance to decide. That is not responsible government.

The **Solidarity Coalition** wants responsible government, a government that listens to the people. The **Solidarity Coalition** warns the government to withdraw its legislation and to initiate a broad public discussion with all British Columbians.

For more information, and if you want to help, contact us at:  
 8th Floor, 606 W. Broadway,  
 Vancouver, B.C. V5Z 1G7  
 873-6322

**OPERATION Solidarity COALITION**

**OPERATION Solidarity COALITION**

**The People of B.C. are SPEAKING OUT!**

ABOVE: Leaflet distributed by Operation Solidarity, 1983.  
 Credit: Box 24, PEA fonds

The united front displayed by the BC labour movement and community organizations represented one of the widest displays of solidarity in the province's history. It represented years of careful organizing in workplaces and communities throughout the province, as well as the depth of public anger toward the government's agenda. When the BCGEU went on strike in late October 1983, "Well over 90%" of PEA members in the BC public service and Greater Vancouver Mental Health respected the picket lines, *The Professional* reported.<sup>43</sup> On November 7, BC school teachers joined the government workers in an illegal strike. The following week, tens of thousands of private-sector workers were scheduled to join the political strike.

However, at this high-water mark of working-class mobilization, the Solidarity challenge was contained, as the leader of the woodworkers' union, BC Federation of Labour vice-president Jack Munro, reached an agreement in the premier's Kelowna home averting the planned province-wide general strike. In exchange for concessions on the planned cuts to the public sector and other aspects of the contentious labour legislation (including the possibility for unions to negotiate exemptions to the job-security provisions of Bill 3), the provincial unions agreed to stand-down their challenge. Many community organizations felt that their issues, including attacks to tenants' rights, the Human Rights Code and women's services, had been sidelined by the labour movement in this "Kelowna Accord." The PEA was silent on the accord and the broader Solidarity mobilization in the next issue of *The Professional*.<sup>44</sup>

Contract talks between the PEA and the BC government resumed at a slow pace in 1984, with the PEA renewing its complaint to the Labour Relations Board that the employer was failing to negotiate and requesting that a mediator be appointed to resolve the dispute. The Job Action Co-ordinating Committee was requested to prepare for "potential strike action." PEA members, meanwhile, grappled with their response to the job-security implications of Bill 3, the Public Sector Restraint Act, which came into force notwithstanding the Kelowna Accord and allowed the government to unilaterally terminate employees in the absence of a negotiated exemption. Several members took issue with a suggestion arising from an informal "straw pool" that terminations be decided on the basis of seniority. In April 1984, the PEA and government negotiators reached a tentative agreement, providing for job-security within "seniority bands" and a 0% pay increase for 1983 and 5% divided over 1984 and 1985. The agreement marked a sharp reduction from



salary increases professionals had received in previous years, but it also included the “best” layoff and job-security provisions that PEA negotiators believed were possible “in the political and economic circumstances.” PEA members ratified the agreement in May 1984 and it was signed the following month.<sup>45</sup>

Parallel to this process, the BC Legislature approved amendments to the Labour Code, changing the definition of a strike to make it illegal to leave work to attend political protests. This represented a direct response to the participation of public-sector workers in the 1983 Solidarity demonstrations and the earlier 1980 pensions protests, instances where public-sector employers had failed to have these protests declared “illegal” by the labour board and the courts. The Labour Code amendments, which were adopted in May 1984, also imposed more restrictive requirements for picketing, union certification, and initiation fees, while lowering the threshold for members of a bargaining unit to initiate a decertification vote.<sup>46</sup>

## **SOCIAL UNIONISM**

The PEA’s involvement in Operation Solidarity and the impact of Bennett’s “restraint” agenda on professionals demonstrated the need for closer ties with other labour groups and community organizations. Executive director Geoff Holter continued to serve on the steering committee of Operation Solidarity, strengthening face-to-face relationships with other public-sector employee organizations. When the BCGEU went on strike in the summer of 1984, that union’s Victoria newsletter commended the PEA for its stance in support of the striking workers:

The Professional Employees’ Association has been supplying coffee and donuts to our pickets city-wide from 9 a.m. to 3 p.m. over the past several days. Although a few soulless PEA members have been oozing over our picket lines, the BCGEU has received whole-hearted support from the professionals’ Association. The PEA is contacting those of their members who are crossing the lines and discouraging them from doing so. That’s the ‘Right Stuff,’ PEA!!<sup>47</sup>

Solidarity was also revealed on the Lower Mainland, when a PEA member in the Greater Vancouver Mental Health chapter walked a picket line in support of striking theatrical workers at the Famous Players theatre in downtown Vancouver. She wrote to the PEA, however, expressing dismay that a member of her chapter executive had refused to honour the picket

line, and suggested that the PEA begin providing an updated list of strikes and lockouts in *The Professional*, to keep members informed of ongoing labour disputes with a view toward greater solidarity. While PEA staff responded that they had received instructions from the executive not to publish such information (in the view that it “could be more divisive than helpful” given “the feelings of some members re Solidarity and the BC Fed”), *The Professional* included a report a few months later advising PEA members that the Canadian Labour Congress and BC Federation of Labour had called for a boycott of Eaton’s department stores, to support workers striking for union recognition and a first contract.<sup>48</sup>

The growing mood of solidarity loosened the PEA’s long-standing aversion to engaging on wider social issues. In 1984, the association’s president, Michael Wyeth, wrote to the Minister of Health urging him to “repudiate in the clearest possible terms” statements made by a medical health officer in the Okanagan, Dr. Michael Clark, to the effect that victims of Acquired Immuno-Deficiency Syndrome (AIDS) “deserve what they get.” Wading into a debate over the AIDS crisis that was raging across North America, the PEA, citing its role representing professionals in the health field, found Dr. Clarke’s “peculiar notions of morality to be offensive” and stated that the comments were “completely unacceptable” coming from a person responsible for the administration of public health.

While the association maintained its primary focus on protecting and advancing the interests of professionals in the workplace, it was beginning to develop the characteristics of “social unionism,” a growing awareness that conditions facing employees on the job could not be separated from wider social questions tied to human rights and the liberation of women, sexual minorities and other marginalized groups. In 1985, the PEA advised members of a conference on “Creating Social Change” taking place at the University of Victoria, featuring a keynote address by Canada’s ambassador to the United Nations, Stephen Lewis, on the subject of “International Aspects of Human Rights.”<sup>49</sup> In 1986, government engineer Mike Wei urged PEA members to contribute “tools, equipment and money” for civil war-ravaged Nicaragua as part of the national “Tools For Peace” initiative organized the Coalition of Aid for Nicaragua.<sup>50</sup>

In the 1986 provincial election, the PEA considered a “Political Action Program for the BC Labour Movement,” prepared by the BC Federation of Labour with a clear objective: “to elect an NDP government.”<sup>51</sup> The tensions

and energies generated in response to “restraint” and the Solidarity movement were increasingly channeled into electoral strategies for improving the collective bargaining relationship. However, while the New Democratic Party received 42% of ballots cast, Social Credit (led by Bill Vander Zalm, who had replaced Bill Bennett as premier in August) was re-elected to a fourth consecutive term in office, setting the stage for further confrontation with public servants and their organizations.

## VANDER ZALM AND “RESTRAINT, ROUND TWO”

In the late 1980s, there was a fresh round of militancy and strikes in BC’s public sector, as the Vander Zalm Social Credit government embarked on a renewed drive for “restraint.” The Government Personnel Services Division had replaced the Government Employee Relations Board as the primary contact between licensed professionals in the PEA and the province in 1985, in anticipation of changes in an amended Public Service Act. While the government had consulted with the PEA prior to introducing the legislation and provided an assurance that it had “no intention of using Bill 35 to abridge negotiated rights,” it introduced subsequent legislation that unilaterally removed internal auditors from the PEA and BCGEU bargaining units, who accounted for the majority of accountants in the PEA’s public-service bargaining unit and 300 BCGEU members.<sup>52</sup>

The PEA negotiated a new Master Agreement with the province in 1986, after Finance Minister Hugh Curtis announced that no money was budgeted for salary increases and the association pledged to pursue “a business-as-usual attitude” in negotiations. The government had signalled a shift in tone at the outset of negotiations, when it invited well-known industrial relations consultant Roger Fisher, author of the book *Getting to Yes*, to address government and union negotiators. However, a bargaining proposal calling for “greater management presence in the ministries” provided cause for concern and the PEA accused the government of “wasting time.”<sup>53</sup>

The association had developed “processes for ongoing consultation” with the BCGEU, BC Nurses Union and Union of Psychiatric Nurses, reflecting face-to-face relationships forged in Operation Solidarity. When BCGEU members voted 83% in favour of a strike in 1985, the PEA executive unanimously recommended that professionals honour “all bona fide

picket lines” and earmarked \$250,000 to compensate professionals for lost income (as had occurred during Operation Solidarity). The PEA suggested that “BCGEU’s new leadership is working hard to conclude collective agreements without striking,” as president John Shields announced that the Expo ’86 site would not be a strike target, to avoid making the contract dispute an election issue.<sup>54</sup>

Between 1982 and 1984, labour’s share of the national income in Canada had declined from 76 to 71%, reflecting legislative constraints on collective bargaining that produced salary settlements far below the rate of inflation, leading to pent-up demand to make up for lost ground. However, employees and their organizations were bruised from past battles with employers, and increasingly risk-averse in the face of ongoing job losses and the growing phenomenon of contracting out. When PEA and government negotiators reached a tentative agreement in September 1986 providing for a 5% salary increase over the life of a 35-month agreement, professionals ratified these terms (notwithstanding an inflation rate of about 4% annually). Professionals in the BC public service appear to have been adapting their expectations to the “new reality” of “restraint”.<sup>55</sup>

However, in April 1987, the Vander Zalm government introduced legislation that reinvigorated the PEA and other public-sector unions. As the association informed its members, Bill 19, the Industrial Relations Reform Act, posed “a grave threat to the whole range of collective bargaining rights enjoyed by PEA members.”<sup>56</sup> The legislation retained wage controls while imposing further barriers in the path of the certification and organization of new groups of workers, as well as the right of workers to strike. A new Industrial Relations Council was proposed with the authority to outlaw strikes that threatened a vaguely defined “public interest.” The PEA wrote to Premier Vander Zalm describing Bill 19 as “a mistake” and requesting that the legislation be withdrawn, noting that “until April 2, the scene was relatively quiet and tranquil” and that the introduction of the bill had “disturbed that tranquility.”<sup>57</sup>

The PEA mobilized in concert with the BC Federation of Labour and other unions to oppose the legislation and negative impacts it entailed for members. While the government took a brief pause and agreed to “tinker” with the legislation, its main elements remained intact, prompting united labour action on a scale not seen since Operation Solidarity.<sup>58</sup> On June 1, 1987, an estimated 300,000 union members across BC participated in an illegal 24-hour general strike against Bill 19, coordinated by the BC Federation of Labour. Job action on this scale was unprecedented in

the province's history, involving workers employed in diverse sectors of the economy, from the public service, health and education to forestry, transportation and tertiary services. PEA members in all bargaining units including the BC public service, Greater Vancouver Mental Health and Prince George School District participated in the June 1st walkout. In Prince George, the School District filed a grievance against PEA members for failing to report for work, while the PEA asserted its right to respect picket lines, even "community pickets" unrelated to a contract dispute.<sup>59</sup>

The Vander Zalm government attempted to curb more protests of this nature, seeking an injunction from the BC Supreme Court alleging that the unions were engaged in "sedition" by attempting to subvert provincial policy through unconstitutional methods. However, the labour federation's legal counsel, former supreme court judge and BC NDP leader Tom Berger, successfully defeated this line of argument and killed the injunction application, describing the attorney general's legal action as "an assault on fundamental freedoms so complete that it ought not to be countenanced in a free and democratic society."<sup>60</sup> Ken Georgetti, president of labour federation, declared defiantly: "If protesting that law by refusing to work for one day is sedition, then they might as well pack me off to jail right now."<sup>61</sup>

In the wake of the June 1st protest strike, the PEA and other unions took steps to boycott Bill 19 "and the agencies and procedures contemplated in it." The executive approved a \$2 per capita levy to support the BC Federation of Labour's campaign against Bill 19 and advised arbitrators that they would no longer be considered "neutrals" if they accepted appointments under the new Industrial Relations Council. In September 1987, PEA delegates attended a conference in Victoria organized by the provincial labour federation, where details were mapped out for the boycott of Bill 19 and an extensive organizing drive to bring collective bargaining to unorganized workers, "acting outside the normal legal framework but within the law." When the legislation became law in early 1988, the PEA executive re-affirmed support for a 10-point BC Federation of Labour plan to boycott Bill 19 and its procedures and mobilize public opinion against the legislation as well as privatization and government cutbacks.<sup>62</sup>

Meanwhile, the government introduced further uncertainty into the BC public service when it announced that it was considering the privatization and decentralization of services beyond Victoria, which threatened to impact as many as 10,000 employees in the PEA and

other unions who worked in the city.<sup>63</sup> Premier Vander Zalm inflamed PEA members when he told a Social Credit party fundraising dinner in Kamloops that provincial civil servants in Victoria would have to “use their feet instead of their seat,” prompting the association to demand an apology for “unwarranted, unfair and insulting” comments.<sup>64</sup> Major reorganizations within the BC Ministry of Forests and Lands and the Ministry of Energy, Mines and Petroleum Resources raised uncertainty over the job security of PEA foresters, engineers and other professionals, notwithstanding government assurances that “downsizing” or layoffs were not intended.<sup>65</sup>

## NEW BARGAINING UNITS

The PEA expanded its operations in new directions in the 1980s, extending the benefits of union protection to professionals in the legal services, education and community health sectors. This followed on the heels of constitutional amendments that expanded eligibility for membership beyond the BC public service. Lawyers at the Legal Services Society were the first new group of professionals to obtain bargaining rights through the PEA, as discussed above. In February 1983, PEA organizer Bob Wiseman urged professionals to “help to bring new bargaining units into the Association,” citing licensed and unlicensed professionals in municipalities and large private-sector companies including “unrepresented economists, planners, social workers, child care workers, biologists and other professionals who may desire the benefits of collective bargaining.”<sup>66</sup>

In February 1984, the PEA applied to the Labour Relations Board to represent professionals employed at Prince George School District No. 57, “one of the larger school districts in the province” extending to the Alberta border. At its inception, the bargaining unit included 24 psychologists, social workers, occupational therapists and speech pathologists. The PEA received certification in the spring of 1984 and commenced bargaining that May, ratifying an agreement with the employer after efficient and productive negotiations in October 1984.<sup>67</sup> Subsequent rounds of negotiations were more challenging, with the School District seeking changes to contract language in 1987 that would limit picketing, reflecting PEA members’ participation in the protest strike that year against anti-labour Bill 19. In 1989, the PEA reached an

## THE LEGAL SERVICES SOCIETY: THE PEA'S FIRST "NEW" CHAPTER

In February 1981, the PEA was certified by the BC Labour Relations Board as bargaining agent representing 35 lawyers employed at the Legal Services Society, which was responsible for delivery of Legal Aid in BC. This followed constitutional amendments in 1980 that broadened PEA membership eligibility beyond the BC public service.

The PEA's application for certification was uncontested, as the association reached agreement with the society on the exclusion of six management positions and assured the BCGEU, which represented clerical staff, that "no overlap" with the existing bargaining unit was intended.

Within a month of receiving certification, the Legal Services Society lawyers nearly found themselves behind picket lines, when the BCGEU clerical staff contemplated a strike (which was subsequently averted through negotiation).

The PEA proceeded to form a distinct chapter for the Legal Services bargaining unit, circulated a draft constitution, and held elections for an executive.

In June 1981, negotiations for a first contract opened with the employer. Members had been canvassed on contract proposals and a negotiating committee was formed. Despite early signs of progress, negotiations stalled during the summer over salary and other issues, at a time when inflation in Vancouver approached 14%. However, in September the PEA reached a tentative agreement with the Legal Services Society, agreeing to a staged pay increase of 17% as well as job security, professional development and discipline provisions. Lawyers ratified their first contract, which was signed in October 1981.

The second round of bargaining was more difficult, occurring in the context of funding cuts to the society and corresponding management proposals to lay-off PEA members. After six months of difficult negotiations, PEA members agreed to an extension of the original contract, and a subsequent agreement was not ratified until the autumn of 1983, providing for a modest salary increase and other benefits.

In the years that followed, the Legal Services Society lawyers built on this foundation, pursuing dignity and fairness in their working lives and accessible legal services across the province, before facing massive change in the 2000s.

Source: "PEA serves walkout notice after 88% strike mandate given," *The Professional*, 23 March 1981; "Tentative agreement reached, strike averted," *The Professional*, 23 March 1981; "86% ratify tentative agreement," *The Professional*, 14 April 1981; "Executive to study communications improvements," *The Professional*, 30 April 1981.



agreement providing a 14.7% salary increase over two years.<sup>68</sup>

In the Legal Services Society bargaining unit, the lawyers approved a three-year contract in 1987 following months of difficult negotiations and a strike vote, as the BC government reduced funding for the society, impacting the provision of accessible legal services in the province. To ramp up pressure on the employer with a view toward a fair settlement, Legal Services lawyers voted 86% in favour of job action. The main issue was improved salaries, which were “considerably below those of other government-employed lawyers.” During the negotiations, the PEA and BCGEU had agreed to co-operate, with representatives of the respective Legal Services bargaining units attending each others’ bargaining sessions as observers. “Divide-and-conquer is a favourite device of management in collective bargaining and anything which disarms that device will benefit employees,” the PEA noted. In August 1987, the Legal Services lawyers rejected an employer offer with an 83% vote, and prepared to go on strike. At the eleventh hour, on August 14, PEA negotiators reached a tentative agreement with the society, which was subsequently ratified by the lawyers, averting what would have been the first contract strike in the PEA’s history.<sup>69</sup>

Another new bargaining unit organized by the PEA in the 1980s represented librarians employed by the Okanagan Regional Library in the BC interior. The association was certified by the Labour Relations Board to represent the 13 librarians in January 1988. They formed a chapter executive and elected Linda Buker as founding president, before entering into negotiations for a first contract, which was signed in September 1988 and provided the librarians with a 9% salary increase over the life of a two-year agreement.<sup>70</sup>

There were also setbacks for the PEA on the certification front. In February 1984, the BC Labour Relations Board denied an application to represent adult educators employed by the Burnaby School Board (notwithstanding a vote of 85% in favour of representation with the PEA), suggesting the proposed bargaining unit represented “a narrow segment of an appreciably larger body of employees.” This decision followed a year of hearings before the labour board and a complaint from the PEA that the employer had eliminated programs in order to shrink the scope of the proposed bargaining unit.<sup>71</sup>

The PEA also lost several bargaining units that were certified in the 1980s, in the face of government cutbacks to the non-profit societies that delivered the services. In 1983, it had received certification to



represent 35 psychologists, speech therapists, teachers and child care workers offering residential treatment and day programs for children with learning disabilities at Cedar Lodge in Cobble Hill on Vancouver Island. The professionals had achieved a first contract that included an innovative endorsement by the employer of the concept of a “democratic” workplace. However, the provincial government and Cowichan School Board withdrew funding for the programs in 1985, leading to the winding down of the society and the layoff of all members of the bargaining unit. The PEA explored legal options to secure successorship rights, but concluded “it was not a reasonable course to pursue.”<sup>72</sup>

Another PEA bargaining unit organized in the 1980s, which is no longer represented by the association, consisted of several hundred professionals at the Greater Vancouver Mental Health Service Society. The bargaining unit was certified in July 1983 to represent more than 100 professionals providing community-based psychiatric services at 14 locations in Vancouver and Richmond. The members obtained their first collective agreement in August 1984 — after tense negotiations in which the employer demonstrated “a complete lack of respect for employees.” The professionals successfully negotiated a modified work week in 1986 and achieved a collective agreement with a 15% salary increase in 1989.<sup>73</sup> In the 1990s, the Greater Vancouver Mental Health certification was hotly contested, as the Health Sector Labour Relations Regulation transferred the certification from the PEA to other unions before the PEA regained a portion of the certification following a legal battle. At the time, the bargaining unit had grown to 300 employees, representing a substantial portion of the PEA’s dues base and finances. In 2012, the remnant of this bargaining unit, the Community Health and Social Services chapter, would vote to leave the PEA and join the BCGEU.<sup>74</sup>

A third bargaining unit established by the PEA in the 1980s represented professionals at George Pearson Hospital in south Vancouver, when it was devolved from the public service to the not-for-profit Western Rehabilitation Society. The PEA received successorship rights through the Labour Relations Board in July 1984 and negotiated a first contract in 1985. A year later, PEA members in the bargaining unit pledged support to BCGEU workers during a threatened strike at Pearson, entering into negotiations on Essential Services levels. In a 1993 strike, PEA members respected BCGEU picket lines. The Pearson bargaining unit consisted of physiotherapists and pharmacists, before it merged into the Health Sciences Association bargaining unit by mutual agreement with the

PEA when the operation of the long-term care facility merged with other Vancouver-area health facilities in 1994.<sup>75</sup> At the end of the 1980s, the PEA consisted of nearly 1400 members in six bargaining units:

Government Licensed Professionals	1135
Legal Services Society	30
Greater Vancouver Mental Health Services	146
Pearson Hospital	15
Prince George School District	29
Okanagan Regional Library	12
<b>TOTAL PEA MEMBERSHIP, 1989<sup>76</sup></b>	<b>1367</b>

## ORGANIZATIONAL CHANGE

Responding to diversification of the PEA's membership base, the association's structure was reformed in the 1980s to ensure representation from different chapters on the provincial executive. In 1982, members had approved constitutional amendments to expand the executive from six to eight members, and in 1984, PEA members voted 96% in favour of amendments to ensure representation on the executive from members of different bargaining units, expanding the executive to nine members. Three of these nine executive positions were reserved for officers from outside the BC public service, allowing the smaller bargaining units to have a voice in the governing body of the association while retaining the principle that a majority of members would direct the association's affairs.<sup>77</sup> In 1988, the PEA's largest bargaining unit was rebranded the "Government Licensed Professionals" unit, replacing the former "public service" unit, in order to avoid confusion for members in the non-government bargaining units and to more accurately reflect the definition of the bargaining unit in the Public Service Labour Relations Act.<sup>78</sup> The PEA also took steps to diversify its operations geographically, holding its 1984 annual general meeting in Burnaby, the first time the association convened such a meeting outside the provincial capital.<sup>79</sup>

Within the PEA and the various occupational groups, women were playing an increasingly active role. In 1987, Dr. Judith Adelman succeeded

Mike Wyeth as president, the first time a woman was elected to lead the association. Adelman was director of the provincial Mental Health Centre in Abbotsford. In her inaugural speech as president, Adelman acknowledged the contribution of former five-term president and forester Mike Wyeth: “He has a social conscience as big as BC Place.”<sup>80</sup>

Notwithstanding growth and diversification, a process of “institutionalization” could be discerned within the PEA by the late 1980s, translating into declining participation by grassroots members in the affairs of the association (a phenomenon that extended throughout labour organizations in BC and Canada). As the PEA moved beyond its formative phase in the 1970s to become a more stable institution, functions shifted from the volunteerism of members toward the work of executive officers and staff.

Attendance at the 1986 annual general meeting reached a new low when only 15 members joined a complement of 15 executive officers and staff to discuss the affairs of the association.<sup>81</sup> Responding to this phenomenon, president Adelman had informed members in 1988 that “the president should represent PEA at inter-union functions that do not require the expertise of our professional staff” — a task previously performed by executive director Geoff Holter, who left the association to take up a job with Capilano College in North Vancouver. Holter had administered the PEA since its inception (indeed, starting in 1973 before the PEA had officially being formed). He was replaced by Alan MacLeod, a staff representative and PEA employee since 1975. The president also began communicating with members through a regular column in *The Professional*, where previous communications from the executive had been largely confined to annual reporting around the time of the AGM or providing special updates during labour disputes.<sup>82</sup>

The PEA adapted and refined its internal operations as it evolved as an organization. In 1982, *The Professional* transitioned from a bi-weekly to a monthly publication, in the face of increased postage costs, though the association assured members that there would be “no reduction in the volume of information going out to the membership.”<sup>83</sup> The PEA was also embracing new technologies, from the use of audio recordings to provide bargaining updates to the installation of Wang computers in the Victoria and Vancouver offices to assist with “a full range of word and data processing.” The executive approved a special financial allocation in the 1988 budget to purchase fax machines for both offices.<sup>84</sup>

The PEA also took steps to strengthen its financial capacity as it

expanded as an organization, with members approving constitutional amendments in 1982 authorizing the executive to mobilize funds through a special levy if necessary in an emergency situation (a decision approved by a 73% margin amid vocal dissent from some members). In the wake of that constitutional vote, the PEA executive developed a policy to govern the exercise of this special levy, which was intended to mobilize funds during work stoppages.<sup>85</sup>

## THE 1989 STRIKE VOTE

The 1980s ended with the PEA coming closer than it had even been in its 15-year history to a full-fledged strike within the provincial public service. The association entered negotiations with the government in November 1988, pursuing a “substantial” salary increase to make up for ground lost during the protracted wage-control and “restraint” period of the 1980s. At the time, the PEA found itself in the midst of contract negotiations for four of its six bargaining units.<sup>86</sup>

The contract negotiations were influenced by changes in the composition of the PEA’s Government Licensed Professionals’ bargaining unit in the preceding years, with 55 members leaving the PEA in 1988 through the government’s Early Retirement Incentive Program and “sessional” contractors replacing professionals in the Ministry of Health and other ministries — part of a long-term drive by the employer to reduce the complement of unionized licensed professionals within the BC public service. NDP MLA Colin Gabelmann had exposed the practice of hiring contractors in a speech in the provincial Legislature midway through PEA contract negotiations, suggesting that Social Credit claims of reducing the size of the public service from 34,000 to 27,000 workers concealed the large number of “personal service contracts” that had been entered into with former employees, resulting in no significant budgetary savings.<sup>87</sup>

Notwithstanding these structural challenges to the PEA’s public service bargaining unit, the Vander Zalm government’s legislative assault on BC teachers (embodied in Bill 20, the Teaching Profession Act, which removed the licensing authority of the BC Teachers’ Federation) had an inadvertent positive effect on the PEA. Forty government-employed teachers in the Ministry of Education and other ministries, who formerly belonged to the BCGEU, were required by the legislation to hold

certificates of qualification from the newly created College of Teachers, and therefore met the eligibility requirements for membership in the PEA bargaining unit. However, overall, the PEA saw its membership decline by more than 60 members in the year preceding the 1988-1989 contract talks.<sup>88</sup>

PEA negotiations were also influenced by the terms of a settlement achieved by the BCGEU after government workers went on strike in September 1988, achieving a three-year agreement with an average 20% salary increase and a range of options for employees facing privatization and layoff. During the strike, the PEA executive had reaffirmed the association's previous policy, urging professionals to respect PEA picket lines and earmarking a fund of \$250,000 to compensate professionals for lost income. In this dispute, the PEA went further than past practice, specifically naming professionals who had crossed BCGEU picket lines on a published list of "Picket-line Crossers." As the PEA executive informed one of these members, "the PEA constitution imposes not just an administrative duty on the Executive, but a leadership one... [I]f the Executive sees a given action as prejudicial to the organization as a whole, and says nothing about it, then we have been derelict in our duty. We do not intend to be derelict in that duty."<sup>89</sup>

In February 1989, the BC government broke off negotiations with the PEA, suggesting it was not prepared to provide a salary settlement similar to the one negotiated with the BCGEU. "The PEA is not the GEU when it comes to salaries and salary settlements," chief government negotiator Doug Misako said. At the time, the government was offering an increase of 14.5% over a three-year contract, while the PEA insisted on the 20% increase received by BCGEU members. The government claimed professionals' salaries were already substantially higher than those of other public service employees, and that further wage increases would risk "compression" with management salaries, which had been similarly restrained in the 1980s. The PEA pointed out that since legislated pay controls had been introduced in June 1982, PEA salaries had increased by 9%, while the cost-of-living index went up by 31% (and BCGEU members received salary increases of 18%). The PEA and the employer also differed over proposed changes to the "OSS" overtime benefit, with professionals seeking to retain the option of earned time off rather than a required cash payment proposed by the province.<sup>90</sup>

The PEA responded to the government's suspension of negotiations by conducting strike votes at 14 regional membership meetings around

the province, recommending that members “vote Yes for justice and fair treatment.” Professionals delivered a strike mandate of 85% and on April 17, 1989, the PEA served 72-hour strike notice on the government. However, concessions from the employer in the days following the strike vote had weakened the resolve of professionals to strike. The association heard from “significant numbers of PEA members” who wanted the association to settle an agreement without job action. The PEA suspended plans for the strike and, in early May 1989, the parties reached a three-year agreement providing for an average salary increase of 17.6%, which the PEA acknowledged fell short of the association’s demand for pay equity with the BCGEU, but represented the best result that could be achieved without job action. The contentious OSS program was left unchanged, with professionals entitled to time off for overtime worked. PEA members ratified the Master Agreement with an 85% vote.<sup>91</sup>

In the wake of the 1989 contract negotiations, PEA president Dr. Judith Adelman wrote in *The Professional* that the negotiating committee was “disappointed” at the indication that PEA members had not been prepared strike for an equitable settlement:

I do not believe that we have achieved a good settlement, and the cost of avoiding a strike will carry over into future negotiations. At the same time, I think our members will see other professional bargaining units achieving significantly better agreements than our own... Unless our members become willing to commit themselves to strike action in future, our economic situation will only deteriorate further in relation to others.<sup>92</sup>


The president’s message, combined with an editorial along the same lines by executive director Alan MacLeod, provoked a response from several PEA members.

Government geologist David Grieve suggested that rather than “timidity in the face of adversity,” members had demonstrated “common sense in refusing to get involved in a futile and possibly lengthy strike against an unreasonable employer” and had, “above all, ... demonstrated a professional attitude by not taking a step which is unprofessional in the extreme — withdrawal of our service.” Forester Tom Niemann equated promotion of “a strike mentality” as “sadly reminiscent of the trade unionist banter that I was subjected to while in the BCGEU.” However, another forester, Charles Klasen, suggested it was time for a “majority of members [to] develop some backbone” and that not everyone could “afford to say yes to this kind of an agreement.” An engineer in the

Ministry of Environment pointed that an “aspect of professionalism is the issue of receiving appropriate respect from clients /employers.”<sup>93</sup>

The PEA leadership welcomed this lively exchange of views, which continued in the pages of *The Professional* for the remainder of the year, as “healthy for the association.” In subsequent elections, the PEA saw a record number of candidates vie for nine executive positions. While Adelman was re-elected to the PEA executive, Legal Services Society lawyer Carolyn McCool succeeded her as association president, the first officer from outside the Government Licensed Professionals’ bargaining unit to lead the association. In her inaugural letter to members, McCool acknowledged the “ongoing debate in our membership: ... are we workers or are we professionals? Do we violate proper ethical standards if we take positive job action? Should professionals contemplate going on strike? It may be legal, but is it right?” McCool suggested that in order to move forward as an organization, this debate had to be “front and centre in everything we do,” to develop “a strong and aggressive position which will unite us and carry us through collective bargaining negotiations.” Reflecting professionals’ ongoing ambivalence in the collective bargaining process, the association responded to an inquiry from the Professional Institute of the Public Service of Canada by acknowledging that “PEA has no permanent strike policy.”<sup>94</sup>

The balancing act between duty and dignity continued.



**“THE GOVERNMENT HAS NOT BROUGHT ITS SPENDING UNDER CONTROL... THEY HAVE MERELY REDUCED THE NUMBER OF GOVERNMENT EMPLOYEES AND ARE PAYING PRIVATE CONTRACTORS TO DO THE WORK.”**



## CHAPTER FIVE

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### 1990s: PROFESSIONALIZING THE PUBLIC SERVICE

In the 1990s, the PEA achieved gains for its members in the provincial public service and beyond, reflecting improved relations with the provincial government and a more supportive legislative climate when the New Democratic Party returned to power following the 1991 election. While tensions could be discerned with the employer, and compensation levels continued to be constrained, there was greater engagement between professionals and a more respectful tone in collective bargaining and the workplace.

The 1990s opened with the Social Credit party still in the saddle in BC, but waning popular support and escalating crises foreshadowed political change. The crisis within the government and the BC public service was graphically revealed in February 1990 when a BC coroner reported on the death of an engineer in the Ministry of Transportation and Highways. The government manager and former PEA member took his own life when he jumped down the six-storey stairwell of his Victoria workplace. According to the coroner's report, at the time of death there were 11 unfilled positions within the manager's branch, with the manager and other employees "working extremely long hours in order to meet various

project deadlines.” The coroner recommended that the ministry “needs to step back and reassess the amount of pressure and stress being placed on its employees,” suggesting “all ministries might learn from this tragic death.” The PEA embarked on a membership survey of stress levels in the workplace, noting that in the 1980s, a total of 10,000 jobs had been lost in the BC public service due to “restraint,” leading to increased pressure on employees who remained in government employment at the same time that their job security and real incomes declined.<sup>1</sup>

The PEA also continued its conversation with professionals on the appropriate strategy to pursue in negotiations with the provincial government. President Carolyn McCool had urged members to continue the debate prompted by the 1989 contract dispute, suggesting that debate be “carried out with dignity and with respect for all views. Don’t remain silent just because you think you may have an unpopular opinion.” In a survey, 70% of members said they were satisfied with the PEA’s present approach to collective bargaining. However, a substantial minority of 44% favoured a more militant approach, at the same time that two-thirds of members indicated their disapproval of a proposed constitutional amendment that would empower the PEA executive to discipline members who crossed picket lines.<sup>2</sup>

The PEA’s relations with the provincial government were strained by the growing phenomenon of “contracting out” professional work, as demonstrated by increased reliance on use of contractors in the BC Forest Service, Ministry of Health and other branches of the public service. In December 1990, the PEA won a long-standing policy grievance against the government, when an arbitrator ruled that “sessionals” in the Ministry of Health were employees, adding 150 psychologists and pharmacists to the PEA bargaining unit.<sup>3</sup> However, this victory was offset by a renewed government drive for wage controls and a spending freeze that exempted expenditures on private contractors.<sup>4</sup>

Discontent with the Social Credit government’s privatization agenda was not confined to labour circles. In January 1991, the Victoria *Times Colonist* newspaper published an editorial that described the government’s privatization program as “a wildly expensive, ideological boondoggle.” Citing data provided by PEA executive director Alan MacLeod, the newspaper pointed out that in the six-year period since 1984, salaries to government employees had increased by 18%, from \$892-million to \$1053-million, while total government spending had nearly doubled from \$7.8-billion to \$15.3-billion. The *Times Colonist* endorsed the PEA position:

“MacLeod correctly concludes that the government has not brought its spending under control... They have merely reduced the number of government employees and are paying private contractors to do the work.”<sup>5</sup>

## THE 1991 ELECTION AND A NEW TONE

In October 1991, BC voters relegated the Social Credit party to the dustbin of history. The government had been stewarded in its final months by the province’s first woman premier, Rita Johnston, who took the helm of a sinking ship after premier Bill Vander Zalm resigned in the midst of a scandal over abuse of office relating to his private business and land interests in the Lower Mainland. During the election campaign, the PEA had distributed a memorandum to its membership, “to remind members of the record of the Social Credit Government with regard to the public sector, and to encourage you to remember that record on voting day.”<sup>6</sup> Reflecting the electorate’s desire for change, the New Democratic Party, led by former Vancouver Mayor and lawyer Michael Harcourt, was elected to power with 41% of the vote and 51 of 75 legislative seats, after the right-of-centre vote split between the renewed Liberal party (which took 33% of the vote and 17 legislative seats, after being out of power since 1952) and Social Credit (which was reduced to third-party status for the first time since 1952, with 24% of the vote and 7 seats).<sup>7</sup>

The 1991 provincial election ushered in a significant shift in the relationship between the PEA, other employee organizations and the provincial government, marking the conclusion of a decade of conflict over public-sector “downsizing” and “restraint,” and providing a basis for more respectful relationships. However, the PEA took a measured and cautious approach to opportunities presented by the change in government. Immediately after the election, PEA executive director Alan MacLeod had warned professionals at the association’s October 1991 annual general meeting in Victoria that upcoming negotiations would not be “a walk in the park,” predicting the new premier would “be anxious to avoid mistakes of the past and will not throw the provincial treasury open to government employees in 1992.” MacLeod insisted that the PEA’s success in upcoming contract talks for five of its six bargaining units would depend, as previously, on “the collective will and determination of PEA members.”<sup>8</sup>

Contract talks opened with the new government in January 1992, with the PEA seeking a salary increase of 7% in a one-year agreement

and NDP finance minister (and future premier) Glen Clark warning that Social Credit had left the province with a projected deficit of \$2-billion. Early into the negotiations, the PEA advised members that “although the province is under new management, it’s ‘business as usual’ as far as the government’s bargaining agent is concerned.” Over the spring of 1992, PEA and government negotiators narrowed the remaining issues on salary, hours of work and benefits, as well as the integration of 150 contract psychologists and pharmacists into the bargaining unit as a result of the arbitrator’s ruling. On June 12, 1992, the negotiating teams reached tentative agreement on a two-year agreement providing for a salary increase of 5.5%. Members of the Government Licensed Professionals’ bargaining unit ratified the agreement, which was signed on August 30. The new agreement included a provision for a Deferred Salary Leave Program, giving professionals “the opportunity to self-finance a planned period of absence to pursue any activity or interest.”<sup>9</sup>

The change in government also signalled a phase of “contracting-in,” as the government announced that it would convert sessional contractors to regular employees. This marked a sharp change in policy from the previous decade under Social Credit, where thousands of government jobs had been eliminated through downsizing or contracting out.<sup>10</sup> PEA executive director Alan MacLeod had earlier anticipated “a reversal of the cut-and-slash policies” of the previous government, as well as the repeal of Bill 82, the Compensation Fairness Act, wage control legislation introduced in Social Credit’s dying days. “The new government will not rely on the big stick of statutory pay controls to give it an unfair edge in contract negotiations. That is as it should be.”<sup>11</sup>

Contract negotiations and policy changes in the early years of the Harcourt NDP government coincided with a major review of collective bargaining and government financing in the public sector. In the spring of 1992, the premier had established a commission of inquiry to examine the delivery of public services and labour relations with a mandate to “recommend the most cost efficient and effective personnel policies.” The commission was headed by Judi Korbin, former vice-president of Canadian Airlines and, during an earlier phase in her career, a PEA staff representative.<sup>12</sup> The Korbin Commission engaged the PEA and other organizations in its deliberations, organizing a series of consultations including two major conferences, one focused on labour relations in the health sector and the other on reform and renewal in the BC public service. A PEA representative served on the planning committee for the

public service conference, which took place in Vancouver in March 1993 and included the participation of many members of Harcourt’s Cabinet and caucus. This policy of engagement reflected the governing NDP’s base within organized labour. In his speech to the March 1993 Public Service Forum in Vancouver, PEA executive director Alan MacLeod stated that “the jury is still out” on the NDP, that “it is not yet clear what effect the attitude of the present government will have at the grassroots of the public service... it remains to be seen whether positive attitudes will result in real and positive changes in the substance of our members’ working lives.”<sup>13</sup>

## PAY AND EMPLOYMENT EQUITY

In 1992, the PEA succeeded in negotiating and implementing Pay Equity for licensed professionals within the BC public service.

Reflecting a broader trend within the public and private sectors, the PEA reached agreement with the BC government to review and adjust pay rates in female-dominated job classifications.

The review found that the pharmacy and physiotherapy classifications had been historically undervalued because they were dominated by women. On that basis, the PEA negotiated pay equity adjustments of up to 18% for professionals in these occupational groups.

By September 1992, working-level pharmacists and physiotherapists had achieved salary equity with working-level foresters, engineers and other professionals in the licensed-science officer classifications.

These efforts were also tied to a wider Employment Equity initiative spearheaded by the BC Ministry of Women’s Equality – to address the historic under-representation of four groups within the BC public service: women, visible minorities, Indigenous people and people with disabilities.

Source: Executive Director’s report to 1992 AGM, 20 Oct. 1992, Professional series, PEA funds; “Government, unions seek consensus on employment equity program,” *The Professional*, 15 Dec. 1992.

In July 1993, Korbin submitted her final report to the Harcourt government, providing several key recommendations for the BC public service and broader public sector. Korbin recommended that labour relations in the public service be coordinated through a new central agency, the Public Service Employee Relations Commission, a

recommendation that the PEA welcomed as rectifying the inconsistencies created by the delegation of labour relations to the ministry level. Korbin's report also included the "linchpin" recommendation that a new Public Sector Employers' Council (PSEC) be formed to provide a "linkage between the government and public sector bodies on fiscal matters." The government responded to this suggestion by tabling legislation, Bill 78, the Public Sector Employers Act, timed with the release of the report.<sup>14</sup>

One aspect of the Korbin Report was not supported by the PEA: the recommendation that the Public Service Labour Relations Act remain unchanged. The legislation, which had given rise to the creation of the PEA and recognized professionals' bargaining rights, had not changed in the 20 years since it was introduced by the Barrett government. The PEA sought amendments to the legislation to widen the scope of its bargaining unit and resolve several jurisdictional issues with BCGEU. In particular, the PEA sought to remove the requirement that members of its bargaining unit belong to a job classification that required membership in a professional licensing body. The PEA hoped that this change would allow it to establish certification over financial officers employed by the BC government. In exchange, the PEA offered to concede jurisdiction over 2000 government social workers who were now subject to more stringent professional registration requirements as a result of amendments to the Social Work Act. However, the BCGEU had rejected a PEA overture to make a joint submission to the Korbin Commission on the proposed legislative amendments, believing "it would expand the PEA's jurisdiction without benefiting the GEU" or "the collective bargaining process in general." Responding to this stalemate, the PEA applied to the Labour Relations Board for a ruling on the jurisdiction of the social workers and financial officers.<sup>15</sup> In February 1994, PEA executive director Alan MacLeod informed BCGEU president John Shields that "jurisdictional problems have poisoned relations between our two unions and are likely to do so for some time to come."<sup>16</sup>

## LEGAL SERVICES STRIKE VOTE: 1993

In January 1993, PEA members in the Legal Services Society opened contract negotiations with the employer. The main issues for the association were union security and economic issues. In particular, the lawyers sought to ensure that all current and future staff of the society

would become members of the bargaining unit, particularly staff in community and native law offices, and that the lawyers would achieve salary parity with Crown counsel.<sup>17</sup> While a tentative agreement was reached after two months of negotiations, providing for a 16% salary increase for most members of the bargaining unit as well as improvements to parental leave provisions, the society's board of directors refused to ratify the agreement, believing it was "too expensive."

The lawyers responded by taking a strike vote — the first time in the 10-year history of the bargaining unit the PEA members had entertained strike action. The lawyers delivered a strong mandate to their negotiating committee, with 92% voting in favour of job action if necessary to obtain a fair settlement. The dispute took a distinct turn when the Society's board decided to delegate bargaining to the Government Personnel Services Division (the main bargaining agent for the BC public service, which was not usually involved in negotiations for agencies performing contracted services at arm's length from the government). At the time, contract talks had been frustrated by the resignation of the Legal Services Society's director of human resources and by the absence from the province of the society's executive director and board chair.

The PEA warned that its bargaining committee was "running out of patience" and that it expected that the dispute would be resolved "or a strike commenced" before the society's next board meeting. While the parties returned to the negotiating table in June 1993, PEA negotiators concluded that management had no intention of reaching an agreement that would mirror the repudiated settlement, and proceeded to give 72-hours strike notice. However, the strike was averted when the employer applied for intervention by a Labour Relations Board mediator. The mediator, Brian Foley, met with the parties in Victoria in July 1993, and they succeeded in reaching an agreement in a single day of talks. The agreement was subsequently ratified by the society and then by the lawyers, providing for parity with Crown counsel over the life of the three-year agreement.

In the year encompassing the contract dispute, the Legal Services Society bargaining unit grew from 30 to 40 members, reflecting modest growth in legal aid funding from the Harcourt government. However, in 1995 and again in 1997, controversy would erupt over proposed cuts to Legal Aid. The PEA joined forces with the Law Society of BC and community organizations to launch the Access to Justice Coalition, applying pressure on the Attorney General to maintain

funding for Legal Aid across the province. By the end of the 1990s, 80 lawyers would belong to the PEA's Legal Services bargaining unit.<sup>18</sup>

## ORGANIZING THE UNIVERSITY OF VICTORIA: 1995

In 1995, the PEA organized professionals at the University Victoria — forming the association's second largest bargaining unit with 400 new members, consisting of academic and administrative professionals. This marked the culmination an organizing effort that extended back more than a decade. In the winter of 1982-83, PEA organizer Bob Wiseman had embarked on a concerted organizing drive on the campus, endeavouring to extend the benefits of collective bargaining to administrative support staff, graduate students and specialist instructors. While this drive was not successful at the time, it helped to plant the seeds of collective bargaining among employees at the university.<sup>19</sup>

In the 1990s, in the face of budgetary restraint, there was a renewed effort among UVic employees to organize. Over a two-year period beginning in April 1993, an informal staff group coalesced into an organized force, encompassing a diverse body of employees: administrative officers, systems specialists, program coordinators, academic assistants, laboratory instructors and others. This group canvassed several different labour organizations to assess options for affiliation, and chose to pursue bargaining rights through the PEA. An organizing drive was launched in the spring and summer of 1995, with more than 55% of professionals in the proposed bargaining unit signing membership cards. On September 7, 1995, the PEA was certified by the BC Labour Relations Board to represent academic and administrative professionals at the University of Victoria.<sup>20</sup>

In the wake of this certification victory, the association and organizing committee convened a meeting to form a UVic chapter, where a provisional constitution was adopted and a chapter executive elected. Contract proposals were drawn up and negotiations for a first contract opened with the university in January 1996. Questions over jurisdiction and the scope of the bargaining unit were also addressed through negotiation with CUPE Local 951, which represented other campus employees, as well as with the employer over the extent of management exclusions.<sup>21</sup> Progress at the negotiating table was slow and uneven. "The pace won't be confused with the Indianapolis 500," *The Professional*



quipped. Stumbling blocks were encountered on issues such as hours of work, with the employer resisting contract language defining the 35-hour weekly work schedule, as well as provisions on overtime and salary. UVic offered a maximum pay increase of 1.75%, while the PEA demanded salary progression at a higher rate; 130 PEA members who attended a union meeting in June 1996 concluded that the university's offer was insufficient to reach a first contract "without a confrontation."<sup>22</sup>

When classes resumed in September 1996, the PEA responded to the university's intransigence after eight months of negotiations by scheduling a strike vote. This forced the employer's hand, and on the evening of September 17, 1996 — 36 hours before the strike vote was scheduled to occur — the PEA's negotiating team reached a tentative agreement with the university, providing for annual salary progression of 3% over the life of a three-year agreement. UVic members ratified the agreement with a vote of 206 to 1, and the contract was signed with the university in October 1996.<sup>23</sup>

## OTHER BARGAINING UNITS IN THE 1990S

Developments were also afoot in the other PEA bargaining units outside the provincial public service. In October 1995, a month after the UVic bargaining unit was certified, the PEA received certification from the LRB to represent 15 lawyers working at the provincial Family Maintenance Enforcement Program (later restructured as the Family Maintenance Agency). The lawyers in the new bargaining unit worked in Burnaby, Kamloops and Victoria, providing legal advice, solicitor services and representation in the Provincial and Supreme Court system. They were employed at the time of certification by a private firm contracted by the government to operate the program, Themis Program Management. In June 1996, the lawyers reached a first contract with Themis.<sup>24</sup>

This certification as well as the larger certification at the University of Victoria helped to offset the financial and membership impact of several certification losses in the mid-1990s. In 1994, the PEA had voluntarily relinquished its certification for seven physiotherapists and pharmacists at the George Pearson Centre seniors' care facility in south Vancouver to the larger bargaining unit in the Health Sciences Association, as the employer, the Western Rehabilitation Society, had merged its operations with other Vancouver-area facilities.<sup>25</sup>

However, another certification loss threatened to have a significant financial impact on the PEA's dues base, when the 300-member unit at the Greater Vancouver Mental Health Services Society was divided between the Health Sciences Association and Hospital Employees Union in 1995. These changes arose from a reorganization mandated by Bill 48, amendments to the Health Authorities Act, to devolve responsibility to regional health authorities while aiming for "the development over time of Provincial consistency in terms and conditions of employment." This change was followed by the transfer of a further 180 PEA members from the Ministry of Health to local health authorities. The PEA expressed anger "at the unilateral removal of health sector members," which "ripped a quarter of the membership out of our union."<sup>26</sup> However, for the remainder of the decade, a series of legal and jurisdictional challenges would keep this bargaining unit as well as the group of professionals employed by health authorities within the PEA.<sup>27</sup>

The PEA's position was buttressed by its substantial cash reserves, which stood at nearly \$4.5 million in 1996. This provided a formidable war chest to finance the organization of new groups of professionals to offset certification losses and to provide a measure of income security for members in the event of a strike. Professionals had defeated a resolution at the 1992 annual general meeting that would have seen dues reduced by 20%. Speakers at that meeting pointed out that PEA dues, levied at a rate of 1% of base pay, were substantially lower than the 1.5% paid by BCGEU members and the 2% levied in some unions. The PEA's dues rate had not been adjusted since its inception, with the exception of a brief period in the early 1980s when a special levy was approved to compensate professionals for lost wages arising from their respect for picket lines during a BCGEU strike.<sup>28</sup>

## **"A RESPECTFUL MILITANCY"**

In May 1994, PEA members in the Government Licensed Professionals' (GLP) bargaining unit had ratified their ninth Master Agreement with the BC government with an 80% vote. Accepting the downward pressure on salary levels in the context of an ongoing economic recession, the professionals settled for an across-the-board pay increase of a meagre 1.5%. "I am thoroughly disgusted with the results of our contract negotiations," Hubert Nyst, a forester from Nelson, wrote in *The Professional*. "I do not blame the PEA negotiation committee ... We the PEA members do not

provide any support to the PEA negotiation committee. The government negotiation committee knows this and just ridicules the PEA contract demands. We do not stand up for ourselves and therefore we are being run over.”<sup>29</sup>

This sentiment was echoed by the PEA’s leadership. In her report to the 1994 annual general meeting, PEA president Kathryn Danchuk, a forester from Kamloops, declared: “I’m not advocating that we all rush home and start painting picket signs. However, I am suggesting we adopt a respectful militancy. Traditionally we have been ‘an agreeable lot’, often to our detriment. ... We who are on the Executive and various committees are more than willing to go to war for you, but we can’t go to war without soldiers.”<sup>30</sup>

This pattern repeated itself in the next round of bargaining, when PEA members in the BC public service ratified a two-year contract in the spring of 1996 following brief negotiations that provided for a single 1% salary increase over the life of the agreement, alongside improvements to job security. The PEA had entered the contract talks demanding 4% over two years.<sup>31</sup> Faced with a looming provincial election where the outcome was far from certain, professionals opted for an agreement that allowed them to hold their ground but failed to make meaningful gains in compensation. There were also concerns around this time over downsizing in the ministries of health, transportation and other branches of the public service, as the NDP government sought to balance the provincial budget in the context of a protracted economic recession by reducing the number of employees and limiting compensation. In October 1996, the new Premier Glen Clark (who replaced Harcourt as NDP leader in the wake of a “bingogate” fundraising scandal and won re-election in a close contest with the BC Liberal party that month) announced 3,500 job cuts in the public sector to reduce spending by three-quarters of a billion dollars. Over the next year, the size of the PEA’s Government Licensed Professionals’ bargaining unit would decrease by 6%.<sup>32</sup>

The NDP government consciously sought to nurture close working relationships with public-sector unions, notwithstanding these controversial policy decisions. PEA executive director Alan MacLeod served on a “Partnership Council” alongside representatives of other employee groups, aimed at “improving public services by collaboratively reviewing and improving work processes.” The PEA developed closer ties with the NDP in the 1990s. In 1995, the former executive director

of the NDP's legislative caucus was hired as a PEA staff officer and PEA members considered a resolution at the 1996 annual general meeting to remove a prohibition against making financial contributions to political parties (a proposal that the executive ultimately rejected, in the belief that "a majority of PEA members still oppose contributions to political parties").<sup>33</sup>

While the ban on political donations was retained, the PEA loosened its purse strings in the late 1990s, relaxing a grant policy that had seen only two financial contributions to external organizations in its history. This had fuelled the perception in some quarters that the PEA was "driven by self-interest alone," executive director Alan MacLeod reported to the 1996 annual meeting, expressing hope that the PEA would exhibit greater generosity in the years ahead. "Quite apart from the positive impact we can have on the constructive efforts of good organizations, we stand to gain something for our own credibility and reputation, not just externally but also among current and prospective PEA members." Acting on a member's resolution at the annual meeting, the PEA executive approved amendments to the association's grants and donations policy the following spring to permit the executive to make grants "compatible with the good and welfare of PEA members" and "generally consistent with, or complementary to," the PEA's aims and objectives. Total contributions were limited to no more than \$10 per member in a single fiscal year and \$3 per member to a single organization.<sup>34</sup>

The PEA also took steps to support community groups in other ways, demonstrating the association's evolution in the direction of "social unionism." In 1998, the University of Victoria chapter endorsed the efforts of the Canadian Federation of Students to increase funding for post-secondary education and reduce student debt levels through a national tuition freeze, as demanded during a national day of action. Later in 1998, a grant of \$2,000 was approved for the legal defence of protesters facing charges arising from clashes with the RCMP at the Asia Pacific Economic Cooperation (APEC) summit in Vancouver, where the attendance of Indonesian dictator Suharto had attracted controversy. While provincial government engineer Oliver Baker condemned the executive for expending members' funds for this purpose, UVic lab technician Tom Gore congratulated the PEA executive for upholding the "social obligation" of professionals to "support those who fight for human rights" and "to improve the conditions of working men and women everywhere." Executive director Alan MacLeod justified the

## TECHNOLOGICAL CHANGE: ELECTRONIC MAIL (“E-MAIL”) AND THE INTERNET

The PEA responded to ongoing technological change in the 1990s that effected its operations and the working lives of professionals.

In November 1995, *The Professional* expanded the ambit of information provided to members, when electronic mail (“e-mail”) addresses for negotiating committee members were provided for the first time. Appropriately, the contact information was provided for members of the negotiating committee at the new University of Victoria chapter, which had been at the forefront of the development of the Internet and electronic communications in the province.

Two months later, “e-mail” addresses were provided for members of the GLP bargaining unit, a practice that would be extended throughout the association and the public and private sectors in the years that followed.

Earlier, in 1990, the Legal Services Society had refused a request from members of the PEA bargaining unit to equip each Legal Aid lawyer with a computer. But computing technology was clearly moving into the workplace and altering the working lives and work processes of professionals in all PEA bargaining units.

In 1997, the University of Victoria chapter once again demonstrated its role as a technological pioneer in the PEA, posting the first collective agreement to its website for members who had a “frames-capable web browser.”

The 20th century ended with debate in the workplace and within the PEA over the appropriate use of Internet technology. When the BC government introduced an “Internet Usage Policy” in 1997, PEA members and other employees took exception to what they perceived to be an unreasonable infringement on their privacy.

Debate also emerged within the PEA over the appropriate use of the association’s internal electronic mail “list serve,” which became a lively forum for the exchange of diverse viewpoints.

Source: Executive Director’s report to 1992 AGM, 20 Oct. 1992, Professional series, PEA funds; “Government, unions seek consensus on employment equity program,” *The Professional*, 15 Dec. 1992.

expenditure as consistent with PEA policy and reminded members that, “Our organization is not short of money but it *is* short of size and strength. If it is to flourish, PEA must broaden its horizons.”<sup>35</sup>

Activism within the PEA contributed toward growing pains, as the energy and enthusiasm of upstart bargaining units such as the University of Victoria chapter ran up against the more established practices,



LEFT: In 1999, the PEA executive adopted a new logo, designed by Victoria-based graphic designer Ian Black, which symbolized “the meeting of minds and attainment of common ground at a bargaining table.” The logo replaced the stylized “P” that had adorned *The Professional* since 1980. Credit: *The Professional*, Feb. 5, 1999

attitudes and cultures of the older bargaining units and the association as whole. At the 1997 PEA annual general meeting, a majority of members rejected five resolutions from the UVic chapter pertaining to term limits for executive officers, investment policy, a review of the association’s electoral procedures and other issues. These debates reflected a power shift within the PEA, as the emergence of a large bargaining unit outside the public service created a new locus of activity and engaged new communities of interest. In 1998, the PEA executive responded to this debate by recommending constitutional changes to the election procedures, including eliminating the prohibition on “plumping” (voting for fewer candidates than the number to be elected) and ensuring that the executive included representation from at least three of the association’s eight bargaining units. Members voted 94% in favour of these changes.<sup>36</sup>

By the late 1990s, PEA negotiators were becoming increasingly frustrated with the BC government: “Bargaining with the government is as frustrating as ever. We spend interminable hours wrestling over the tiniest issues. We hear over and over that the government ‘has no interest’ in our proposals or ‘doesn’t wish to go there.’” When the BCGEU considered striking against the provincial government, the PEA urged its member to “support the BCGEU by respecting BCGEU picket lines and not going to work,” and pledged to match the strike entitlement the BCGEU was paying its own members. However, in its own contract talks with the BC government, the PEA adopted a decidedly more cautious stance, with members voting 91% in favour of ratifying a three-year Master Agreement in June 1998 that provided for a single 2% salary increase. These contract talks took place against the backdrop of a major legislative change that struck at the root of the PEA’s existence among government licensed professionals: Bill 50, a miscellaneous statutes amendment, altered the Public Service Labour Relations Act, revealing intensive lobbying by the BCGEU and restricting the PEA’s jurisdiction to those professions that

had statutory authority to license professionals prior to July 1, 1998. Any government-employed professionals who were subject to future licensing legislation would belong to the BCGEU rather than the PEA.<sup>37</sup>

In other PEA bargaining units, there was a growing appetite to strike, as frustration with the absence of salary gains and the imposition of funding cuts during the years of NDP government translated into growing militancy. In June 1998, librarians at the Okanagan Regional Library voted 94% in favour of a strike (the first time members of that bargaining unit had endorsed job action). An earlier agreement ratified by the librarians had been rejected by the library's board. The librarians' strike vote succeeded in bringing the two sides back to the negotiating table. A revised agreement was reached and subsequently ratified by the parties in December 1998.<sup>38</sup>

Meanwhile, in the community health sector, a bargaining association representing 14,000 workers in unions including the PEA, BCGEU, CUPE, HEU, HSA and other unions conducted a strike vote in the spring of 1998 to bolster their bargaining position in negotiations with the Health Employers Association of BC. In July 1998, the community health employees initiated job action — the first legal strike involving PEA members in the association's history. The job action was largely confined to those workers who faced demands for concessions from the employer, which did not include PEA members, who remained at work at the Greater Vancouver Mental Health Service. After the brief job action, the parties returned to the table and reached a tentative agreement.<sup>39</sup>

PEA members in a third bargaining unit also took a strike vote in 1998 followed by job action in January 1999. Paramedical professionals, formerly employed by the Ministry of Health and certified as a new bargaining unit following devolution to local health authorities, belonged to a multi-union bargaining association with the HSA, BCGEU, CUPE and HEU (later renamed the Health Science Professionals Bargaining Association). The workers voted 84% in favour of a strike to ramp up stalled contract talks in November 1998; in January 1999, they participated in rotating job action, including a reduction to essential services levels at several facilities. When a tentative agreement was reached with the assistance of government-appointed mediator Brian Foley, members of the minority units in the association, including the PEA, BCGEU, CUPE and HEU, strongly rejected the contract terms, while HSA members (who accounted for 80% of the 10,000 workers in the association) voted in favour. The new contract was ratified in late January 1999.<sup>40</sup>






**ABOVE:** In 1999, the PEA approved a contribution of \$250 toward the cost of erecting this memorial in the legislative precinct in Victoria, to honour Canadian volunteers in the Mackenzie-Papineau Battalion who fought for democracy and against fascism in the 1936-39 Spanish Civil War. This reflected a more generous grants policy adopted by the association in the 1990s, part of a strategy of broadening the PEA's ties in the community.  
*Credit: PEA Archives*

**RIGHT:** Delegates Doug Flynn (GLP), Boyd Brown (GLP), Robyn Thrift (PGSD) and Dave Pugh (PGSD) at the PEA's second annual convention (following the transition from annual general meetings), held in Victoria in May 2001.  
*Credit: PEA Archives*





The end of the 20th century marked a period transition for the PEA, as Alan MacLeod retired after 23 years with the association, including 10 years as the executive director. MacLeod was succeeded as executive director by Doug Hensby, who had served the PEA as a senior staff officer for a decade.<sup>41</sup> PEA members also approved major constitutional amendments in 1999, moving to delegated conventions (rather than annual meetings open to individual members) and restructuring the executive to accommodate one officer from every bargaining unit (with the three smallest units jointly represented by one executive officer).<sup>42</sup>



**“THE PEA WILL WORK  
WITH OTHER LIKE-MINDED  
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THAT FUTURE PROVINCIAL  
GOVERNMENTS IMPLEMENT  
PROGRESSIVE LABOUR  
POLICIES.”**

## CHAPTER SIX

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### CHALLENGE AND CHANGE IN THE NEOLIBERAL ERA

In the opening years of the 21<sup>st</sup> century, the PEA grappled with turbulence in provincial government policies, notably following Gordon Campbell's election as premier in 2001 and again in the wake of the global financial crisis of 2008, as commodity prices dipped and Christy Clark's Liberal government sought to contain government spending by restraining growth in public-sector employment and incomes. Fiscal restraint impacted professionals in all chapters of the PEA, whose working lives are shaped by levels of public funding and by provincial labour laws. Environmental crises also impacted PEA members, from the Mount Polley mine disaster in 2014 to growing manifestations of climate change: the mountain pine beetle epidemic, heat domes, atmospheric rivers and protracted periods of drought. Throughout this period, the PEA responded to challenges by strengthening ties with other unions. In a 2013 referendum, PEA members voted 77% in favour of affiliation with the British Columbia Federation of Labour, formally joining the organized labour movement.

## PROFESSIONALS DURING GORDON CAMPBELL'S NEW ERA

In May 2001, the BC Liberal party led by former Vancouver mayor Gordon Campbell was elected to form the government of British Columbia, with a resounding 77 of 79 seats in the Legislature. The New Democratic Party, which had governed since 1991, was reduced to a meagre two seats and lost official opposition status. In the months and years that followed, the Campbell Liberal government embarked on what the *Globe and Mail* newspaper described as an agenda of “legislative vandalism,” opening up legally binding collective agreements and slashing programs, services and jobs across the public sector.

The PEA, like the BCGEU, had concluded negotiations for a new contract in the public service immediately prior to the election. In fact, the PEA’s twelfth Master Agreement for Government Licensed Professionals was signed the day Campbell was sworn in as premier, June 5, 2001, but contained terms agreed and ratified prior to the election. While the association’s negotiating committee had recommended ratification of the tentative agreement, stating it was “not convinced of the likelihood of achieving significantly greater gains with a new government,” professionals only narrowly approved the contract with a 60% ratification vote.<sup>1</sup> This reflected divisions within the GLP chapter — tensions that were manifest when delegates met for the PEA’s annual convention in Victoria a week prior to the provincial election in May 2001. Brian Barber, a forester in Victoria, drew an analogy between the factions in the GLP chapter and the larger provincial scene: “These two groups ... appear to be as far apart as the NDP and Liberals — and just as political.”<sup>2</sup> At that convention, delegates voted to increase the term for table officers from one year to two years, with Cranbrook forester Tom Volkers re-elected to a two-year term as president. However, in the autumn of 2001, Volkers resigned as president to attend to family matters, as tensions within the GLP chapter persisted. As per the PEA constitution, vice-president (and former president) Kathryn Danchuk assumed the presidency.<sup>3</sup>

It was an inopportune time for professionals in the PEA’s largest chapter to be divided, as the Campbell government’s agenda of spending cuts and privatization had a profound impact on the provincial public service. Immediately after being sworn in, the new government embarked on a core services review, announcing in September 2001 that all ministries, with the exception of health and education, were instructed to prepare budget scenarios based on cuts of 20%, 35% and 50% over a three-year

period. *The Professional* warned in October that the government's desire to balance the budget by the 2004-05 fiscal year, in the context of a \$2-billion tax cut and an economy dipping into recession, would "require massive downsizing in the public service, to an extent likely never seen before," with the government appearing determined "to destroy the public service in British Columbia."<sup>4</sup>

In January 2002, the Campbell government announced its intention to eliminate 11,700 positions from the public service and cut \$1.9-billion from the budget over a three-year period. PEA executive director Doug Hensby suggested in a memo to executive members and staff that "we may find ourselves down about 600 to 700 members over the course of the next three years." The *Victoria Times Colonist* warned that more than 1,400 jobs were threatened in the Ministry of Forests alone. The government also introduced notorious Bills 28 and 29 in the house, which tore up the collective agreements of workers in the health and education sectors (before being ultimately deemed unconstitutional by the Supreme Court of Canada, for the government's failure to consult with the affected workers). Hensby reflected sombrely in a column in *The Professional*: "In this new era, who will ensure the protection of the vulnerable in our society? Who will ensure the protection of public resources in this province?"<sup>5</sup>

The PEA also joined with other unions to mount a legal challenge to Bill 29, the Health and Social Services Delivery Improvement Act. The unions' position, as summarized by lead legal counsel Joseph Arvay, was that the legislation was unlawful because it interfered with the plaintiffs' "constitutionally protected rights to freedom of association," rendering valid employment agreements void and unenforceable, preventing unionized employees from entering into lawful and enforceable agreements, and interfering with "the established rights of the Plaintiffs' to bargain collectively," thereby interfering with their ability "to form, belong to and maintain an association."<sup>6</sup>

Faced with this existential threat, the PEA joined with other labour and community organizations to mobilize against the government's agenda. Professionals attended massive demonstrations in Victoria and Vancouver — the capital city's largest mass protests since Operation Solidarity two decades earlier. On February 23, 2002, an estimated 40,000 people converged on the provincial Legislature in a day of action coordinated by the BC Federation of Labour. "I urge each and every PEA member to become active and involved with efforts in their community



LEFT: Alan MacLeod and Doug Hensby participate in a February 2002 protest against the Gordon Campbell Liberal government's agenda of cutbacks and privatization. MacLeod was the PEA's executive director from 1988 - 1999 and Hensby served in this role from 1999 - 2003. *Credit: PEA Archives*

RIGHT: PEA president Kathryn Danchuk, a professional forester, and BC Federation of Labour president Jim Sinclair at a May 2002 rally in Vancouver against provincial government cutbacks. Recognizing the need for greater unity, the PEA affiliated to the provincial labour federation in 2013. *Credit: PEA Archives*



to fight back against this government,” PEA president Kathryn Danchuk wrote. A PEA representative also served on a task force appointed by Victoria City Council to examine the impact of provincial government downsizing on Greater Victoria.<sup>7</sup>

While government downsizing had a profound impact on the PEA and public service generally, the association took steps to mitigate the harmful impact on individual employees by pursuing strategies including voluntary retirement and others mechanisms within the collective agreement. By the spring of 2002, only 22 professionals in the GLP bargaining unit had ended their employment with the BC government

through involuntary layoff, a sharp reduction from projections of 140 positions a few months earlier.<sup>8</sup> However, in the midst of the restructuring, tragedy struck in Kamloops. On October 15, 2002, a manager in the pollution branch of the Ministry of Water, Land and Air Protection took his own life and killed two other employees in the workplace after receiving a notice of termination. The Workers' Compensation Board would later conclude that the employee, Dick Anderson, "was surprised by the notice of termination he received that day and it was the surprise which triggered the deadly actions he took," mirroring the findings of a coroner's jury of inquiry. The inquest heard evidence that Anderson had told a colleague he was "cracking" under the stress of implementing the government cutbacks, having driven back from Penticton the day of the killing after firing three employees, and was caught totally off guard by his dismissal.<sup>9</sup>

Faced with the prospect of further massive layoffs and sensing there was no appetite within the government for compensation increases, public-sector employees and their organizations entered into negotiations with the BC government to extend existing collective agreements beyond their specified terms. BCGEU members ratified a two-year extension to their contract in the autumn of 2003, obtaining job security guarantees once a previously announced round of layoffs was completed. The PEA negotiated an extension to its own Master Agreement for Government Licensed Professionals in early 2004, reaching a settlement in April that provided similar job-protection guarantees but no compensation increases. The PEA bargaining committee unanimously recommended that members ratify the extension, which would run until 2006 and provide "two years of employment stability" after "three years of upheaval caused by the Liberal government's goal to reduce the size of the public service by one-third."<sup>10</sup>

One outcome of this difficult period in the PEA's history was a renewed initiative to affiliate to the BC Federation of Labour. Arising from a convention decision in May 2004 to "investigate" its relations with the central labour body (and consistent with a referendum question approved by the membership in 1980), the PEA entered into talks with officials of the federation, which represented 485,000 workers in British Columbia, 85% of the unionized labour force of the province. (Reflecting ongoing ambivalence over involvement in the broader labour movement, the PEA would not formalize its affiliation with the BC Federation of Labour until 2013).<sup>11</sup>

In the midst of these affiliation talks, the PEA staved off another existential threat — when the BC government announced then shelved proposed amendments to the Public Service Labour Relations Act that would have eliminated the separate bargaining unit for licensed professionals within the public service. The PEA expended \$295,000 on an aggressive public relations campaign that included full-page advertisements in major newspapers, focus groups, and intensive lobbying of government MLAs. “The significance of the Association’s victory is not to be underestimated,” *The Professional* noted in announcing that the government would not be proceeding with the legislative changes. At the time, the Government Licensed Professionals’ bargaining unit accounted for 73% of the PEA’s dues base.<sup>12</sup>

It took this threat to the association’s largest bargaining unit to prompt the PEA to form a Political Action Committee for the first time in its 30-year history. Though common in other unions, the PEA and its professional members had been reluctant to take steps toward political action, viewing such activity as inconsistent with the professional obligations of members. However, the decisions of the Campbell Liberal government and the impact on professionals’ working lives and communities demonstrated the necessity of engaging on the political field. The PEA executive’s decision to form a Political Action Committee was consistent with direction provided by the membership at the previous convention, where a resolution was approved calling for the PEA to “work with other like-minded organizations to ensure that future provincial governments implement progressive labour policies.”<sup>13</sup>

## BEYOND THE PUBLIC SERVICE

The upheaval caused by the Campbell Liberal government’s agenda of cutbacks and privatization extended to every PEA bargaining unit — revealing the importance of provincial government funding levels and provincial labour laws to the services and working lives of professionals outside the public service. Provincial government compensation guidelines, established through the Public Sector Employers’ Council (PSEC), also played a major role shaping the salary levels and entitlements of a large majority of PEA members in half of its bargaining units.<sup>14</sup>

In the Legal Services Society bargaining unit, PEA members faced a government-appointed trustee with a mandate of phasing out legal



RIGHT: Facing proposed spending cuts of 35% in the ministries of Forests and Water, Land and Air Protection, the PEA and BCGEU launched a joint public relations campaign to demonstrate the importance of services delivered by professionals and other workers in the public service. *Credit: The Professional, Jan. 13, 2003*



ABOVE: In 2004, the PEA launched a robust public relations and lobbying campaign, urging the BC government to shelve proposed amendments to the Public Service Labour Relations Act that would have eliminated the distinct bargaining unit of licensed professionals within the BC public service — the PEA's largest chapter. *Credit: The Professional, Oct. 8, 2004*

aid services for as many as 40,000 people. The Campbell government had appointed the trustee in 2002 after the society's board of directors refused, on two occasions, to impose a budget gutting the provision of legal aid in the province: the cuts proposed to eliminate three-quarters of staff lawyer positions and reduce the number of LSS-funded or operated offices around the province from 60 to 7, part of a strategy of cutting total legal aid funding from \$88-million to \$54-million over three years. While the PEA launched a court challenge to block the cuts, and groups and individuals from the Law Society of BC to the Chief Justice of Canada urged the government to reconsider its plans, the cuts were implemented. The number of staff lawyers in the PEA bargaining unit plummeted from 76 to 26, while vital services including the entire poverty law function was eliminated. While a portion of this funding was restored in 2005, another massive organizational restructuring in 2009 further reduced the PEA's second-oldest bargaining unit from 28 lawyers to 14, as five of BC's six remaining legal aid offices closed (despite a renewed challenge from the PEA-sponsored Access to Justice campaign and Coalition for Public Legal Services). A victim of this downsizing was Kamloops lawyer and PEA president Kathleen Kendall — who resigned the association presidency after receiving her layoff notice. Additional cuts in subsequent years would further erode this bargaining unit and legal aid services.<sup>15</sup>

As the PEA grappled with the upheaval within the BC public service and ancillary agencies, it continued to attend to the collective agreements and bargaining and workplace needs of members in the various bargaining units. In the autumn of 2001, a contract was successfully concluded at the University of Victoria, providing for improvements to a range of benefits and a salary increase averaging 5% over the life of the three-year agreement. In 2005, the UVic chapter welcomed 16 specialist instructors who were transferred into the bargaining unit through negotiations with the employer and CUPE Local 4163.<sup>16</sup> For another bargaining unit, the PEA members in the 10,000-strong paramedical multi-union association (later renamed the Health Science Professionals Bargaining Association), there was no room for negotiation, as the provincial government legislated a contract with the passage of Bill 15, the Health Care Services Collective Agreement Act in August 2001.<sup>17</sup> For the dozen lawyers employed in the Family Maintenance Enforcement Program, the intransigence of the private firm contracted by the provincial government to deliver the program, Themis Program Management, prompted a strike vote and 72-hours strike notice in 2011 before a contract was settled with

assistance of a mediator. The lawyers served 67,000 children and 84,000 parents annually, collecting \$174-million in payments in 2009-10 and operating on a revenue-neutral basis.<sup>18</sup>

The PEA also continued to organize new groups of professionals. In August 2000, the association had received certification from the BC Labour Relations Board for bargaining rights to represent 50 teachers employed at St. Margaret's School, a private non-denominational girls' school in Greater Victoria. The employer had filed an objection to the application, claiming the proposed bargaining unit was not appropriate for collective bargaining. However, following a hearing where submissions from both parties were received, the LRB ruled against the employer and allowed the certification, without requiring a certification vote since more than 55% of the teachers had indicated their support for the PEA by signing membership cards. The teachers proceeded to ratify a chapter constitution, elect a chapter executive and prepare for negotiations for a first contract. Before negotiations had opened with the employer, the bargaining unit was expanded by the LRB to include an additional 16 non-instructional staff, including a library assistant, clerical staff, maintenance workers and bus drivers (later, in 2013, residence staff would join the bargaining unit). This represented a rare example within the PEA where the association's bargaining unit included all employees in a workplace. Negotiations opened with the employer in the spring of 2001 and were concluded within three months, when St. Margaret's employees and the school's Board of Governors ratified a three-year agreement that provided for salary increases of 10.5%.<sup>19</sup>

Other bargaining units were formed in the 2000s, including a unit representing lawyers at the Law Society of BC, who voted to join the PEA in April 2006 and received certification from the Labour Relations Board that month (the third bargaining unit of lawyers organized by the PEA). Negotiations proceeded slowly, with much acrimony between the Law Society lawyers and negotiators representing the Benchers, the society's board. In October 2006, the lawyers filed a complaint with the LRB alleging that the society was failing to bargain in good faith; in March 2007, the lawyers voted in favour of job action in a strike vote. A tentative agreement reached after nine months of negotiations was rejected by the lawyers in July 2007. Finally, in mid-2008, the lawyers signed their first contract with the Law Society.<sup>20</sup>

Another PEA bargaining unit created in the 2000s represented professionals employed by the Oil and Gas Commission (later renamed

the BC Energy Regulator), who retained certification when the commission was transferred out of the public service in 2006, receiving recognition from the LRB as a distinct bargaining unit when the board awarded successorship rights to the PEA.<sup>21</sup>

As the PEA entered its fourth decade of activity, changes were afoot in the association's administration and structure. In 2003, executive director Doug Hensby retired, after 15 years of employment with the association. He was succeeded as executive director by senior staff officer Jody Jensen, who had joined the PEA in 1998 and became the first woman to lead the administration of the association.<sup>22</sup> Governance changes were also underway. In 2005, delegates at the PEA's annual convention in Richmond voted to move to bi-annual conventions (a proposal that had been rejected in 2002). The rationale for the constitutional change, which was approved by two-thirds of delegates attending the convention, was to provide for "more effective use of staff and executive resources." Delegates decided to hold an Educational Conference every alternating year.<sup>23</sup>

The PEA also demonstrated an ongoing commitment to social engagement and connections with the broader labour movement and community. This reflected a growing appreciation among professionals in all bargaining units that the interests of professionals in their working lives were connected to the conditions and issues facing people in diverse occupational groups and communities. In 2004, the PEA joined 125 other provincial and national organizations in calling on Premier Gordon Campbell and Prime Minister Paul Martin to ensure that time-limits for welfare eligibility were rescinded in BC and outlawed in the future under the Canadian Social Transfer.<sup>24</sup>

The PEA also continued to support other groups of workers during labour disputes, recognizing the principle that "an injury to one is an injury to all." In October 2005, the executive placed the association on record opposing Bill 12, legislation that imposed a contract on BC school teachers, prompting the BC Teachers' Federation to defy the legislation and strike illegally for two weeks. "We saw a government whose attitude toward public sector workers has not softened one iota since first elected in 2001," the executive explained in *The Professional*. The government's arbitrary conduct and refusal to "negotiate in good faith for a fair deal... could just as easily happen to us." However, some PEA members opposed this stance, with Smithers geologist Jill Pardoe writing that she was "sick" of her so-called 'professional' association making decisions without

consulting members in “an open, transparent and accountable manner.” The PEA’s executive stuck to its decision, thanking “those PEA members who demonstrated support to another group of professionals by honouring picket lines and joining protest actions in various communities.” When some employees received disciplinary letters for refusing to cross “community picket lines” that appeared at ministry offices in Victoria and Nelson in support of the teachers, the PEA filed a policy grievance with the employer (and ultimately succeeded in having the letters removed). Strike pay calculated at the rate of 70% of lost earnings up to a maximum of \$100 was paid to PEA members who respected the picket lines.<sup>25</sup> Professionals at Prince George were particularly affected by the teachers’ strike. Members of the PEA bargaining unit at School District 57 missed work for the duration of the 10-day strike and received \$1000 in strike pay. In the wake of the teachers’ dispute, they entered into negotiations for their own collective agreement, which had expired in 2004, ratifying first a contract extension and then a new four-year agreement in 2006.<sup>26</sup>

In 2011, Jodi Jensen left the PEA after seven years as executive director, and a total of 12 years with the association. She was succeeded by Scott McCannell, who had joined the PEA as a labour relations officer a year earlier.<sup>27</sup> The PEA also saw a flurry of change in its elected leadership around this time, being led by four presidents in a 13-month period. In February 2009, silviculturist Kathryn Danchuk stepped down as president after 13 cumulative years in the office (from 1993-98 and again since 2001). The executive elected forester Mike Jobke to succeed her as president, and delegates confirmed Jobke’s election at the 2009 convention. However, Jobke resigned as president in October 2009 for personal and family reasons, and the PEA executive elected second vice-president Kathleen Kendall, a Kamloops lawyer and member of the Legal Services Society bargaining unit, to succeed him. However, in early 2010, Kendall was laid off by the Legal Services Society as a result of legal aid cuts. The PEA’s first vice-president, Frank Kohlberger, a forester employed in the BC Forest Service and also based in Kamloops, assumed the presidency in accordance with the PEA’s constitution and was re-elected to subsequent terms.<sup>28</sup>

Another major change implemented in 2010 was the decision by the executive to consolidate the PEA’s operations into a single office based in Victoria. Since its inception, the PEA had maintained separate offices in the Capital Region and Lower Mainland, which moved over time from Vancouver to Burnaby to Surrey. In 1984, the PEA had advised members



RIGHT: In 2005, PEA members participated in province-wide rallies in support of striking BC teachers, who walked out in an illegal two-week strike. The teachers had been subject to Bill 12, legislation that imposed a wage-freeze on 38,000 BCTF members.  
*Credit: PEA Archives*



LEFT: In 2008, delegates at the PEA's Education Conference in Kelowna discussed strategies for building a culture of engagement within the PEA — spurring a communication plan that included the use of “social media” and 21st-century communications tools including the networking website Facebook. In 2009 (and again in 2010 and 2011), these efforts were recognized when the PEA was named “Best Cyberunion” by the Canadian Association for Labour Media. *Credit: PEA Archives*

that “we have passed the point where the entire membership could be adequately served out of a single office.” In 1987, the association vacated its office in the Victoria Times Building on Fort Street, which it had occupied since its inception, when the City of Victoria approved the demolition of the building as part of the Cadillac-Fairview company’s redevelopment of two blocks of downtown real estate into the Eaton Centre (later renamed the Bay Centre). The association moved into a new office with harbour-front views on Wharf Street. In 2004, delegates at the PEA’s convention rejected a resolution calling on the executive to investigate the consolidation of the association’s Victoria and Burnaby offices as a cost-

saving measure. However, the following year, the executive relinquished the Burnaby office in favour of an office in Surrey where rent was \$10,000 less per year. While professionals valued the services offered through the Lower Mainland office, in the face of budgetary pressures arising from membership losses and government cutbacks, the PEA executive decided in the spring of 2010 to close the Surrey office and consolidate all operations in Victoria. In 2011, the PEA moved from its Wharf Street office into the historic Sayward Building on Douglas Street.<sup>29</sup>

One consequence influenced by the closure of the Surrey office was a raid by the BCGEU that resulted in the loss of the Community Health Services and Support (CHSS) chapter in the Lower Mainland, which PEA president Frank Kohlberger described as a “serious concern.” Representing professionals employed by Vancouver Community Mental Health Services and Richmond Mental Health Services (formerly Greater Vancouver Mental Health Services), the bargaining unit had been organized in the 1980s and was the subject of a protracted certification dispute in the 1990s. It was the first bargaining unit involved in job action in the PEA’s history (in 1998, when the multi-unit bargaining association struck briefly to win a settlement with health-sector employers). However, in November 2011, PEA members in the CHSS unit voted to join the BCGEU in a Labour Relations Board supervised vote, and the LRB approved the transfer of certification. The PEA attributed the certification loss to the closure of the Surrey office and dissatisfaction with service levels in the years 2008-09, which had been subsequently resolved through a “near complete overhaul of staff” and a renewed focus on member servicing. Nonetheless, the PEA wished “the CHSS members luck in the years ahead.”<sup>30</sup>

## THE 2012 STRIKE

In August and September 2012, PEA members in the Government Licensed Professionals’ bargaining unit participated in their first strike against the BC government in the union’s history. Earlier walkouts — over pensions in 1980, against anti-labour laws in 1983 and 1987, in respect for BCGEU picket lines in the 1980s and teachers’ pickets in 2005 — were protests or sympathetic actions not directly related to the association’s own collective bargaining process with the employer. The various strike votes — in the GLP bargaining unit in 1979, 1981, 1989 and in other bargaining

units in 1987, 1993, 1998, 2001, 2007 and 2011 — had demonstrated the resolve of professionals to strike, but did not test the solidarity and unity of members in an actual job action to achieve bargaining goals. For a few hours on July 30, 1998, PEA members in the Community Health Services and Support chapter had been involved in job action, but an agreement was reached with the employer before picket lines appeared around their workplaces at Greater Vancouver Mental Health Services in Vancouver and Richmond; similarly, PEA paramedical professionals in the Health Science Professionals' chapter were briefly impacted by job action in January 1999 but did not themselves walk off the job.

The 2012 contract negotiations therefore occurred after nearly four decades in which the PEA had pursued fairness and dignity for professionals without recourse to a strike. The association had attempted to reach a negotiated settlement with the provincial government, seeking a salary increase commensurate with the cost-of-living after the previous Master Agreement (a four-year contract ratified in 2006 and extended for another two years in 2010) had frozen the salaries and entitlements of professionals. At the time, both the government and employee groups had sought to avoid the acrimony that defined public-sector labour relations during Gordon Campbell's first terms as premier, and the contract was extended at a time when the ideology of the provincial government, its "net-zero" mandate and a protracted global economic recession moderated professionals' demands and aspirations in contract negotiations. However, the desire of professionals for fairness in their working lives did not dissipate, and in 2011 the PEA began preparations for the next round of contract talks, with the fourteenth Master Agreement set to expire in March 2012.<sup>31</sup> The PEA's position was also influenced by the steady erosion of the number of professionally certified employees within the provincial public service. "For our members, it's reached a tipping point," PEA executive director Scott McCannell told the *Globe and Mail*.<sup>32</sup>

Talks opened between the PEA and the BC government in January 2012. Seeking to distance herself from the hard-edged labour policies of her predecessor Gordon Campbell, the new Premier Christy Clark intimated in the October 2011 Throne Speech that the government was intent on working with unions and employees to find "cooperative gains." However, as PEA executive director Scott McCannell pointed out in an analysis in *The Professional*, the suggestion that resources for salary increases could be found within existing ministerial budgets created "very



difficult bargaining circumstances.” At the time, 92% of PEA members in six chapters bargained in the context of a mandate established through the Public Sector Employers’ Council (PSEC), which had imposed a wage freeze in two of the previous three rounds of negotiations. Cognizant of these fiscal constraints, the PEA openly discussed the prospect of a strike vote and job action to obtain a fair settlement: “The employer needs to feel the pressure of job action.”<sup>33</sup>

In May 2012, the PEA conducted a strike vote of all members in the Government Licensed Professionals’ bargaining unit — who delivered a strong mandate to the negotiating committee with 92% voting in favour of a strike. This authorization for job action followed the deterioration of negotiations in March and coincided with similar strike votes involving other public sector workers in the spring of 2012: members of the Canadian Office and Professional Employees Union (COPE) at the Insurance Corporation of BC; CUPE workers at the University of British Columbia and other post-secondary institutions; employees in several unions in the Community Social Services sector, and BCGEU members employed in the BC public service. Earlier, the PEA had discussed the importance of a strong strike mandate to achieving a fair settlement: “In order for the bargaining committee to be able to use the leverage gathered from taking a strike vote, members need to vote overwhelmingly in support of the strike (i.e. a high turnout and over 90% in favour).” The contract talks in the BC public service coincided with negotiations involving professionals in 8 of the PEA’s 10 bargaining units, as well as a broader labour relations context that saw 300,000 public-sector workers pursuing new agreements with their employers. In the spring of 2012, PEA members in Prince George and Victoria joined public rallies to support school teachers and oppose Bill 22, legislation that curbed their bargaining rights.<sup>34</sup>

Negotiations between the PEA, other employee groups and the BC government broke down in the summer of 2012, culminating in professionals’ first province-wide strike. On August 2, the PEA served 72-hours strike notice on the BC government. Five days later, on August 7, professionals initiated their first strike action within the BC public service in the PEA’s history — walking off the job in targeted strikes at worksites in Kelowna, Surrey, 100 Mile House and Campbell River. Later that month, on August 20, the PEA launched another series of targeted strikes in five BC communities: Burns Lake, Cranbrook, Dawson Creek, Nelson and Prince George. Finally, on Wednesday, September 6, 2012, to ramp up pressure on the provincial government and demonstrate

professionals' commitment to achieving a fair settlement, all 1,250 PEA members in the Government Licensed Professionals' bargaining unit joined with BCGEU and COPE members in launching a province-wide strike against Premier Christy Clark's government. A total of 27,000 workers established picket lines at government offices and worksites around the province, the first time in BC history that three public-service unions had walked off the job simultaneously in a coordinated contract strike against the government.<sup>35</sup>

This demonstration of unity and strength by the PEA and its partner unions succeeded in bringing the province back to the negotiating table with a revised salary offer. Public rallies were held in October 2012 to maintain pressure and on October 26, a tentative agreement was reached, providing for a 2% salary increase during the first year of the contract and additional 1% increases in the second and third year. PEA members ratified this agreement with a 92% vote, drawing to a close one of the most intense episodes in the association's history.<sup>36</sup> As a result of the job action, the PEA issued 928 cheques to members for strike pay, calculated at the rate of 70% of base pay up to a maximum of \$125 per day, to compensate members for lost income while undertaking picketing or other duties as directed by picket captains.<sup>37</sup>

The year 2012 also saw professionals in other PEA chapters take job action. In September and October, professionals at the University of Victoria walked picket lines to support the contract demands of striking CUPE workers, before settling their own two-year agreement in November. That month, professionals in the Health Science Professionals' chapter and other employees in the multi-union bargaining association voted 90% in favour of a strike, launching rotating strikes in December that saw pharmacists and other PEA members walk off the job to win a fair settlement. As PEA executive director Scott McCannell wrote, 2012 saw "a more aggressive approach to bargaining" including "work to rule, public rallies, an extensive media and public awareness campaign and a province-wide strike." This signalled the association's commitment to bargaining better collective agreements for professionals and "beginning a culture shift toward a renewed union."<sup>38</sup>

Demonstrating this shift in culture, the PEA conducted a referendum vote of the entire membership in May 2013, where professionals voted 77% in favour of affiliating with the BC Federation of Labour on a three-year trial basis, providing "a stronger sense of community in the greater labour movement." The experience of taking action to win fairness in the



**TOP LEFT:** In 2012, professionals in the public service participated in the first strike in their history. The PEA and its members had approached bargaining with an awareness that job action might be necessary to achieve a fair settlement, after the previous Master Agreement froze salaries and entitlements. *Credit: PEA Archives*

**TOP RIGHT:** PEA members in the Government Licensed Professionals' bargaining unit walked off the job in September 2012 in the first province-wide strike in the PEA's history. *Credit: PEA Archives*

**BOTTOM LEFT:** In 2012, professionals in the BC public service participated in the first strike in their history. The PEA initiated job action after professionals vote 92% in favour of a strike. *Credit: PEA Archives*

**BOTTOM RIGHT:** In 2012, professionals in the GLP chapter took strike action for the first time in their history. Here, PEA executive director Scott McCannell speaks with the media during the strike action on September 5, 2012. McCannell was appointed as executive director by the PEA executive in 2011. *Credit: PEA Archives*

workplace was transforming the PEA, as it strengthened relationships with communities and other organizations.<sup>39</sup> A month earlier, 61 delegates had met in Victoria for the PEA's 10<sup>th</sup> biennial convention. Frank Kohlberger was re-elected to a second full term as president, as delegates endorsed resolutions authorizing electronic voting for membership referenda and officer elections, and electronic meetings of the PEA executive.<sup>40</sup>

At the University of Victoria, members voted 84% to ratify a new contract in September 2014. A year later, in 2015, the provincial government announced cuts of \$50-million in funding to post-secondary education. This impacted PEA members in the large UVic chapter, an institution already facing deep financial pressures in the face of fluctuating enrolments.<sup>41</sup>

When members of the Government Licensed Professionals' chapter and other public-sector chapters returned to the bargaining table in 2015, settlements were reached with less acrimony than during the previous round of bargaining. The BC government had announced a bargaining mandate limiting any wage increases to 5.5% over the life of a 5-year collective agreement, and had sought a wage freeze during the first year of the contract.<sup>42</sup> Professionals in the GLP chapter voted 84% to ratify a new contract in May 2015, which included additional pay increases of just over 1%, in the form of "Economic Stability Dividends" based on GDP growth.

## **"PROFESSIONAL RELIANCE", ENDANGERED EXPERTS AND FRAGILE ECOSYSTEMS**

The opening years of the twenty-first century also saw growing environmental consciousness among PEA members and the general public, against the backdrop of intensifying impacts of climate change and other ecological impacts on the ground in British Columbia. At the same time, the provincial government shifted away from direct government oversight of industry by public-sector scientists in favour of a "professional reliance" model of industry self-regulation, which threatened the livelihoods of PEA members while also threatening the public interest and ecological values.

In March 2014, the PEA launched the "Endangered Experts" campaign, challenging "deprofessionalization" of the public service while highlighting risks to public safety, the economy and the environment

arising from elimination of BC government scientists.<sup>43</sup> Between 2009 and 2014, the number of PEA members employed in the Government Licensed Professionals' chapter decreased by 15%, from 1359 to 1153 members. This included a decline of 27% of foresters, from 722 to 529 members, and 23% of agrologists, from 190 to 147 members. As the PEA noted at the time:

“Government Licensed Science Officers include foresters, engineers, agrologists, geoscientists, veterinarians, psychologists, physiotherapists and pharmacists. They provide the provincial government with advice, guidance, research, monitoring and review services to help ensure the efficient and effective management, utilization and oversight of B.C.’s natural resources, infrastructure, food and water resources and some aspects of health care services. ... [N]atural resources are the backbone of the B.C. economy and neglecting their management and monitoring is a threat to the current and future well-being of all British Columbians.”<sup>44</sup>

The PEA identified a number of risks arising from deprofessionalization of the BC public service and a corresponding lack of oversight and in-house expertise:

- Loss of resource revenue due to reduced oversight;
- The degradation of forest resources due to inadequate monitoring and inspection;
- Public safety threats if infrastructure like bridges and water supply facilities are not regularly inspected and monitored;
- Threats to the environment if development impacts are not properly assessed;
- Bad decision-making by technical staff due to little or no professional guidance and advice; and
- Irretrievable loss of ongoing research data due to lack of staff to do the work.

BC’s Auditor General confirmed the scope of the problem in a 2012 audit of the Ministry of Forests, Lands and Natural Resource Operations (FLNRO), concluding that the ministry lacked capacity to undertake effective ground-sampling due to a shortage of foresters. This meant that land-use planning and allocation of harvesting rights to private-sector licensees relied on estimates, rather than on an accurate inventory of BC’s Crown lands.<sup>45</sup> The problem also extended to risks to critical infrastructure such as bridges, due to “professional reliance” and

“outsourcing” of inspections.<sup>46</sup>

On August 4, 2014, collapse of a tailings pond dam at the Mount Polley mine in the Cariboo and the release of 24 million cubic metres of water and mine tailings into Quesnel Lake provided a stark demonstration of the risks of the “professional reliance” model, downsizing and deprofessionalization of BC’s public service. As PEA President Frank Kohlberger wrote in *The Professional*:

“In August, the tailings pond at Mount Polley Mine in the BC Interior was breached, and millions of gallons of water from the mine were dumped into the Quesnel and Cariboo Rivers. This issue covered the front page of newspapers and focused public attention on questions about how British Columbia manages its natural resources. For several years now, the PEA has been opposing the government’s ongoing cuts to licensed science officers in the public service for fear of major incidents like this. We believe that a public service equipped with experienced scientists and experts is in the best interest of British Columbians.”<sup>47</sup>

The PEA pointed out that in the decade prior to the Mount Polley disaster, the number of licensed science officers in the BC Ministry of Energy and Mines dropped by 21%, while the number of mine inspectors decreased from 11 to 3 spread across five regional offices — with a corresponding sharp decline in mine inspections.<sup>48</sup> As the PEA noted, “Licensed professionals, including scientists, engineers, hydrologists and others, have reported major concerns over the declining level of public oversight of BC’s resource industries.”<sup>49</sup>

An investigation by BC’s Chief Inspector of Mines into the Mount Polley disaster confirmed the PEA’s concerns, stating that “when there are failures in the control, the impacts can be substantial... [P]rofessional reliance can lead to mistaken belief, such as faith in the adequacy of site investigation, leading to misplaced faith in design parameters and stability modeling. Professional reliance can also be blinded by the confidence of an authority, or by the assumed accuracy of prior testing.”<sup>50</sup>

However, rather than reversing the trend toward downsizing, outsourcing and “professional reliance” in the wake of the Mount Polley disaster, the provincial government continued along the same path. In a survey conducted by the research organization Evidence for Democracy for the PEA in 2017, government scientists said that the provincial approach of cutbacks “impedes the government’s ability to fulfill their responsibility for regulatory oversight.” A total of 403 government



scientists participated in the survey (representing 35% of members in the Government Licensed Professionals' chapter).<sup>51</sup>

Other studies around this time highlighted gaps in the professional reliance models of industry self-regulation: by the BC Ombudsperson (*Striking a Balance: The Challenges of Using a Professional Reliance Model in Environmental Protection — British Columbia's Riparian Areas Regulation*, 2014), the Forest Practices Board (*District Managers' Authority Over Forest Operations*, 2015) and the Auditor General (*An Audit of Compliance and Enforcement of the Mining Sector*, 2016). Between 2014 and 2017, the number of foresters in the PEA's Government Licensed Professionals' chapter declined by a further 12%.<sup>52</sup> The PEA noted that:

“In addition to the forestry sector generating half a billion dollars annually for the government, our forest product exports are worth close to \$10 billion annually. The total value of BC's timber supply is estimated to be a quarter of a trillion dollars. It makes sense to invest in the proper science to maintain this revenue stream and the biodiversity to make it sustainable. Foresters also play a vital part in managing and safeguarding BC's forests. In light of the devastating forest fires that have hit BC this summer, effective forest management is required now more than ever.”<sup>53</sup>

Controversy surrounding “professional reliance”, Mount Polley and the lack of public oversight of industry raised the question of whistleblowers and protections for employees against reprisals for speaking out against perceived wrongdoing within the government. Until 2018, BC and the Northwest Territories were the only Canadian jurisdictions without laws to protect employees who raised ethical or legal concerns about government actions. That year, the BC Legislature adopted the *Public Interest Disclosure Act* (PIDA), which came into force in December 2019. The act authorized current and former government employees to confidentially share information about serious wrongdoing affecting the public interest. Importantly, the legislation also provided employees who disclosed perceived wrongdoing or who participated in investigations with protection from reprisals, provided complaints were made in good faith and adhered to procedures in the legislation.<sup>54</sup> While the legislation mandated that disclosures be made to designated officials within a ministry or to the Ombudsperson (rather than to the general public), the protections were a step in the right direction. The legislation also expressly permitted employees to consult with their union, legal counsel or the Ombudsperson on whether to make a complaint.

During this period, climate change emerged as a defining issue in PEA

workplaces and across British Columbia — and a defining existential challenge to humanity (and other species) around the globe. Actions under the Gordon Campbell government to begin accounting for, and taxing, green-house gas emissions placed British Columbia ahead of most other North American jurisdictions from a policy standpoint. However, carbon-intensive natural resource industries, particularly natural gas in the northeast of BC, and diminished public-sector capacity to respond to the impacts of climate change, generated controversy among PEA members and the general public.

## “PROFESSIONAL RELIANCE” AND THE MOUNT POLLEY MINE DISASTER

Collapse of the tailings pond dam at the Mount Polley mine in the Cariboo region in 2014 resulted in the discharge of 24 million cubic metres of water and mine tailings into the Quesnel and Cariboo Rivers — and highlighted risks to public safety, the economy and the environment from the “professional reliance” model and deprofessionalization of BC’s public service.

As noted earlier, one-fifth of government scientists in the Ministry of Energy and Mines had been downsized in the decade prior to the Mount Polley disaster and the number of mine inspectors dropped from 11 to 3 inspectors.

As PEA president Frank Kohlberger noted in *The Professional*:

“For several years now, the PEA has been opposing the government’s ongoing cuts to licensed science officers in the public service for fear of major incidents like this. We believe that a public service equipped with experienced scientists and experts is in the best interest of British Columbians.”

Source: “Why our fight for a strong public service is more important than ever,” *The Professional*, Oct. 2014.



The opening decades of the twenty-first century also witnessed growing impacts of climate change on the ground in BC. The mountain pine beetle epidemic was an early manifestation, as warmer winters contributed toward survival and proliferation of the insect, resulting in the loss of an estimated 160,000 square kilometres of Crown timber in the 2000s and 2010s.<sup>55</sup>

Wildfires also placed a major strain on public safety, public resources and BC forests, including intense wildfires in the Okanagan in 2003 and throughout the province in 2017, 2018 and most years since (breaking records for area burned, number of fires and number of evacuees). The 2017 fire season surpassed the previous record from 1958, with 12,312 square kilometres of forest burned across BC, while 2018 saw 13,513 square kilometres burned. The summer of 2023 saw the hottest temperatures ever recorded on the planet, and the largest wildfires in the province's history, with an estimated 30,020 square kilometres burned, including the Donnie Creek fire encompassing nearly 6,000 square kilometres in the northeast.<sup>56</sup> Provincial expenditures on wildfire suppression approached \$1-billion.<sup>57</sup> The connection between a warming planet and the fires was unmistakable.

PEA members played a prominent role managing the province's response to wildfires. This included agrologists, foresters, engineers, and other professionals working with the Ministry of Emergency Management and Climate Readiness (formerly Emergency Management BC) to direct operations at Regional Emergency Operations Centres (EOCs) in the fire zones.<sup>58</sup> "As the fires raged, the province, as it always does during states of emergency, called upon civil servants to leave their regular jobs and accept two-week deployments to work with the various incident management teams being set up to respond to the crisis," *The Professional* reported in 2022.<sup>59</sup>

However, PEA members seconded to the fire zones were not compensated at the same rate as other members of the public service: while BCGEU members received time-and-a-half for the first two hours of work and then double time (and double time for any hours worked on non-work days), PEA members received one-hour of overtime compensation for one hour worked, pursuant to Appendix H of the GLP collective agreement (introduced in the aftermath of the 2003 Kelowna wildfire). Efforts to address this disparity at the bargaining table have been unsuccessful to date. There was also a delay of a number of months in PEA members being paid for their work during these emergencies.<sup>60</sup>

PEA members were also impacted by heavy increases in workload arising from wildfires, including foresters at BC Timber Sales (BCTS) and the Ministry of Forests involved in coordinating the harvesting and reforestation of impacted areas. Some PEA members were also personally impacted as evacuees.<sup>61</sup>



ABOVE: PEA members play a leading role in response to wildfires, at Emergency Operations Centres around the province. The scale, intensity, duration and damage resulting from wildfires has increased in recent years in the context of climate change. *Credit: Jamie Rupa Gilliatt*

In 2016, *The Professional* reported on the efforts of PEA members at the Kalamalka Forestry Centre in Vernon to adapt varieties of tree species for resilience in the context of climate change. “We’re trying to do what nature does naturally,” forest geneticist Greg O’Neill said. “The climate’s shifted many times in the past, but right now, the climates are changing so fast, trees cannot keep up.” With BC mandating the planting of 250 million trees annually (as conditions imposed on forest licensees for harvesting rights to Crown lands), the Kalamalka program sought to reform public policies surrounding seed selection, to ensure the new trees would be pre-adapted to warmer climates.<sup>62</sup>

Climate change impacts also extended beyond the forestry sector. The heat dome of June 2021 took the lives of more than 600 British Columbians and fueled extreme wildfires, with the village of Lytton burning to the ground. Five months later, the atmospheric river of November 2021 flooded communities and farmland in the Fraser and Nicola Valleys and beyond, washed away wide swaths of the Coquihalla Highway, drowned hundreds of thousands of farm animals, and took several more human lives. In the midst of the atmospheric river, PEA members in the BC public service mobilized to monitor river levels, identify areas for evacuation alert, coordinate relocation of livestock, and implement other emergency measures. As the rains and floodwaters subsided, they surveyed highways, bridges, dams, farms and other infrastructure by ground and air, assessing the extent of damage and beginning to plan for recovery and rebuilding. Many PEA members who participated in these emergency response efforts in the summer and fall of 2021 reported burnout, as these emergency deployments were compounded on top of their ordinary duties, with little respite in between. “There are no weekends in an emergency,” engineer Steve Page told *The Professional*.<sup>63</sup> As noted above, the PEA advocated for a fair deal for members deployed during emergencies.

Protracted periods of drought, wildfires, flooding, landslides and storm surges appeared to have become regular features of the province’s ecological and social landscape by the early twenty-first century, a new normal on a warming planet. PEA members responded on the ground and by advocating for action by various levels of government to mitigate, and adapt to, the impacts of climate change. At the PEA’s 2019 convention, delegates endorsed a resolution declaring that “the PEA supports clean energy projects and energy alternatives that do not further climate change” and called on the PEA to “review its policies and practices” and

strive “in all aspects of its operations to be environmentally responsible.”<sup>64</sup> In 2021, delegates endorsed a resolution calling on PEA members “to take personal and collective action to save our planet” and pledging the PEA to lobby municipal, provincial and federal governments to (1) “support the development and proliferation of renewable sources of energy and fuel, particularly wind and solar,” (2) “support sustainable land use, forest conservation, and reforestation,”; (3) “support of the rights of Indigenous peoples”; (4) “recognize that access to clean and affordable water is necessary and important; and (5) “support coordinated municipal, provincial, federal and global efforts to manage and reduce greenhouse gas emissions.”<sup>65</sup>



**ABOVE:** GLP engineers (left to right) Vikram Verma, Dan Cossette and Kent Hodgson with the provincial Minister of Public Safety, the Honourable Mike Farnworth (third from left), in the summer of 2022, inspecting reconstruction of the Coquihalla Highway from damage caused during the atmospheric river the previous year. *Credit: Kelly Funk*

**“THE EMPLOYER NEEDS TO FEEL  
THE PRESSURE OF JOB ACTION.”**

PEA

## CHAPTER SEVEN

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### AN ACTION-ORIENTED UNION: THE PEA IN RECENT YEARS

In the last decade, the PEA has matured as an organization, consolidating its presence among professionals in the BC public service and the education, health and legal-services sectors. The union has also continued to strengthen links with organized labour: in 2016, PEA members voted to maintain affiliation to the BC Federation of Labour and to affiliate to the Canadian Labour Congress. At the same time, the PEA has been challenged by ongoing turbulence in the economy, society and provincial government policies. While re-election of the New Democratic Party to power in 2017 bolstered hopes of a less antagonistic relationship with public-sector employers and brought about positive shifts in policy, ongoing tensions could be discerned. The COVID-19 pandemic transformed the working lives of many professionals; an element of work from home would endure for many members even after the public-health crisis had passed. In 2023, government legislation moved 400 BC government lawyers, who had been seeking their own union certification, into the PEA. This raised questions regarding the constitutional right to collective bargaining and the right of workers to belong to a union of their choosing. As the PEA reached its 50-year milestone, professionals and their association continue to balance duty with dignity.

## INTERNAL RENEWAL, GROWING LINKS WITH ORGANIZED LABOUR

The decade culminating in the 50-year anniversary of collective bargaining rights for PEA members in the BC public service was characterized by internal renewal, external growth and stronger links with the labour movement in British Columbia and beyond.

In 2014, the PEA won three International Labour Communications Association (ILCA) Labour Media Awards, recognizing achievements in American and Canadian labour communications. This consisted of three first-place prizes: General Excellence for Local & Regional Publications, 1,001-10,000 members, for *The Professional*; best electronic media promoting labour history for the video *The Professional Employees Association: Serving Professionals for 40 Years*; and best internet design for *Endangered Experts*.<sup>1</sup>

In April 2015, 48 voting delegates attended the PEA's eleventh Biennial Convention in Victoria. Members re-elected Frank Kohlberger to a third term as president and voted to endorse the BC Federation of Labour's "Fight for 15" campaign, urging an increase in the minimum wage to \$15 per hour. Demonstrating the PEA's emerging links with organized labour, Canadian Labour Congress president Hassan Yussuff addressed delegates, while the presidents of the BC Federation of Labour, BCGEU and Victoria Labour Council all attended the convention, as did the executive secretary of the Professional Institute of the Public Service of Canada (PIPSC).<sup>2</sup>

While PEA members were historically reluctant to embrace the tenets of unionism in the association's formative years, pressures of neoliberalism and austerity budgets in the 2000s, alongside maturation of the organization, fostered an impetus toward stronger connections with other groups of union members.

Members had endorsed affiliation to the BC Federation of Labour on a three-year trial basis in 2013 (building on a positive referendum vote back in 1980). As the three-year trial period proceeded in the mid-2010s, the discussion turned to a more permanent linkage. In May 2016, the PEA conducted an online referendum where members voted 85% in favour of maintaining affiliation to the BC Federation of Labour and joining the Canadian Labour Congress, through the Professional Institute of the Public Service of Canada (PIPSC).<sup>3</sup> The cost of affiliation was \$1.57 per member per month, or approximately \$50,000 annually for the PEA.<sup>4</sup>



The PEA also strengthened links with other unions of professionals across the country. In June 2018, PEA president Frank Kohlberger and executive director Scott McCannell attended the inaugural conference of the Professional Unions Network of Canada (PUNC). The following year, in August 2019, PUNC met in Victoria, bringing together representatives from PIPSC, the Association of Canadian Financial Officers (ACFO-ACAF), the Association of Management, Administrative and Professional Crown Employees of Ontario (AMAPCEO), the Syndicat de professionnelles et professionnels du gouvernement du Québec (SPQC), and the PEA.<sup>5</sup>

**RIGHT:** PEA labour relations officer Sam Montgomery leads members in an exercise during local rep training at the Victoria office. *Credit: PEA Archives*



As the PEA strengthened its ties with organized labour, tensions could be discerned with other groups of workers. In November 2015, the BC Nurses' Union (BCNU) launched a raid for certification of psychologists in the PEA's Health Science Professionals' (HSP) chapter, alongside raids of other unions. This was consistent with the BCNU's approach of pursuing certification of all workers in the health sector, irrespective of existing collective bargaining relationships. The PEA opposed the raid at the Labour Relations Board and the Board dismissed the BCNU certification applications in April 2016, finding that "the Applications are contrary to established Board policy on partial raids in the health sector, and would result in an inappropriate proliferation of bargaining agents within the paramedical professionals subsector at a site."<sup>6</sup>

When the BCNU challenged this decision with a judicial review petition in BC Supreme Court, Chief Justice Christopher Hinkson upheld the LRB's ruling. In a decision issued in September 2017, Chief Justice Hinkson found that the BCNU "has failed to persuade me that the decision of the [LRB] was patently unreasonable or that it was made due to any breach of natural justice or procedural fairness."<sup>7</sup> The PEA welcomed this result, and the accompanying order that BCNU pay a portion of the PEA's legal costs, acknowledging in *The Professional* that it had "invested considerable resources into protecting our HSP members in this raid."<sup>8</sup>

In the midst of this jurisdictional dispute, the PEA responded to another threat to members in the HSP chapter: privatization of health care. In concert with the BC Healthcare Coalition, British Columbia Friends of Medicare and other intervenors, the PEA financially supported advocacy for public Medicare during the lengthy litigation involving the Cambie Surgery Centre, a private health clinic in Vancouver that challenged the constitutionality of BC's *Medicare Protection Act*. While the private clinic's case was ultimately dismissed by the BC Supreme Court after 194 days of trial, maintaining single-payer healthcare (a decision upheld by the BC Court of Appeal), the case highlighted gaps in BC's public health care system, which the PEA and other unions had been pointing out for decades.<sup>9</sup>

Around this time, the PEA voluntarily agreed to the transfer of 30 Prince George School District members to the British Columbia Teachers' Federation (BCTF). After years of the PEA advocating for K-12 wage parity for those members, who had joined the PEA in 1984, the transfer was a last resort to enable significant wage increases. In January 2016, the Labour Relations Board granted an application from the BCTF to transfer those professionals from the PEA to the BCTF.

The PEA also expanded in new directions. In May 2017, 150 employees of the Hospital Employees' Staff Union (HESU) (the union representing employees of the 44,000-strong Hospital Employees' Union) voted to join the PEA, becoming the HESU chapter. This chapter included organizers, researchers, communications officers, representatives, legal counsel and other staff, working at seven HEU offices around BC. The HESU members formerly belonged to Unifor, before having their charter revoked.<sup>10</sup> In voting 90% in favour of joining the PEA, the HESU members signalled their desire to be "in a union that represented professionals and was part of the larger labour movement," chapter president Janine Brooker

said. “They wanted a union that was affiliated with the BC Federation of Labour and the Canadian Labour Council, and they wanted their union to be socially conscious.”<sup>11</sup>

That month, May 2017, 68 voting delegates attended the PEA’s twelfth biennial convention in Victoria. Members endorsed 12 resolutions, including a constitutional amendment requiring a quorum of at least half the membership for any vote to increase union dues, and a resolution calling for lobbying to increase the number of scientists employed in the BC public service.<sup>12</sup> Frank Kohlberger was elected to a fourth term as President. The PEA convention occurred on the eve of a provincial general election, which brought about changes in the political environment within which PEA members worked and lived.



ABOVE: Members attend the PEA’s 2017 convention at the Inn at Laurel Point in Victoria.  
*Credit: Aaron Lutsch*

## CHANGE IN GOVERNMENT: NDP-GREEN COOPERATION AND THE REVIEW OF PROFESSIONAL RELIANCE

The May 2017 provincial election resulted in a near dead-heat between the governing BC Liberal Party and the BC New Democratic Party (NDP), with 43 and 41 seats respectively, alongside 3 Green members of the legislative assembly. No party held a clear majority of seats. In the maneuvering that followed, Liberal Premier Christy Clark was unable to muster majority support for her throne speech, while NDP leader John Horgan secured a “confidence and supply” agreement with the Greens. Clark asked Lieutenant Governor Judith Guichon to dissolve the Legislature (to settle the impasse with a fresh election) but Guichon refused, adhering to constitutional convention by inviting Horgan to form a government. Writing in *The Professional*, PEA president Frank Kohlberger described the “historic partnership between the NDP and Green Party.”<sup>13</sup>

For the next three years, the NDP-Green cooperative arrangement brought some changes in the province’s social and environmental policies, including increases in the minimum wage, repeal of Medical Services Plan premiums, steps toward public childcare services, expansion of public housing, and a referendum on proportional representation (which was defeated on a vote of 61%-39%). However, tension endured on several issues, particularly environmental issues, such as construction of the Site C hydroelectric dam on the Peace River, the Trans Mountain Pipeline Expansion Project from the Alberta oil sands, and the Coastal GasLink pipeline through Wet’suwet’en territory.

Honouring a pledge in the Confidence and Supply Agreement with the Greens, the Horgan NDP government initiated a review of “professional reliance” shortly after it took power. Mark Haddock, former chair of the Forest Practices Board, was appointed to lead the review. Haddock received submissions from 1,800 professionals and organizations including the PEA, and engaged the licensing bodies of agrologists, biologists, engineers and geoscientists, foresters and science technologists.<sup>14</sup> Haddock published his final report in May 2018, which found that it was “very clear that staffing levels due to past cuts make it very difficult for some ministries, or some business areas within ministries, to meet basic levels of oversight.”<sup>15</sup> Haddock provided two main recommendations for reform: (1) that the BC government

establish an independent office to provide oversight and regulation of professionals; and (2) that the government unify legislative requirements under a single statute, to provide an integrated regulatory framework that would replace five existing statutes.<sup>16</sup>

The government responded to the Haddock report with enactment of the *Professional Governance Act* in the autumn 2018 legislative session. The legislation replaced the previous statutes governing the regulatory bodies of professionals and created an office of the superintendent of professional governance. However, the scope of the superintendent's office was more limited than the oversight body envisioned by Haddock: the office was housed within the Ministry of Advanced Education and lacked authority to intrude on the regulatory role of professional organizations with respect to conduct and discipline of individual professionals. The Haddock recommendations also failed to capture the key element of the PEA's submission: to "Restore government professional staff capacity and expertise, so there is science-based expertise in natural resource policy making and enforcement."<sup>17</sup> As well, "regulatory outsourcing" to professionals contracted by private licensees (rather than employed directly in the public service) continued in many statutes governing the natural resources sector, from the *Forest and Range Practices Act* to the *Mines Act*.

Notwithstanding these challenges, the PEA succeeded in negotiating new collective agreements covering 91% of members in 2018 and early 2019 (in the Government Licensed Professionals', University of Victoria, Hospital Employees' Staff Union and Law Society Lawyers' chapters). The new contracts were generally well-received by members after a number of years of austerity, with ratification votes exceeding 90% support in most chapters.<sup>18</sup> Among the Government Licensed Professionals, the PEA bargaining committee reached a tentative agreement with the employer in January 2019, which was ratified by 92% of voting members in February 2019. The new Master Agreement provided for pay increases of 6% during the three-year contract.<sup>19</sup> At the UVic chapter, 91% of voting members supported the new agreement, which also saw a 6% general wage increase over three years and a 0.4% lift to the ceiling rate.

In the Legal Aid BC (LABC, formerly the Legal Services Society) chapter, members voted 100% in favour of job action in October 2019, to address the compensation gap with lawyers employed directly in the BC public service. "With considerably more being invested in a prosecution than a fair trial, low-income British Columbians facing a variety of serious legal

challenges would have to take on a complicated and unaffordable justice system all on their own,” a joint submission with management later noted. “Correcting the wage disparity, on the other hand, permits the Crown to simultaneously address the administration of justice, reconciliation, anti-racism, gender and many other categories of equality.”<sup>20</sup>

To increase pressure on the government and the employer in the LABC bargaining dispute, the PEA launched its “Justice 4 Justice Workers” campaign and issued 72-hour strike notice on October 28, 2019. That day, in an opinion-editorial in the *Vancouver Sun*, PEA executive director Scott McCannell declared that: “After years of cuts, it’s time to reinvest in the most important front line legal aid services and the LSS staff lawyers who provide them.”<sup>21</sup>

On November 1, 2019, the 26 LABC lawyers walked off the job with a one-day strike, picketing the LABC headquarters on Burrard Street in Vancouver and rallying with allies in the labour movement, including leaders of the BCGEU and BC Federation of Labour. The one-day strike helped provide an impetus to renewed negotiations, as did an ongoing work-to-rule campaign.<sup>22</sup> A tentative agreement was reached running from 2019 to 2022. In February 2020, 90% of voting members supported the LABC tentative agreement (with 80% of members of the bargaining unit casting a ballot).

Another group of PEA lawyers, the 12 staff lawyers at the Family Maintenance Agency (FMA, formerly the Family Maintenance Enforcement Program), also voted 100% in favour of strike action in October 2020. The FMA members’ contract had expired in March 2019

RIGHT: LABC staff lawyers Stephanie Hodgson and Jeremy Orrego picket the Vancouver headquarters of Legal Aid BC during a one-day strike on November 1, 2019, supported by allies in the labour movement.

*Credit: Jordana Whetter*





and the opening of talks was delayed as the FMA transitioned from being a contracted service provider to a Crown agency. Talks began in November 2019, but the government was unwilling to shift from the rigid Public Sector Employers' Council (PSEC) bargaining mandate. As the PEA noted at the time, this mandate failed to account for historic inequities, with compensation of FMA lawyers being 20% lower than their counterparts at Legal Aid BC and 50% lower than their counterparts in Crown Counsel and the Ministry of Attorney General's Legal Services Branch.<sup>23</sup> In December 2020, 89% of voting members ratified a new FMA collective agreement, which saw a general wage increase of 6% over three years as well as increases to annual professional development entitlements and increased severance pay.

In October 2020, the Horgan NDP government went to the polls, a year earlier than the timeline mandated by BC's fixed-election-date law, bolstered by an upturn in polling numbers, weakness of the opposition Liberals, and a boost of public support associated with the government's handling of the early phase of the COVID-19 pandemic. The NDP secured a commanding majority of 57 seats, alongside 28 seats for the Liberals (led by Andrew Wilkinson) and 2 seats for the Greens (led by Sonia Furstenau).

## **AN ACTIVIST UNION: DEMOCRATIZING AND STRENGTHENING THE PEA**

Recent years have seen a current of democratization within the PEA, with a shift in culture toward greater membership self-activity and participation. This has manifested itself in increased involvement in chapter business, growing volunteerism within the PEA and the community, and a contested election for the PEA presidency in 2019.

In April 2018, PEA members participated in the "March for Science" in Victoria, coinciding with Earth Day and a global day of action aimed at emphasizing the role of science in upholding the common good and calling for evidence-based policy in the public interest.<sup>24</sup>

A year later, in May 2019, 65 delegates converged on Victoria for the PEA's twelfth biennial convention. Agrologist Shawna LaRade of Cranbrook, a member of the GLP chapter, was nominated from the floor for the office of president and subsequently won the election, defeating Frank Kohlberger, who had served as president since 2010.<sup>25</sup> Three other women joined LaRade as table officers of the PEA, the first time in the

union's history that all four positions were held by women: Cherene Palmer of the HESU chapter, as first vice-president; Ronda Field of the HSP chapter, as second vice-president; and Melissa Doyle of the UVic chapter, as secretary-treasurer. In her inaugural message to members as president, LaRade reflected on the role of the PEA:

“The union plays an important role in supporting and showcasing our diverse members and their chapters. The union also works to ensure its members are given equal opportunities, free from bias or favouritism. And the union works diligently to assist its members to contribute to the health and vision of our organization. The union also has a social responsibility to promote social equity for those who do not have a union to support them.”<sup>26</sup>

# PEA



LEFT: PEA members and staff recognized Pink Shirt Day during Local Rep Training in Victoria, taking a stance against bullying. *Credit: Aaron Lutsch*



BELOW LEFT: 2019 marked the first time in the PEA's history that all four table officer positions were held by women (left to right): Ronda Field of the HSP chapter, as second vice-president; Melissa Doyle of the UVic chapter, as secretary-treasurer; Shawna LaRade of the GLP chapter, as president; and Cherene Palmer of the HESU chapter, as first vice-president. *Credit: Aaron Lutsch*



An upturn in membership interest was apparent in the lead-up to the 2019 convention, with *The Professional* noting that: “The number of convention resolutions we’ve received so far surpasses that of any convention in recent history.”<sup>27</sup> At the convention, delegates endorsed a resolution calling on members “to speak out against discrimination on the basis of sexual orientation and gender identity, and [to] take proactive steps to prevent the occurrence of intolerant or discriminatory acts.” The resolution also called for the PEA to “support non-discrimination in both the workplace and in employment legislation.” Delegates also endorsed a resolution calling on the PEA to “develop an equity and diversity strategy for the union.” Another resolution encouraged PEA chapters to affiliate to local labour councils.<sup>28</sup>

## AN INCLUSIVE UNION: EQUITY, DIVERSITY AND INCLUSION IN THE PEA

In 2015, the PEA established its Equity and Human Rights Committee (now known as the Equity and Diversity Committee). The committee provided an opportunity for members to get involved in the work of the PEA — and to help advance human rights for all workers and specifically for workers with disabilities, workers of colour, LGBTQ workers and women. The committee was open to all members, with individuals self-identifying with one of these equity-seeking groups particularly encouraged to participate.

In the autumn of 2019, PEA members at the Okanagan Regional Library (ORL) successfully pushed back against a drive by the chief executive officer (CEO) of the ORL to ban “drag queen storytime” and other diversity initiatives at the library. Working with grassroots community members, many of the 26 PEA librarians helped encourage 350 public submissions on the issue and wore buttons at work indicating their support for diversity and inclusion. In November 2019, the OLR Board rejected a memorandum and proposed policy from the CEO that would have banned these initiatives, by mandating supposedly “neutral” content for children’s programming. The Board decided to leave children’s programming policy at the ORL alone and entrusted PEA members to make appropriate decisions. According to *The Professional*, the proposed approach was flawed because it was “a direct assault on diversity and inclusivity”, and intruded on the “professional autonomy” of librarians, who held graduate-level training to develop programs that met community needs.

Source: “Fighting for diverse programming,” *The Professional*, Jan.-Feb. 2020.



LEFT: Okanagan Regional Librarians fought and won to maintain diverse programming options for the public, including Drag Queen Storytime in 2019. Their activism ensured ORL libraries remain a place of community and inclusion, where everyone can come together to celebrate diversity and feel welcome. *Credit: PEA Archives*

RIGHT: The PEA contingent in the Victoria Pride Parade. Since 2013, PEA members and staff have participated in the parade every year, demonstrating the union’s commitment to human rights and inclusivity. Executive director Scott McCannell and University of Victoria member Susan Dempsey hand out PEA flags (from left to right). *Credit: Aaron Lutsch.*



PEA

Around this time, the PEA responded to the mobilization of the Black Lives Matter movement, with PEA president Shawna LaRade affirming that “the PEA is committed to creating and supporting union and workplace environments free of racism and violence. The PEA stands in solidarity with the Black community, Indigenous peoples, people of colour, the LGBTQIA2S+ community and all human rights and freedoms.”<sup>29</sup>

Two years later, at the PEA’s 2021 convention, delegates endorsed a resolution stating:

THEREFORE BE IT RESOLVED that PEA denounce violence and discrimination based on race, colour and origin; and

BE IT FURTHER RESOLVED that PEA call upon members to speak out against discrimination on the basis on race, colour, indigeneity, religion, and cultural or ethnic origin, and take proactive steps to prevent the occurrence of intolerant,

discriminatory or racist acts in their homes, workplaces and communities; and BE IT FURTHER RESOLVED that PEA continue to educate members about systemic racism, privilege and inclusion; and

BE IT FURTHER RESOLVED that PEA lobby the provincial and federal governments to uphold the Canadian Charter of Human Rights and the British Columbia Human Rights Code and end systemic racism.<sup>30</sup>

Within the PEA, members, officers and staff took steps to increase diversity and inclusion. Delegates at the 2019 convention adopted a resolution calling on the PEA to “develop an equity and diversity strategy for the union” and to “increase educational opportunities for members that emphasize training in equity and diversity.”<sup>31</sup> The PEA’s Equity and Diversity Committee was tasked with providing recommendations to the PEA Executive on implementation of this convention resolution. Actions arising included commissioning an external consultant to undertake an inclusion audit of the PEA, and offering training to PEA members on topics including unconscious bias and inclusive leadership. At the PEA’s 2023 Education Conference, a specialist in Equity, Diversity and Inclusion (EDI), Alden Habacon, addressed members as a keynote speaker. At the time this book went to press, results of the audit and other actions were ongoing.

## PROFESSIONALS AND THE PANDEMIC

In March 2020, BC and the world changed. In a matter of weeks, the COVID-19 pandemic closed workplaces everywhere and ushered in an immediate transition to remote work for some PEA members (such as most professionals in the public service), while other PEA members such as kitchen, residence and support staff at St. Margaret’s School were temporarily laid off. Within the union, the PEA’s Victoria office closed as staff moved rapidly to remote work and virtual meetings.

Some frontline PEA members remained out in the community providing essential services during the “first wave” of the COVID-19 pandemic. This included members of the Health Science Professionals’ chapter such as physiotherapists, who continued to make daily home visits to their clients.<sup>32</sup> Other members in the BC public service were redeployed to temporary work assignments to assist with the province’s COVID-19 response. In the Okanagan, PEA members in the Okanagan Regional Library chapter continued to engage with their local

communities by moving some of their regular programming online, for example by offering virtual storytime on YouTube and Zoom. This was welcomed by children who were out of school and childcare, as well as by their parents. “The enthusiasm and gratitude from families has been amazing,” PEA librarian Ashley Machum Hutton said. “Young children are excited and reassured to see someone familiar. We hope to bring fun and normalcy to this very strange time for families.”<sup>33</sup> At the University of Victoria, PEA members helped spearhead the transition to online learning for successive academic terms beginning in the spring of 2020; some UVic members were laid off. For all PEA members, the union offered support on issues ranging from childcare to paid leave to layoffs to job security, during the uncertain period at the outset and early phase of the pandemic.<sup>34</sup>

In April 2021, the PEA held its first ever “virtual” convention. Originally planned as an in-person event, PEA staff quickly pivoted weeks before the convention date, when provincial health orders prohibiting large gatherings were reinstated, amid a surge in COVID-19 cases. Fifty-eight voting delegates attended the fourteenth PEA convention virtually, where Shawna LaRade was re-elected as President and delegates approved a constitutional amendment shifting from biennial to triennial conventions. Other convention business included a number of policy resolutions, including one pledging the PEA to “leverage our relationship with the BC Federation of Labour and work with other unions to develop a coordinated wage improvement strategy”<sup>35</sup> PEA members would not convene again in person on a province-wide scale until the spring of 2023, when the PEA hosted an Education Conference in Victoria.

While the provincial government’s response to the COVID-19 pandemic initially attracted widespread public support, over time controversy emerged within the public service and the general population. Science emerged as a battleground (a topic of considerable interest to PEA members working in scientific fields). When the BC government introduced HR Policy 25 in the autumn of 2021, mandating that employees disclose their COVID-19 vaccination status as a condition of employment in the public service, a large majority of PEA members and other public servants complied. However, approximately 400 public-service employees, including some PEA members, did not disclose their vaccination status to the employer, in contravention of the policy. The government responded in November 2022 by unilaterally placing these employees on unpaid leave; some of these employees were subsequently



**ABOVE:** The PEA convened its first-ever virtual convention in April 2021, responding to provincial health orders barring large gatherings that had been introduced only weeks earlier. Virtual meetings became the norm for many PEA members over the course of the COVID-19 pandemic and continued on a permanent basis afterward, becoming a prominent feature of their working lives. *Photo: Ben Bromilow*

terminated from the public service, with the government alleging just cause. The PEA advocated that the employer take non-disciplinary approaches and offer accommodations to professionals where possible. The PEA also grieved the terminations and the employer's failure to accommodate on the basis of human rights on these employees' behalf. At the time of publication, some of these grievances were resolved in ways that saw members go back to work with clean records; other more complex human-rights based grievances had not been resolved.

In April 2023, as the world emerged from the pandemic, the BC government rescinded HR Policy 25 (and amended the associated HR Policy 4, the Occupational Health and Safety Policy, removing requirements for contractors and other non-employees to be vaccinated as a condition of entering BC public service workplaces). With this change, employees who had been on leave without pay for the previous year (but were not terminated) were able to return to the workplace. In a memo to employees, the Public Service Agency stated that "HR Policy 25 was always intended to be a temporary measure for as long as it was necessary, and it has served its intended purpose."

One consequence of the pandemic that became a permanent feature in the working lives of many PEA members and other employees was an increased opportunity for flexible work arrangements (also referred to as remote work, work from home or telework) (for at least a portion of each week). Historically, the BC government had strenuously opposed efforts by the PEA and other unions to recognize work from home or

telework in the language of collective agreements. As BC emerged from the pandemic, employees in the BC public service who wished to work remotely for more than two days per week required authorization by an associate deputy minister or their designate.<sup>36</sup> However, tightening of the labour market, concerns regarding recruitment and retention, and the strong preference of some PEA members and other public service employees for flexible work arrangements forced the government to change course. In February 2023, the deputy minister to the premier (and head of the BC Public Service Agency) Shannon Salter circulated a memo that “strongly encouraged” ministries to approve flexible work arrangements for employees who wanted them. The memo also stated that henceforth, new job postings would not be tied to a specific office or geographic location; the only requirement was that prospective employees live in a community where their ministry had an office.<sup>37</sup>

Beyond the question of “where” work was performed, online systems developed during the pandemic were adopted on a permanent basis in many PEA members’ workplaces, including in the education, health and legal-services sectors. This contributed toward greater efficiencies in the working lives of PEA members, streamlining scheduling, documentation, meetings and other administrative interactions with clients and co-workers.<sup>38</sup> Collective-bargaining and labour-relations processes involving the PEA also changed as a result of the pandemic, including a shift toward virtual bargaining, virtual arbitration and virtual Labour Relations Board proceedings.

## **MILITANCY AND GROWTH: COLLECTIVE BARGAINING AND NEW MEMBERS SINCE 2021**

As BC emerged from the pandemic, PEA members embarked on collective bargaining in workplaces and communities around the province.

In the summer of 2021, members in the Hospital Employees’ Staff Union (HESU) chapter voted 83% in favour of a strike. They had been without a contract since the spring of that year. Following several months of negotiation including 17 days at the bargaining table, the HESU members took job action on September 3, 2021. The one-day strike helped spur further negotiations, and on September 15, 2021 HESU members ratified a tentative agreement. Of the members who voted, 76% voted in



favour of the new 3-year contract, which was due to expire as this book went to press on March 31, 2024.

In the BC public service, PEA members entered into the collective bargaining process in 2022 with a considerable gap between their aspirations to keep pace with sharp inflation and the BC government's stated bargaining mandate through the Public Sector Employers' Counsel (PSEC). Approximately 90% of all PEA members fell under the PSEC mandate, which had limited compensation in successive rounds



ABOVE: HESU members on strike, September 3, 2021. *Credit: Caelie Frampton*

of bargaining and contributed to a growing disparity between PEA members' incomes and those of other professionals in the private sector and in public-sector entities not bound by PSEC.<sup>39</sup>

The Government Licenses Professionals' (GLP) bargaining committee commenced negotiations with the employer in April 2022. Little progress was made and in June 2022, PEA members in the GLP chapter voted 91% in favour of a strike if necessary to secure a fair contract.<sup>40</sup> Over the spring and summer the PEA carried out preparations for full-scale GLP job action across the province. Strike committees were recruited and trained. Picket-line materials were prepared and distributed. Members were provided with job-action education. Delegations of PEA members met with various government officials. Publicity was initiated through social

media, print media, TV and radio regarding the significant contribution of GLP members to public wellbeing.

The PEA also closely coordinated its efforts with other unions in the public sector and BC public service, to apply pressure on the government to relax the PSEC mandate. This reflected linkages forged within the BC Federation of Labour. In the year proceeding the round of collective bargaining, the cost of living had increased by 7.3% (according to the Consumer Price Index), a level not seen in BC since the 1980s. Inflation was projected at 4% for 2023.<sup>41</sup> However, PSEC insisted that any compensation increases not exceed 5.75% over three years plus an across-the-board increase of \$0.25 per hour, which would result in a net pay decrease for impacted employees in the context of inflation. The PEA and its allied unions declared that the new contracts must include, at a minimum, cost of living protection (COLA) (estimated at approximately 12% over a three-year agreement) in order to keep pace with inflation.<sup>42</sup>

In the midst of the PEA contract talks in the summer of 2022, 950 BCGEU members at government liquor stores and warehouses around the province walked off the job, in a targeted strike by the 33,000-member bargaining unit to ramp up pressure on the BC government to settle with its largest employee group.

PEA members understood that the wage deal negotiated by the BCGEU would ultimately be put to them. They saw the BCGEU fight as theirs and lent solidarity across the province, joining picket lines in support of their public-service colleagues in the BCGEU.<sup>43</sup> “I can’t think of a single ministry office where there are PEA members where there are not also BCGEU members,” PEA labour relations officer Melissa Moroz told the Canadian Broadcasting Corporation (CBC) in an interview. “We will be on the picket lines with them.”<sup>44</sup>

On August 17, 2022, the PEA’s GLP bargaining unit served 72-hour-strike notice while on the picket line with BCGEU members in Victoria, demonstrating members’ determination to win a fair settlement.<sup>45</sup> Plans were made for a PEA walk-out the week of August 22, 2022, but at the eleventh hour, the BCGEU announced that it was returning to the bargaining table and requested that the PEA and other unions support them by pausing planned job action.<sup>46</sup> The large Hospital Employees’ Union (HEU) was also working closely with the PEA during this time. In September 2022, the BCGEU announced that it had reached a tentative agreement with the employer, which BCGEU members ratified on a narrow 53% vote in October 2022.<sup>47</sup>



**BELOW:** GLP secretary-treasurer and pharmacist Ed Margawang (left) and PEA labour relations officer Melissa Moroz (centre) deliver a letter of GLP solidarity to BCGEU President Stephanie Smith (right) on the picket line in Victoria, August 2022.  
*Credit: Jordana Whetter*



The PEA reached its own tentative agreement with the provincial government in late October 2022, following 28 days at the bargaining table. In November 2022, PEA members in the GLP chapter voted 80% in favour of ratifying the new contract. The new GLP contract mirrored the compensation terms of the BCGEU contract, providing for an increase of approximately 3.75% in the first year (3.24% plus a \$0.25 across-the-board increase), a COLA increase of 6.75% in the second year, and a COLA increase of between 2% and 3% in the third year (calculated based on the CPI). The cumulative increase over the life of the three-year contract was between 12.5 and 13.5% (depending on variations in the CPI) — the largest compensation increase PEA members had achieved in decades. As well, significant improvements to the top step of the wage grid were made, boosting members' salaries further.<sup>48</sup> Despite the best efforts of the PEA's GLP bargaining committee, who lobbied the government to change "Appendix H" in the lead-up to bargaining, the compensation for PEA members during temporary deployments for provincial emergencies

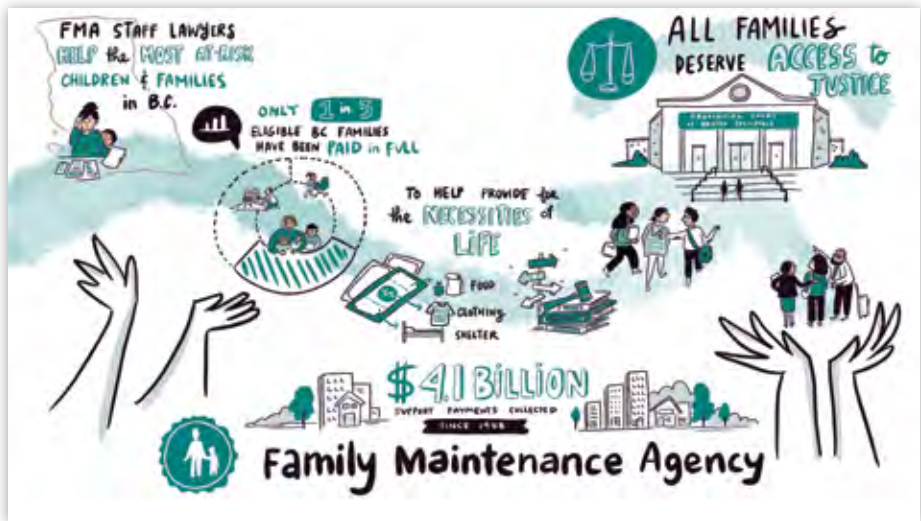
remained in place.<sup>49</sup> Members in the Health Science Professionals' chapter voted 77% in favour of ratification of their new contract in December 2022.

Alongside the GLP and HSP bargaining units, the 12 staff lawyers at the Family Maintenance Agency (FMA) voted 92% in favour of strike action in September 2022.<sup>50</sup> The lawyers pointed out that their rate of compensation was 20% lower than their counterparts at Legal Aid BC and 50% lower than their counterparts in Crown Counsel and the Ministry of Attorney General's Legal Services Branch. Without a fair settlement, the FMA lawyers warned that their employer would face acute recruitment and retention difficulties, putting children and parents who rely on FMA support at risk. The dispute occurred in the context of FMA's transition from a contracted service provider to a Crown agency overseen by the provincial government. While the province pointed to its bargaining mandate across all public-sector workplaces, FMA members noted that the mandate failed to account for historical wage inequities between different groups of workers. Ultimately, the FMA lawyers settled for the same compensation terms as the other public-sector bargaining units, ratifying a new collective agreement in December 2022, with 89% of members voting in favour.<sup>51</sup>

For the 1,200 members in the PEA's large University of Victoria chapter, a collective agreement was negotiated with less acrimony in comparison with the BC public service. Members voted 94% in favour of ratification in January 2023, obtaining a lift to both the ceiling and floor of the compensation scales. However, declines in enrolment in BC colleges and universities in the wake of the COVID-19 pandemic — particularly among international students — imposed pressure on the budgets of UVic and other institutions, a factor aggravated by steep inflation.<sup>52</sup> Job cuts and a deficit were only avoided through a hiring freeze imposed by the UVic administration. In February 2023, UVic reported that international enrolment was down 16% compared to the previous year.<sup>53</sup> The PEA called on the provincial government to increase funding for post-secondary education, to alleviate this pressure. "We need a strong commitment from the provincial government to help make sure that post-secondary institutions aren't harmed by declining enrolment," PEA labour relations officer Samantha Montgomery told the *Times Colonist* newspaper.<sup>54</sup>

In the PEA's Legal Aid BC (LABC) chapter (formerly LSS), the 28 Legal Aid BC lawyers voted 96% in favour of a new contract in November 2022. The agreement was reached with the assistance of mediation through the

Labour Relations Board and resulted in a significant restructuring of the wage grid. Two months later, in January 2023, the LABC lawyers joined their employer in submitting a joint proposal to the BC Attorney General for addressing the compensation gap between LABC lawyers and lawyers employed directly in the BC public service. The proposal reflected a commitment during the previous round of collective bargaining to work together to address the compensation gap. Many of the 28 LABC lawyers



ABOVE: An infographic showing the structure and purpose of Family Maintenance Agency lawyers, developed during their 2020 bargaining campaign. *Credit: PEA Archives*

worked in Parents Legal Centres around the province, providing access to justice for parents and children navigating the legal system. According to the joint proposal, BC ranked 10<sup>th</sup> among Canada’s 13 provinces and territories in terms of funding for legal aid.<sup>55</sup> “Legal aid is a fundamental pillar of a democratic society,” PEA member and Legal Aid BC managing lawyer Samiran Lakshman told *The Professional*. “If we don’t have that in our democracy, then might becomes right, [where] the most powerful are the only ones who get access to the justice system.”<sup>56</sup>

In 2023, PEA members at St. Margaret's School in Greater Victoria voted 88% in favour of job action. The bargaining unit consisted of the 47 teachers and 65 support staff at the all-girls private school. "This strike vote result shows that our members are willing to take action to back up their bargaining demands," PEA labour relations officer Rhiannon Bray told the media.<sup>57</sup> While the dispute was ultimately settled without a strike following mediation, the willingness of the St. Margaret's members to walk off the job demonstrated the widening current of militancy within the PEA's ranks. Teachers secured 17.5% increases over three years in the settlement.<sup>58</sup>

The PEA's growth and diversification could also be seen in certification of approximately 95 members at the SGS-AXYS Analytical Services laboratory in Sidney, BC in November 2023. The trace organics laboratory specializing in pollutants and contaminants analysis is part of SGS, a Swiss multinational company headquartered in Geneva. The new PEA members, who were certified through the "card check", included instrumental analysts, chemists, lab analysts, project managers, data reporters, scientists, technicians and operations coordinators. This certification victory reflected expansion of the PEA in the private sector.



LEFT: St. Margaret's School chapter chair Bev Waterfield gave a rousing speech during the 2023 round of bargaining, which saw members vote 88% in favour of job action before winning a historic 17.5% wage increase for teachers over three years in the new contract. *Credit: Jordana Whetter*



In the education sector, 24 teachers at Pearson College in Metchosin joined the PEA in 2023. The college is one of 18 schools and colleges in the United World Colleges movement, offering a two-year pre-university program to a diverse international student body. The new Pearson College members teach a range of subjects, including biology, chemistry, climate action, English, French, history, mathematics, philosophy, physics and Spanish. At the time of publication, the teachers had entered bargaining for their first-ever collective agreement.

In the legal services sector, the PEA certified 18 paralegal professionals at the Law Society of BC in the fall of 2023. These new members joined the LS chapter, where the PEA already represented approximately 55 staff lawyers.

In the public sector, PEA members employed with the BC Energy Regulator (BCER, formerly the Oil and Gas Commission) were recognized as a distinct chapter within the PEA in July 2023. A month later, in August 2023, these members voted 93% to ratify a new collective agreement, following an extended period of bargaining. These members accepted the PSEC mandate for general wage increases, while achieving a new salary step as well as new recruitment and retention support and improved extended health benefits.

At the time of publication, bargaining was under way among the Okanagan Regional Librarians (whose contract expired in December 2023).

Amid this flurry of bargaining and organizing activity, the PEA continued to advocate for social issues beyond the immediate workplace interests of PEA members. Responding to resolutions adopted by delegates at the 2021 PEA convention, executive director Scott McCannell wrote to Canada's Minister of Crown-Indigenous Relations in September 2022, calling for action by the federal government to guarantee the human right to clean drinking water in 27 Indigenous communities (which faced long-term boil-water advisories). The PEA's letter called for recognition of this human right and investment of federal funds for water and wastewater infrastructure in Indigenous communities, and opposed privatization of water and wastewater services.<sup>59</sup>

## BARGAINING RIGHTS OF GOVERNMENT LAWYERS

The PEA approached the half-century mark as a recognized union with a major — and bittersweet — expansion, when the BC government introduced Bill 5, amendments the Public Sector Labour Relations Act to extend bargaining rights to 400 provincial government lawyers. While this group of professionals received collective bargaining rights for the first time (ending a statutory ban on unionization), controversy surrounded this decision.

The legislation was prompted by an application from the BC Government Lawyers Association (BCGLA) to the Labour Relations Board in November 2022 for certification as the collective bargaining agent for the government lawyers. The association had represented the interests of government lawyers outside a formal collective bargaining relationship since 1992. When the government lawyers decided to formally unionize in 2022 (influenced by re-establishment of the “card check” that year, allowing for automatic recognition of a union when a majority of members signed union cards), more than 70% of the lawyers favoured certification with the BCGLA. However, rather than recognize and negotiate with the new independent union, the government mandated that certification and collective bargaining occur under the aegis of the PEA, in the Government Licensed Professionals’ bargaining unit. As justification, the government cited provisions of the Public Service Labour Relations Act (which effectively limited certification in the public service to the BCGEU, PEA and BC Nurses’ Union) as well as its longstanding desire to limit the number of public service bargaining units.<sup>60</sup>

The government lawyers responded to the introduction of Bill 5 by voting overwhelmingly in favour of job action, threatening a strike for union recognition. Several weeks of negotiations followed between the BCGLA and the government, but failed to produce a resolution.<sup>61</sup> The Legislature adopted Bill 5 in May 2023 amid protests from the opposition BC United and Green parties, as BCGLA members rallied outside the Legislature. The statute received royal assent the following day.

While the PEA supported the government lawyers’ bid for their own independent union (as did the BC Federation of Labour and BCGEU), the provincial government unilaterally brought Bill 5 into force on July 14, 2023. This extended bargaining rights to government lawyers through the PEA. “We’re certainly cognizant that this isn’t the result the BCGLA



and their members wanted,” PEA executive director Scott McCannell said at the time.<sup>62</sup>

The BCGLA’s president Gareth Morley (who would be appointed as a BC Supreme Court judge later in 2023) stated that Bill 5 was unfairly used to quash the lawyers’ certification application to the LRB. The association initiated a constitutional challenge to the legislation, which it said breached freedom of association as guaranteed under the Canadian Charter of Rights of Freedoms, as the government lawyers threatened job action and a “work to rule” campaign with an overtime ban.<sup>63</sup> Morley made it clear that BCGLA members’ grievance was with the government, rather than the PEA:

“The PEA has been a strong ally through this entire thing, and we have a strong relationship. The BCGLA will be challenging Bill 5 as contrary to the Charter of Rights and Freedoms. This is not a criticism of the PEA or its representation of its existing members, but our principled stand for the right of workers to choose their own union.”<sup>64</sup>

The Canadian Bar Association also stood with the BCGLA, saying it remained “very concerned about government actions that force any employee group to be part of a union not of their choosing.”<sup>65</sup>

At the time of publication of this book, the legal challenge to Bill 5 remained unresolved.<sup>66</sup> However, the PEA and Government Lawyers turned toward practical matters arising from Bill 5, working together to incorporate the lawyers into the GLP chapter, advocating for these members’ interests, and negotiating terms and conditions of their employment.

## THE PEA TODAY AND TOMORROW

In May 2024, the Professional Employees Association celebrated its fiftieth anniversary as a union with collective bargaining rights — at a convention in Victoria where it had been founded in February 1974. This was no small achievement for an association that had grappled since its inception with challenges both large and small: from existential disputes with employers and governments, to internal debates centred around the professional obligations and aspirations of its members. At 50, the PEA represents 3,800 professionals in 12 bargaining units across the BC public service and various other sectors. At the time of

publication, more growth was on the horizon.

Throughout its history, the PEA has strived to balance the professional obligations of its members to uphold the public interest and their codes of ethics, with aspirations for dignity, fairness and security in their working lives. At times, this quest to balance professional duty with employees' dignity has created challenges within the PEA — a path that rank-and-file members, officers and staff have navigated over five decades of relations with employers inside and outside the public sector.

As the PEA turns its attention to the future, and embraces the ongoing challenges and opportunities facing members in their working lives and broader communities, professionals and their association will continue to balance duty with dignity.



*Credit: PEA Archives*



## APPENDICES

### PEA ANNUAL GENERAL MEETINGS / CONVENTIONS\*

1974 – Victoria	1994 – Richmond
1975 – Victoria	1995 – Victoria
1976 – Victoria	1996 – Richmond
1977 – Victoria	1997 – Victoria
1978 – Victoria	1998 – Richmond
1979 – Victoria	1999 – Victoria
1980 – Victoria	2000 – Richmond
1981 – Victoria	2001 – Victoria
1982 – Victoria	2002 – Victoria
1983 – Victoria	2003 – Victoria
1984 – Burnaby	2004 – Victoria
1985 – Victoria	2005 – Richmond
1986 – Victoria	2007 – Victoria
1987 – Victoria	2009 – Victoria
1988 – Burnaby	2011 – Victoria
1989 – Victoria	2013 – Victoria
1990 – Richmond	2015 – Victoria
1991 – Victoria	2019 – Victoria
1992 – Richmond	2021 – Virtual
1993 – Victoria	2024 – Victoria

\* In 1999, PEA members approved a constitutional amendment in a 81% referendum vote to move from annual general meetings, open to all members, to delegated conventions with representation from all chapters. Therefore, the 1999 annual general meeting (which would have been the association's 26th since its inception) did not occur, and PEA held instead its "first" annual convention in 2000. In 2005, delegates approved a further constitutional amendment to move from annual to biannual conventions. In 2021, delegates approved a constitutional amendment to move to triennial conventions. Source: "Executive sets date for first convention," *The Professional*, 29 Oct. 1999; "Delegates establish PEA conference to complement biennial convention," *The Professional*, 10 June 2005; "PEA hosts first-ever virtual convention," *The Professional*, June 2021; and various issues 1974-2013.

PEA PRESIDENTS, 1974-2024

**Derek Parkes**, Engineer, 1974-1975

**Ronald Waterfield**, Architect, Victoria, 1975-76

**David Armit**, Forester, Victoria, 1976-77

**Gerry Duffield**, Engineer, 1977-1978

**Gary Sutherland**, Forester, 1978-1979

**Alan Carver**, Accountant, 1979-1981

**Dave Gilbert**, Forester, 1981-1982

**Mike Wyeth**, Forester, 1982-1987

**Dr. Judith Adelman**, Psychologist, 1987-1989

**Carolyn McCool**, Lawyer, 1989-1990

**Rob Gordon**, Agronomist, 1990-1993

**Kathryn Danchuk**, Silviculturist, 1993-1998

**Tom Volkens**, Forester, 1998-2001

**Kathryn Danchuk**, Silviculturist, 2001-2009

**Mike Jobke**, Forester, 2009-2010

**Kathleen Kendall**, Lawyer, 2010

**Frank Kohlberger**, Forester, 2010-2019

**Shawna LaRade**, Agrologist, 2019-

PEA EXECUTIVE DIRECTORS, 1974-2024

**Geoff Holter**, 1973-1988

**Alan MacLeod**, 1988-1999

**Doug Hensby**, 1999-2003

**Jody Jensen**, 2003-2011

**Scott McCannell**, 2011-

# NOTES AND SOURCES

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- 2 “Establishment and recognition of employee members’ group,” n.d. c. May 1958, historical records box, file “1958,” PEA fonds.
- 3 “Brief to the BC Civil Service Commission,” Oct. 1965, file “1965”, historical records box, PEA fonds.
- 4 Kidd, Peck and Watts to Registered Professional Engineers, 14 May 1958; Minutes of inaugural meeting, 28 May 1958; Kidd to Registered Professional Engineers, 26 Sept. 1958, File “1958,” Historical Records Box, PEA fonds.
- 5 Kemp (BCGEA) to Branch Presidents and Secretaries, 21 Oct. 1958, Historical Records Box, File “1958,” PEA fonds.
- 5 Kemp (BCGEA) to Branch Presidents and Secretaries, 21 Oct. 1958, Historical Records Box, File “1958,” PEA fonds.
- 6 James to Kidd, 6 Nov. 1958, Historical Records Box, File “1958,” PEA fonds.
- 7 James to Watts, 4 Dec. 1958, Historical Records Box, File “1958,” PEA fonds.
- 8 “Briggs backed by engineers,” *Victoria Daily Times*, 2 Dec. 1958.
- 9 Kidd to Black, 16 Dec. 1958; Kidd to Black, 31 Dec. 1958, Historical Records Box, File “1958,” PEA fonds.
- 10 Salary Report, n.d. [20 Oct. 1959], Historical Records Box, File “1959,” PEA fonds.
- 11 Slaney to Black, 12 March 1959, Historical Records Box, File “1959,” PEA fonds; see also Resolution], n.d. [c. 1958], Historical Records Box, File “1958,” PEA fonds.
- 12 Kidd to Merchant, 2 July 1958; Kidd to Carrothers, 14 Aug. 1958; Kidd to O’Connor, 26 Sept. 1958, Historical Records Box, File “1958,” PEA fonds.
- 13 Peck to Morrison, n.d. [30 Dec. 1960]; Peck to Members, 20 Sept. 1960, File “1960”; Minutes of 1961 Annual General Meeting, File “1961”, Historical Records Box, PEA fonds.
- 14 Morrison to Peck, 4 Jan. 1961, Historical Records Box, File “1961,” PEA fonds. The structure of the joint Council was explained in “Presidents report to 1961 Annual General Meeting of the BC Government Group of Professional Engineers,” 23 Jan. 1961, file “1961,” historical records box, PEA fonds.
- 15 “President’s report for 1961,” n.d. [c. Jan. 1962]; “Existing low salaries of BC government engineers,” Jan. 1962, file “1962”; “Brief to the Chairman, Civil Service Commission,” 21 Sept. 1961; Minutes of 1961 Annual General Meeting, File “1961”; “Report of the Liaison Committee to the General Meeting of the BC Government Group of Professional Engineers,” 27 Jan. 1960, File “1960,” Historical Records Box, PEA fonds. The 1961 annual general meeting of the Engineers’ group considered the role of the group in dealing with grievance cases, with attendees deciding to leave it at the discretion of the executive but expressing the view that “the executive should not shirk from dealing with any case brought to its attention.” See also “Grievance procedure,” *British Columbia’s Civil Service Newsletter*, October 1962, file “1962”; Richardson to Bray, 22 April 1963, file “1963”; “Brief to the BC Civil Service Commission,” Oct. 1965, file “1965”; Robertson to Secretary, 9 March 1967, file “1967”, historical records box, PEA fonds.
- 16 Minutes of AGM, BC Government Group of Professional Engineers, 27 Jan. 1960, Historical Records Box, File “1960,” PEA fonds.
- 17 “Minutes of Special Meeting,” 3 July 1963 [sic. 1962], file “1962,” historical records box, PEA fonds; *British Columbia’s Civil Service Newsletter*, April 1962; “Board to Hear Pay Protest by Engineers,” *Victoria Daily Times*, 25 April 1962; Minutes of 1963 AGM, 29 Jan. 1963, file “1963”, PEA fonds. At the time of the January 1963 AGM, the Engineers’ group had total cash assets in the value of \$242.94. Financial statement, 17 Jan. 1963, file “1963”, historical records box, PEA fonds.
- 18 Pollard to Rice, 5 March 1968, file “1968”, historical records box, PEA fonds.
- 19 Engineers’ group executive to Civil Service Commission chairman, 23 Sept. 1963, file “1963”, PEA fonds.
- 20 Executive 1962 annual report, 3 Jan. 1963, file “1963”, historical records box, PEA fonds.
- 21 Morrison to Bryan, 25 Jan. 1964, file “1964”; “Brief to the BC Civil Service Commission,” Oct. 1965; President’s report for 1964, Jan. 1965, file “1965”, historical records box, PEA fonds. In 1966, Premier WAC Bennett announced another salary increase for “all civil servants in all government departments.” “Civil servants given promised pay raise,” *Victoria Daily Colonist*, 14 Dec. 1966.
- 22 “The Present Problem of Professional Staff Recruitment,” remarks by A.F. Paget, Deputy Minister of Water Resources, and Hugh Morrison, Chairman of the Civil Service Commission, 8 Sept. 1965, file “1965”, historical records box, PEA fonds; “Engineers sought,” *Vancouver Sun*, 19 Jan. 1966.
- 23 “Report of sub-committee on fringe benefits,” Jan. 1964; Minutes of AGM, 22 Jan. 1964, file “1964”; President’s report for 1964, n.d. [c. Jan. 1965], file “1965”, historical records box, PEA fonds.

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- 24 O'Connor to Shaw, 23 Nov. 1965, file "1965", historical records box, PEA funds.
- 25 Shaw to O'Connor, 27 Nov. 1965, file "1965", historical records box, PEA funds.
- 26 Austin to Member, n.d. (c. Nov. 1966); Austin to Lambert, 27 Oct. 1966; Minutes of Annual Meeting, 27 Jan. 1966; President's report, 27 Jan. 1966; Employee Engineer's Committee report, 27 Jan. 1966, file "1966"; "Study on collective bargaining, n.d. [c. 1971], file "1971", historical records box, PEA funds.
- 27 Executive meeting minutes, 26 Sept. 1967, file "1967", historical records box, PEA funds; Thomson to O'Connor, 3 Jan. 1968, file "1967", historical records box, PEA funds.
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- 30 1967 President's report, 30 Jan. 1968, file "1968", historical records box, PEA funds.
- 31 President's report, 30 Jan. 1967, file "1967", historical records box, PEA funds.
- 32 Executive minutes, 12 Nov. 1968; 26 Jan. 1968; also 23 April 1968, file "1968", historical records box, PEA funds.
- 33 Executive minutes, 2 Nov. 1970; Williams to Richardson, 21 May 1970; "Notes taken during meeting with Civil Service Commission," 9 Dec. 1970; Appendix (A) [Timeline of correspondence with Civil Service Commission], n.d. [c. 1971]; "Appeal against 1971-72 Salary Schedule recommendations for professional engineers," n.d. [c. 1971]; Prentice to Richardson, 21 June 1971, file "1971"; Minutes of annual meeting, 21 Jan. 1970, file "1970", historical records box, PEA funds. BCGEU general secretary John Fryer was the keynote speaker at the Engineers' group annual meeting in Victoria in January 1970.
- 34 Minutes of 1971 annual meeting, n.d. [c. Jan. 1971], file "1971", Executive minutes, 22 Feb. 1968, file "1968", Minutes of annual meeting, 30 Jan. 1968, file "1968"; Ouston to Warren, 28 Jan. 1970, file "1970", historical records box, PEA funds. In February 1968, membership in the Engineers' group stood at 218 of 237 eligible members. In 1971, forester George Allison, representative of the BC Government Group of Professional Foresters, attended the Engineers' group annual meeting. As the foresters' group president M.W. Bradshaw advised the Civil Service Commission in 1969, "Failure on the part of an employer to reward an employee adequately for accepting additional responsibilities results in a reluctance on the part of employees to shoulder additional responsibilities." Bradshaw to Chairman, 23 Dec. 1969, file "1969", historical records box, PEA funds. See also Bruce McLean, *A Union Amongst Government Employees: A History of the BC Government Employees' Union, 1919-1979* (Vancouver: BCGEU, 1979), 92-93.
- 35 "Study on collective bargaining, n.d. [c. 1971], file "1971", historical records box, PEA funds. See also Kidd to Registered Professional Engineers, 26 Sept. 1958, file "1958"; J.W.G. Kerr, "Thoughts and Objectives on Association Affairs," n.d. [c. 1970], file "1970", historical records box, PEA funds.
- 36 "Civil servants justifiably angry," Victoria Daily Colonist, 24 Nov. 1968; Richardson to Deputy Ministers and Personnel Officers, Sept. 1970, file "1970", historical records box, PEA funds.
- 37 "How did the PEA come about," The Professional, 17 Feb. 1984; Hansard, Report of Debates of the Legislative Assembly of British Columbia, 18 April 1973.
- 38 "PEA adds 40 teachers to membership," The Professional, 27 June 1988.
- 39 Hansard, Report of Debates of the Legislative Assembly of British Columbia, 25 Oct. 1973.
- 40 Hansard, Report of Debates of the Legislative Assembly of British Columbia, 25 Oct. 1973 and 7 Nov. 1973.
- 41 "Association Anniversary," The Professional, 2 February 1979; Executive Report, 18 April 1975, The Professional series, PEA funds; "GLP unit 25 years old this year," The Professional, 5 February 1999.
- 42 "Functions of the PEA," The Professional, 17 Feb. 1983.
- 43 "Why you must vote for nine candidates," The Professional, 15 November 1985; "Election Esoterica," The Professional, 14 Oct. 1987; "Explaining executive election rules," The Professional, 26 Jan. 1993.
- 44 Executive Report, 18 April 1975, The Professional series, PEA funds. Parkes joined the executive of the Engineers' group in 1969. See Executive minutes, 24 Sept. 1969, file "1969", historical records box, PEA funds.

### Chapter 2 - 1974: Winning Bargaining Rights

- 1 Application for certification, 29 Mar. 1974, file "certification", box 17, PEA funds.
- 2 Certification, 3 May 1974, File "Certifications," Box 17, PEA funds.
- 3 "Negotiation Report," The Professional, 15 Aug. 1974.
- 4 The Professional, 29 Sept. 1974.
- 5 Press Release, December 10, 1974, as quoted in The Professional (Victoria), Dec. 12, 1974.
- 6 D. R. Parkes (PEA president) to Member, 10 Feb. 1975. PEA Collection; The Professional, 18 Feb. 1975.
- 7 "Court Action on Doctors," The Professional, 1 Oct. 1975; "BCMA Lawsuit," The Professional, 12 May 1977.
- 8 The Professional, 5 Mar. 1975.

### Chapter 3 - Wage Controls and the 1979 Strike Vote

- 1 "Notes to Financial Statements," *The Professional*, 6 May 1975.
- 2 Waterfield to Members, 22 Sept. 1975, *The Professional* series, PEA funds. For additional information on PEA's staff complement, see "Staffing of the PEA," *The Professional*, 31 May 1984.
- 3 *The Professional*, 24 July 1975.
- 4 "PARI Negotiations," *The Professional*, 14 Apr. 1977. See also "PARI concludes collective agreement," *The Professional*, 15 Dec. 1983; "PEA finances," *The Professional*, 12 Oct. 1984; "Residents, internes [sic] get 20.9 percent over two years," *The Professional*, 20 Oct. 1989; "Some professionals get ahead," *The Professional*, 21 Dec. 1990. In 1991, PARI established its own office in Vancouver, ending its long-standing service contract with PEA for administrative support. This coincided with PEA's office relocation from Vancouver to Burnaby, with PEA's former Vancouver office secretary taking a job as PARI's administrator. PEA executive director Alan MacLeod anticipated continuing to provide support to PARI in bargaining. See Executive Director's report to 1991 AGM, 21 Oct. 1991, *Professional Series*, PEA funds.
- 5 "Resumption of Negotiations," *The Professional*, 19 Feb. 1976.
- 6 "Public Sector Employees Coordinating Committee," *The Professional*, 24 June 1976.
- 7 "PAMEC," *The Professional*, 5 Aug. 1976; and "Public Sector Employees Coordinating Committee," *The Professional*, 19 Aug. 1976.
- 8 "Higgins Inquiry," *The Professional*, 18 Feb. 1977.
- 9 "PAMEC," *The Professional*, 12 May 1977.
- 10 "Legislative Developments," *The Professional*, 19 Sept. 1977.
- 11 "PAMEC," *The Professional*, 12 May 1977.
- 12 "Membership Meetings," *The Professional*, 26 July 1977.
- 13 "Nurses' Dispute," *The Professional*, 2 Mar. 1977.
- 14 Negotiation report, 22 Oct. 1977, *The Professional* series, PEA funds.
- 15 President's Report to 1977 Annual General Meeting, 22 Oct. 1977, *The Professional* series, PEA funds.
- 16 "Negotiations," *The Professional*, 2 Feb. 1978.
- 17 "Negotiations," *The Professional*, 15 Mar. 1978.
- 18 "Technical Positions," *The Professional*, 16 Aug. 1978; "Erosion of Professional Establishments," *The Professional*, 29 October 1978.
- 19 "Annual General Meeting," *The Professional*, 26 Oct. 1978.
- 20 "Negotiations," *The Professional*, 23 Nov. 1978.
- 21 "Members Boo GERB Offer," *The Professional*, 15 Mar. 1979.
- 22 "Sub-Inflationary Pay Increases 'Unrealistic,'" *The Professional*, 30 Mar. 1979.
- 23 "PEA Tells GERB Settlement Must Match Others," *The Professional*, 11 Sept. 1979.
- 24 "PEA Tells GERB Settlement Must Match Others," *The Professional*, 11 Sept. 1979.
- 25 "PEA Tells GERB Settlement Must Match Others," *The Professional*, 11 Sept. 1979.
- 26 "Bargaining Committee Breaks Off Negotiations; Will Recommend Strike Vote," *The Professional*, 21 Sept. 1979.
- 27 "95 Percent Vote for Strike," *The Professional*, 18 Oct. 1979; File "Master Agreement - Negotiations: 1979 Strike Vote - N.03c," PEA funds; "Statement re Strike Vote," 17 Oct. 1978, file "Negotiations - Job Action Committee / 1989 Strike Vote N. 05," Box 12 "GLP - Bargaining 1988-89 (7th) 1991-92 (8th)," PEA funds.
- 28 "Chapters Asked to Clarify Bargaining Rights With Licensing Bodies," *The Professional*, 27 Dec. 1979.
- 29 "Chapters Asked to Clarify Bargaining Rights With Licensing Bodies," *The Professional*, 27 Dec. 1979.
- 30 President's Report to 1977 Annual General Meeting, 22 Oct. 1977, *The Professional* series, PEA funds; "Vancouver Office," *The Professional*, 12 May 1977; "Lower Mainland office has moved," *The Professional*, 11 Dec. 1981. For additional information on PEA finances, see "PEA finances," *The Professional*, 12 Oct. 1984; "More on the association's two offices," *The Professional*, 30 Nov. 1984. In 1991, the PEA's Lower Mainland office moved from Vancouver back to Burnaby. See "PEA's Vancouver office is moving," *The Professional*, 20 Sept. 1991.
- 31 "Membership Base," *The Professional*, 2 Mar. 1979.

### Chapter 4 - 1980s: Solidarity and Growth

- 1 "Executive will Conduct Referendum," *The Professional*, 22 Feb. 1980.
- 2 "Members Approve Expansion and Affiliation," *The Professional*, 3 Apr. 1980.
- 3 "Logo Contest Announced," *The Professional*, 15 May 1980; "A Special Word of Thanks, *Professional*, 1 Oct. 1975. The original logo had been designed by Ken Patton, a member of the Architects' component. The new logo, stylized "P" incorporating a professional seal, was designed by Tom Laszlo, an architect employed in the Ministry of Lands, Parks and Housing, who won the \$100 prize.
- 4 "Executive Recommends Support for Nurses' Strike," *The Professional*, 3 Apr. 1980; "Nurses Strike," *The Professional*, 17 Apr. 1980.
- 5 "Association Protests Bill 28," *The Professional*, 29 May 1980.

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- 6 "LRB Finds Pension Walkouts Not Illegal," *The Professional*, 6 June 1980.
- 7 "PEA serves walkout notice after 88% strike mandate given," *The Professional*, 23 March 1981. Professionals who had participated in the 1980 pension protests had "unauthorized absences" noted in their personnel records, which were later expunged in accordance with a provision in the collective agreement. "Pension dispute notations may be removed," *The Professional*, 22 June 1983.
- 8 "Bargaining Starts," *The Professional*, 1 Oct. 1980.
- 9 "1980 AGM Warned of 'Ominous' Bargaining Signs," *The Professional*, 30 Oct. 1980.
- 10 "By-law, LSO Resolutions Result from Special General Meeting," *The Professional*, 21 Jan. 1981; "Membership endorse executive constitution recommendations," *The Professional*, 13 Feb. 1981.
- 11 "First Salary Offer 6%," *The Professional*, 12 Dec. 1980.
- 12 "GERB Offers 7%, Confrontation Possibility Looms," *The Professional*, 21 Jan. 1981; "Negotiations Approaching a Crunch," *The Professional*, 6 Feb. 1981; "Count reaches 924," *The Professional*, 13 Mar. 1981; "525 Yes votes needed as strike vote commences," *The Professional*, 17 Feb. 1981.
- 13 "PEA readies for possible strike vote," *The Professional*, 13 Feb. 1981; "525 Yes votes needed as strike vote commences," *The Professional*, 17 Feb. 1981; "Notice - Professional Employees Association Strike Vote," *The Professional*, 17 Feb. 1981.
- 14 "525 Yes votes needed as strike vote commences," *The Professional*, 17 Feb. 1981.
- 15 "Executive recommends respect for picket lines," *The Professional*, 13 Feb. 1981.
- 16 "Executive recommends respect for CUPE pickets," *The Professional*, 28 May 1981.
- 17 G. Holter to D. Fraser, June 1981, PEA fonds.
- 18 "PEA readies for possible strike vote," *The Professional*, 13 Feb. 1981.
- 19 "Labour disputes continue to affect PEA members," *The Professional*, 12 June 1981.
- 20 M. Wyeth (PEA vice-president) to Colleague, 30 July 1982, Professional series, PEA fonds; "Executive urges respect for BCGEU job action," *The Professional*, 30 July 1982; "BCGEU resumes strike," *The Professional*, 1 Sept. 1982.
- 21 Holter to the Editor, 21 Dec. 1982; "Mad Enough to Spit," *Twelve O'One* (BCGEU Local 1201 newsletter, Victoria, BC), Nov./Dec. 1982 edition, PEA collection.
- 22 Engineer Chapter to Chairman, Resolutions Committee, 30 Sept. 1982, Professional series, PEA fonds; "Annual general meeting resolution proposes increase," *The Professional*, 1 Oct. 1982; "AGM resolution goes to referendum," *The Professional*, 7 Jan. 1983; "Constitutional recommendation endorsed by 98%," *The Professional*, 10 Feb. 1983.
- 23 "Executive recommends support for NRC campaign," *The Professional*, 17 Dec. 1986; "PIPSC opposes research council cuts," *The Professional*, 27 Feb. 1986.
- 24 For an explanation of the federal and provincial wage-control programs, see *The Professional*, 29 June 1982. In July 1982, BC Premier Bill Bennett reduced the maximum permissible pay increase under the provincial wage-control legislation, to 10% in the first year of the program and 9% in the second year. "Premier urges tighter controls," *The Professional*, 30 July 1982.
- 25 "Executive endorses food bank contributions," *The Professional*, 10 Feb. 1983.
- 26 "The honeymoon's over," *The Professional*, 10 Feb. 1983.
- 27 "PEA protests negotiations delay," *The Professional*, 7 March 1983. The government foreshadowed its fiscal intentions in March 1983, when professionals learned that government managers would receive no pay increase that year, despite the sharp inflation prevailing at the time, and would unilaterally see their hours increase from a 35-hour to a 40-hour work week.
- 28 "Negotiations called off at last minute," *The Professional*, 5 July 1983; "No breakthrough in mandate question," *The Professional*, 4 April 1983; "Negotiations resume June 28," *The Professional*, 22 June 1983; "Negotiations resumed August 16," *The Professional*, 17 Aug. 1983.
- 29 "Government attempts to gut collective bargaining," *The Professional*, 13 July 1983.
- 30 "Meeting with Chabot ends abruptly," *The Professional*, 19 July 1983.
- 31 "Members urged to rally at Empire Stadium August 10," *The Professional*, 2 Aug. 1983; "Am I breaking the law by leaving my job to attend political protests," *The Professional*, 10 Aug. 1983.
- 32 "Engineers face layoff in three ministries," *The Professional*, 20 Sept. 1983.
- 33 "Members urged to rally at Empire Stadium August 10," *The Professional*, 2 Aug. 1983; "Why was the Empire Stadium Rally not scheduled until after working hours," *The Professional*, 10 Aug. 1983.
- 34 "Victoria members at Legislature," *The Professional*, 29 Aug. 1983. See also "Solidarity seeks your participation," *The Professional*, 7 Oct. 1983.
- 35 Executive Director's report to AGM, Oct. 1983, The Professional series, PEA fonds.
- 36 "Draft Labour Code amendments leaked," *The Professional*, 29 Aug. 1983.
- 37 Donegan to Trudeau, 19 July 1983, file Z.01 (Legislation - Public Sector Restraint Act, File 3), Box 25, PEA fonds.
- 38 "Association to challenge constitutionality of Bills 2 and 3," *The Professional*, 10 Nov. 1983.

- 39 Simpson to President (PIPSC), 22 March 1983, file Z.03 (Legislation - Protection of the Right to Strike," box 24, PEA funds.
- 40 "ILO to study deteriorating public service labour relations in Canada," The Professional, 31 Jan. 1985; "UN agency condemns CSP," The Professional, 7 Apr. 1986.
- 41 "Which organizations have expired collective agreements and therefore enjoy a legal right to strike," The Professional, 10 Aug. 1983.
- 42 "Executive recommends respect for BCGEU picketers," The Professional, 24 Oct. 1983; Executive to Members, 24 Oct. 1983, Professional series, PEA funds; "PEA finances," The Professional, 12 Oct. 1984.
- 43 "Members respect picket lines," The Professional, 10 Nov. 1983.
- 44 The Professional, 15 Dec. 1983.
- 45 "Open Letter to Members," 16 Jan. 1984; Kaufman and LeRoux to PEA, 16 Jan. 1983, Professional series, PEA funds; "PEA goes to LRB after latest government stall," The Professional, 16 Jan. 1984; "Negotiators settle at 5%," The Professional, 17 April 1984.
- 46 "Labour Code amendments affect PEA," The Professional, 31 May 1984; "Labour Code changes necessitate constitution amendment," The Professional, 4 July 1984.
- 47 "Victoria Continues Support of BCGEU and Solidarity," n.d. [c July 1984], Box 24, PEA funds.
- 48 Lucier to MacLeod, 22 Oct. 1984, Professional series, PEA funds; "CLC, BC Fed recommend Eaton's boycott," The Professional, 28 Feb. 1985.
- 49 "University of Victoria sponsors human rights conference," The Professional, 28 Feb. 1985. See also "Human Rights Coalition monitors complaints," The Professional, 40 Apr. 1985.
- 50 "We need your help," The Professional, 29 Oct. 1986.
- 51 "Political Action Program for the BC Labour Movement," prepared by the BC Federation of Labour, 28 May 1986, PEA collection.
- 52 "Legislature approves new Public Service Act," The Professional, 28 Feb. 1985; "Relations with governments," The Professional, 15 Nov. 1985; "No-notice grievance to be arbitrated February 5-6," The Professional, 15 Jan. 1986.
- 53 "New bargaining round starts January 20," The Professional, 15 Jan. 1986; "PEA presses for new bargaining approach," The Professional, 28 Feb. 1986; "Government outlines bargaining objectives," The Professional, 7 April 1986; "Government negotiators 'wasting time,'" Professional, 1 Aug. 1986. 136 "Contract committee meets," The Professional, 16 Sept. 1985; "PEA presses for new bargaining approach," The Professional, 28 Feb. 1986; "PEA executive urges respect for work site picket lines," The Professional, 21 May 1986; "PEA to pay compensation in event of picketing losses," The Professional, 30 June 1986.
- 54 "Contract committee meets," Professional, 16 Sept. 1985; "PEA presses for new bargaining approach," Professional, 28 Feb. 1986; "PEA executive urges respect for work site picket lines," Professional, 21 May 1986; "PEA to pay compensation in event of picketing losses," Professional, 30 June 1986.
- 55 "Labour's share of national income continues to decline," The Professional, 28 Feb. 1985; "Tentative agreement reached," The Professional, 9 Sept. 1986; "Members ratify tentative agreement," The Professional, 29 Oct. 1986.
- 56 "PEA executive opposes Bill 19, asks premier to withdraw legislation," The Professional, 24 Apr. 1987.
- 57 "PEA executive opposes Bill 19, asks premier to withdraw legislation," The Professional, 24 Apr. 1987; "Bill 19 controversy grows," The Professional, 22 May 1987.
- 58 "Government amends Bill 19 but main trust remains intact," The Professional, 26 May 1987.
- 59 "School district files grievance over June 1 absence," The Professional, 26 June 1987; "Policy grievance meeting held," The Professional, 24 July 1987. The school district later pursued this matter in collective bargaining, seeking amendments to the contract that would allow it to unilaterally determine whether or not a picket line was "legal." "School District files new proposals prior to interest arbitration," The Professional, 27 Nov. 1987.
- 60 "BC seeks court ban on urging further walkouts," Globe and Mail (Toronto), 4 June 1987. See also Tom Berger Collection, UBC Special Collections; BC Federation of Labour Collection, UBC Special Collections; "Bill 19 close to becoming law, but opposition continues," The Professional, 26 June 1987.
- 61 BC labour leader upholds protest," The Professional, 8 June 1987.
- 62 "Bill 19 close to becoming law, but opposition continues," The Professional, 26 June 1987; "Bill 19 on verge of becoming law, PEA feels effects already," The Professional, 24 July 1987; "Bill 19 Update: Federation of Labour Organizes Boycott Conference," The Professional, 18 Sept. 1987; "PEA joins in Bill 19 Boycott conference," The Professional, 14 Oct. 1987; "PEA executive endorses anti-Bill 19 program," The Professional, 22 Jan. 1988.
- 63 "Privatization may produce layoffs," The Professional, 20 Aug. 1987; "PEA group will monitor privatization," The Professional, 18 Sept. 1987; "Premier's office eases privatization scare," The Professional, 14 Oct. 1987; "Initial privatization announcements affect five PEA members," The Professional, 27 Nov. 1987.
- 64 "PEA chides premier for 'cheap shot' against government employees," The Professional, 14 Oct. 1987; Vancouver Sun, 5 Oct. 1987.
- 65 "Forests and lands announce two-year reorganization," The Professional, 27 Feb. 1987; "Ministry of



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Since its inception in 1974, the Professional Employees Association (PEA) has sought to balance the duty of professionals with a desire for dignity and fairness. This balancing of duty with dignity runs through the history of the PEA and has shaped its approach as the union for BC professionals. This book charts the growth and change of the PEA over the last 50 years.



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