

2019 Bill 9

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First Session, 30th Legislature, 68 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 9**

## **PUBLIC SECTOR WAGE ARBITRATION DEFERRAL ACT**

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THE PRESIDENT OF TREASURY BOARD AND MINISTER OF FINANCE

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 9

2019

### PUBLIC SECTOR WAGE ARBITRATION DEFERRAL ACT

(Assented to \_\_\_\_\_, 2019)

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#### **Preamble**

WHEREAS the Government of Alberta is committed to providing high-quality front line services for Albertans;

WHEREAS the Government of Alberta is committed to balancing its budget by the 2022-2023 fiscal year;

WHEREAS public sector compensation is the largest government expenditure, constituting over half of the Government of Alberta's operating expense;

WHEREAS significant changes have occurred in Alberta's economy since the 2018-2019 Third Quarter Fiscal Update and Economic Statement;

WHEREAS the Blue Ribbon Panel on Alberta's Finances, an expert panel appointed by the Government of Alberta, will deliver a final report by August 15, 2019, and time is required to gather other information on Alberta's economy and the Government of Alberta's financial state; and

WHEREAS the Government of Alberta needs to gather and fully consider the information and advice prior to wage arbitration hearings under collective agreements in respect of 2019-2020 that affect the Government of Alberta as an employer or funder;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

**Definition**

**1** In this Act, “wage reopener provision” means a provision in a collective agreement listed in the Schedule or designated by the regulations that provides for the determination by arbitration of wages, salaries or pay grade adjustments.

**Temporary suspension of wage reopener provision**

**2(1)** The operation of the arbitration process provided for in a wage reopener provision is suspended beginning on the day this Act comes into force and ending on October 31, 2019.

**(2)** For greater certainty,

- (a) no arbitration hearing shall be commenced, continued or completed and no arbitration decision shall be rendered in respect of a wage reopener provision during the time period beginning on the day this Act comes into force and ending on October 31, 2019, and
- (b) subsection (1) does not preclude the parties to the collective agreement from giving notice of the desire to submit resolution of the matter to arbitration, selecting an arbitration panel, including the chair, and securing a date for the holding of an arbitration hearing that is on or after November 1, 2019 and is within the applicable deadline, if any, imposed in section 3.

**(3)** Parties to an arbitration hearing that was commenced under a wage reopener provision but for which no arbitration decision was rendered before the coming into force of this Act must be provided with the opportunity to make further submissions to the arbitrator or arbitration panel within a reasonable time after October 31, 2019.

### **Modification of wage reopener provision**

**3** A reference in a wage reopener provision to a deadline date or a scheduled date for the holding of an arbitration hearing that is on or before November 30, 2019 shall be read as

- (a) a reference to a deadline date of December 15, 2019 for the holding of the arbitration hearing if the wage reopener provision includes a reference to a deadline date or scheduled date that occurs during the time period beginning on June 30, 2019 and ending on October 1, 2019 for the holding of the arbitration hearing, or
- (b) a reference to a deadline date of March 15, 2020 for the holding of the arbitration hearing if the wage reopener provision includes a reference to a deadline date or scheduled date that occurs during the time period beginning on October 2, 2019 and ending on November 30, 2019 for the holding of the arbitration hearing.

### **Paramountcy**

**4** If a provision of this Act or the regulations is inconsistent or in conflict with a wage reopener provision, the provision of this Act or the regulations prevails to the extent of the conflict or inconsistency.

### **Regulations**

**5** The Lieutenant Governor in Council may make regulations

- (a) designating a collective agreement for the purposes of section 1;
- (b) defining any word or expression used but not defined in this Act;
- (c) respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable for carrying out the intent of this Act.

## Schedule

### Collective Agreements

(Section 1)

<b>Employer</b>	<b>Union/ Association</b>	<b>Agreement Title, Date</b>
Alberta College of Art and Design	Alberta Union of Provincial Employees	Collective Agreement between The Board of Governors of the Alberta College of Art and Design and the Alberta Union of Provincial Employees Local 071/006 July 1, 2017 to June 30, 2020
Alberta Health Services; Lamont Health Care Centre; Allen Gray Continuing Care Centre	Alberta Union of Provincial Employees	Collective Agreement between Alberta Union of Provincial Employees (Auxiliary Nursing) and Alberta Health Services and Lamont Health Care Centre and Allen Gray Continuing Care Centre April 1, 2017 to March 31, 2020
Alberta Health Services	Alberta Union of Provincial Employees	Collective Agreement between Alberta Health Services and Alberta Union of Provincial Employees General Support Services April 1, 2017 to March 31, 2020
Alberta Health Services; Covenant Health; Lamont Health Care Centre; The Bethany Group (Camrose)	Health Sciences Association of Alberta	Collective Agreement between The Health Sciences Association of Alberta (Paramedical Professional and Technical Employees) and The Bethany Nursing Home of Camrose, AB and Lamont Health Care Centre and Alberta Health Services April 1, 2017 to March 31, 2020
Alberta Health Services	United Nurses of Alberta	Collective Agreement between Alberta Health Services, Covenant Health, Lamont Health Care Centre and the Bethany Group (Camrose) and the United Nurses of Alberta April 1, 2017 to March 31, 2020
Alberta Innovates	Alberta Union of Provincial Employees	Collective Agreement between Alberta Innovates and The Alberta Union of Provincial Employees Local 060 October 1, 2017 to September 30, 2020

Athabasca University	Alberta Union of Provincial Employees	Collective Agreement between The Governors of Athabasca University and the Alberta Union of Provincial Employees on behalf of Local 69 July 1, 2017 to June 30, 2020
Bow Valley College	Bow Valley College Faculty Association	Collective Agreement between The Board of Governors of Bow Valley College and the Bow Valley College Faculty Association July 1, 2017 to June 30, 2020
Calgary Board of Education	CUPE	Calgary Board of Education Agreement between the Board of Trustees of the Calgary Board of Education and the Canadian Union of Public Employees Local 40 September 1, 2017 to August 31, 2020
Fort McMurray Catholic Board of Education	CUPE	Collective Agreement between the Fort McMurray Catholic Board of Education and the Canadian Union of Public Employees Local 2559 September 1, 2017 to August 31, 2020
Government of the Province of Alberta	Alberta Union of Provincial Employees	Master Agreement between the Government of the Province of Alberta and the Alberta Union of Provincial Employees November 4, 2018 to March 31, 2020
InnoTech Alberta	Alberta Union of Provincial Employees	Collective Agreement between InnoTech Alberta and the Alberta Union of Provincial Employees Local 060 October 1, 2017 to September 30, 2020
Keyano College	Keyano College Faculty Association	Collective Agreement between The Board of Governors of Keyano College and the Keyano College Faculty Association July 1, 2017 to June 30, 2020
Lakeland College	Alberta Union of Provincial Employees	Collective Agreement between The Board of Governors of Lakeland College and the Alberta Union of Provincial Employees Representing Local 071, Chapter 004 July 1, 2017 to June 30, 2020
Lethbridge College	Alberta Union of Provincial Employees	Collective Agreement between The Board of Governors of Lethbridge College and the Alberta Union of Provincial Employees on behalf of Local 071/001 July 1, 2017 to June 30, 2020

Northern Alberta Institute of Technology	Alberta Union of Provincial Employees	Collective Agreement between the Board of Governors of the Northern Alberta Institute of Technology and the Alberta Union of Provincial Employees Local 038 July 1, 2017 to June 30, 2020
Northern Lakes College	Alberta Union of Provincial Employees	Collective Agreement between The Board of Governors of Northern Lakes College and the Alberta Union of Provincial Employees Local 071, Chapter 009 July 1, 2017 to June 30, 2020
NorQuest College	Alberta Union of Provincial Employees	Collective Agreement between NorQuest College and the Alberta Union of Provincial Employees Local 071, Chapter 010 July 1, 2017 to June 30, 2020
Olds College	Alberta Union of Provincial Employees	Collective Agreement between The Board of Governors of Olds College and the Alberta Union of Provincial Employees Local 071, Chapter 002 July 1, 2017 to June 30, 2020
Red Deer College	Alberta Union of Provincial Employees	Collective Agreement between Red Deer College and the Alberta Union of Provincial Employees Local 071, Chapter 014 July 1, 2017 to June 30, 2020
Southern Alberta Institute of Technology	SAIT Academic Faculty Association	Collective Agreement between the Board of Governors of the Southern Alberta Institute of Technology (SAIT) and the SAIT Academic Faculty Association July 1, 2017 to June 30, 2020
Teachers' Employer Bargaining Association	Alberta Teachers' Association	Central Agreement between the Alberta Teachers' Association and the Teachers' Employer Bargaining Association September 1, 2018 to August 31, 2020
University of Calgary	Faculty Association of the University of Calgary	Collective Agreement between the Faculty of the University of Calgary and The Governors of the University of Calgary July 1, 2019 to June 30, 2020



University of Lethbridge	Alberta Union of Provincial Employees	Collective Agreement between The Governors of the University of Lethbridge and the Alberta Union of Provincial Employees on behalf of Local 053 July 1, 2017 to June 30, 2020
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