BRITISH COLUMBIA LABOUR RELATIONS BOARD

IN THE MATTER OF AN APPLICATION PURSUANT TO
THE LABOUR RELATIONS CODE, R.S.B.C. 1996, c.244

HEALTH EMPLOYERS ASSOCIATION OF BRITISH
COLUMBIA (HEABC) on behalf of its members
Vancouver Coastal Health Authority, Fraser Health Authority, Provincial Health
Services Authority and Vancouver Island Health Authority

Applicant

AND:

HOSPITAL EMPLOYEES’ UNION

Respondents

BEFORE THE LABOUR RELATIONS BOARD)
KOML KANDOLA, VICE-CHAIR AND
ACTING REGISTRAR)

FRIDAY, THE 22ND DAY
OF SEPTEMBER, 2017

ORDER

WHEREAS the Labour Relations Board (the "Board") has received an application
from the Applicant pursuant to Sections 65, 67, 133, 134, 135, and 143 of the Labour
Relations Code (the "Code") for an Order restricting picketing at the worksites of the
Applicant’s members in the Province of British Columbia;

AND WHEREAS the undersigned was established as a Panel of the Board
pursuant to Section 117 of the Code to deal with this matter;
AND WHEREAS the Union named in this application is complained against in its own right and, pursuant to Rule 7(2) of the Labour Relations Board Rules, as agent for those persons it represents;

AND WHEREAS the Board has read the application of the Applicant dated September 17, 2017, and all other relevant material on the file;

AND WHEREAS the parties have reached agreement on the terms of an Order in respect of common site picketing;

AND WHEREAS the Board is satisfied that notice of the application was adequately effected on the Union;

AND WHEREAS the Applicant’s members and Compass Group Canada (Health Services) Ltd. and Compass (Marquise Facilities) (collectively the “Employer”) carry on operations, employment or business at the locations identified in Appendix “B” of the Applicant’s Application;

AND WHEREAS the Union has served strike notice on the Employer;

AND WHEREAS the Board is satisfied that the Union is intending to picket at the sites of the Applicant’s members, and that this constitutes “common site picketing” within the meaning of Section 65(1) of the Code;

AND WHEREAS the Board is satisfied upon issuing this Order that the common site picketing would affect the operations of the Applicant’s members, who are not party to the said strike and who are not an ally of the Employer;

AND WHEREAS the Board is satisfied that it should define the sites or places at which picketing may take place and that it should restrict the common site picketing in such a manner that it affects only the operation of the Employer whose employees are lawfully on strike;
AND WHEREAS the Board is satisfied that the Union can and should be restricted from picketing at or near the premises of the Applicant’s members at the common sites.

NOW THEREFORE, PURSUANT TO SECTIONS 65, 67, 133, 134, 135, AND 143 OF THE LABOUR RELATIONS CODE, THE LABOUR RELATIONS BOARD MAKES THE FOLLOWING DECLARATIONS AND ORDERS:

1. The Labour Relations Board declares that the Union, its officers, members, employees, agents, and all other persons authorized by the Union, shall be permitted to picket only as described in Schedule “1” and Schedule “2” to this Order.

2. The Labour Relations Board orders that the Union, its officers, members, employees and agents, and all persons having knowledge of this Order, shall refrain from picketing, except as permitted under Schedule “1” and Schedule “2” to this Order.

3. The Union will provide the Applicant and the Labour Relations Board with 72 hours’ notice if it seeks to picket at any site that is not included within Schedule “1” to this Order.

4. No picketing will occur at any Applicant member’s site that is not included in Schedule “1” to this Order, unless the Labour Relations Board has issued an Order with respect to common site picketing for that site.

5. If and when the Union pickets any of the sites identified in this Order, Employers will encourage staff at the picketed sites to enter and exit through staff entrances where they exist.

6. The Labour Relations Board retains jurisdiction over this application. The parties may seek any amendments to this Order by written application to the Board.
7. This Order continues in effect until the Union and Employer reach a renewed collective agreement or the Union is otherwise not lawfully on strike.

DATED AND EFFECTIVE at Vancouver, British Columbia, this 22ND day of September, 2017.

LABOUR RELATIONS BOARD

[Signature]

KOML KANDOLA
VICE-CHAIR AND ACTING REGISTRAR
VANCOUVER ISLAND HEALTH AUTHORITY

Aberdeen Senior Centre: Map #1

Picketing permitted except as follows:

- Picketing prohibited within 6 feet on either side of the public sidewalk on the north side of Hillside Avenue

Cowichan District Hospital: Map #2

Picketing permitted except as follows:

- Within 6 feet on either side of the entrances off of Gibbins Road as marked
- Within 6 feet on either side of the entrance off of Cowichan Lake Road as marked

Glengarry Hospital: Map #3

Picketing permitted except as follows:

- Picketing prohibited within 6 feet on either side of the south side entrance off of Fairfield Road by the Hospital entrance marked as A

Gorge Road Hospital: Map #4

Picketing to be limited as follows:

- Public Sidewalk on south side of Gorge Road East within 6 feet on either side of the entrance on marked as A
- Northwest side of Irma Street within 6 feet on either side of the entrance marked as B

Mount Tolmie Hospital: Map #5

Picketing to be limited as follows:

- Public sidewalk on Poplar Avenue marked as A
- Public sidewalk on Cedar Hill Crossroad marked as B

Priory Hospital: Map #6

Picketing to be limited as follows:

- within 6 feet of northwest of entrance driveway on Fairway Avenue marked as A
- within 6 feet on either side of the entrance off of Goldstream Avenue between B and C
Queen Alexandra Centre for Children: Map #7

Picketing to be limited as follows:

- Roadside on North East side of Arbutus Road marked as A and B
- Roadside on Arbutus road between service entrance and Haro Road marked as C

Saanich Peninsula Hospital: Map #8

Picketing permitted except as follows:

- Prohibited within 6 feet on either side of the entrance off of Mt. Newton Crossroad between A and B

Victoria General Hospital: Map #9

Picketing permitted except as follows:

- Picketing prohibited within 6 feet on either side of the parking lot entrance north west side of Watkiss Way at Hospital Way marked “A”
- Picketing prohibited within 6 feet of either side of the main entrance at north side of Watkiss Way at the Emergency and staff parking entrance marked “B”

Nanaimo General Hospital: Map #10

Picketing permitted except as follows:

- Picketing prohibited within 6 feet on either side of the transport entrance to Dufferin Place on the east side of the road on Grant Avenue marked A
- Picketing prohibited within 6 feet on either side of the south side of Dufferin Crescent at the entrance to parking lots A, H, C and D marked B
- Picketing prohibited within 6 feet on either side of the south side of Dufferin Crescent at the entrances to Parking Lot G marked C
- Picketing prohibited within 6 feet on either side of the entrances to parking lots B, E, and F on the west side of Boundary Avenue marked D

Royal Jubilee Hospital: Map #11

Picketing to be limited to the following areas

- Public sidewalks on north east side of Richmond Road from the south side of Adanac Street to the north side of Bay Street marked as “A”
- Public sidewalks on the north east side of Richmond Road from the south side of Bay Street to the north side of Coronation Street marked as “B”
- Public sidewalks on the north east side of Richmond Road from the south side of Coronation Street on to the south end of Begbie Hall marked as “C”
FRASER HEALTH AUTHORITY

Fraser Canyon Hospital: Map #12

Picketing permitted except as follows:

- Within 6 feet of either side of the entrances off of 7th Avenue as marked

Cottage Worthington: Map #15

Picketing permitted except as follows:

- Within 6 feet of either side of the entrance off of Bevan Avenue marked as 1
- Within 6 feet of either side of the entrance off of Mayfair Avenue marked as 2
- Within 6 feet of either side of the entrances off of Cottage Lane marked as 3 and 4
PROVINCIAL HEALTH SERVICES AUTHORITY

BC Children's and Women's Hospital and Health Centre/Brock Farhni: Map #13

Picketing to be limited as follows:

- On Oak Street between A and B except for 6 feet of each side of the main entrance off of Oak Street
- Maximum two Union members located within 6 feet of the entrance/exit off of 28th marked as C

Vancouver Cancer Center: Map #14

Picketing permitted except as follows:

- Within 6 feet of each side of the entrance to the parkade off of Ash Street
- Within 6 feet of each side of the entrance off of 10th Avenue
VANCOUVER COASTAL HEALTH AUTHORITY

West Vancouver Community Health Centre       Map #16

Picketing permitted except as follows:

- Within 6 feet of either side of the entrance off of 22nd Street marked as 1
- Within 6 feet of either side of the north entrance off of 21st Street at Fulton Avenue as marked as 2
- Within 6 feet of either side of the south entrance off of 21st Street marked as 3

Whistler Health Centre       Map #17

Picketing permitted except as follows:

- Within 6 feet on either side of the entrances off of Lorimer Road as marked

Pemberton Health Centre       Map #18

Picketing permitted except as follows:

- Within 6 feet on either side of the entrance off of Pemberton Portage Road as marked

Sumac Place Tertiary Rehabilitation       Map #19

Picketing permitted except as follows:

- Within 6 feet on either side of the entrance off of Kiwanis

George Pearson       Map #21

George Pearson

Picketing permitted except as follows:

- Within 6 feet of either side of each of the entrances off of West 57th Avenue marked as marked with red arrows
- Within 6 feet of either side of each of the entrances off of West 59th Avenue marked as marked with red arrows
Schedule 2 – Site Maps
ABERDEEN SENIORS CENTRE Parking Map (Hillside Health Centre & Hillside Terrace)

Legend:
P  Parking Ticket Machines
O  Public Parking
A  Persons With Disabilities Public Parking
F  Family Resident
C  Coal Aid Society
G  Gift Shop
P  Pharmacy
S  Staff
F  Physician
I  Authorized FMO Vehicles
V  VIHA Transport
P  Patient Transfer, HandyDART
B  BC Transit Bus Stop
B  Bicycle Rack
M  Motorcycle or Scooter

Aberdeen Hospital Seniors Centre
1450 Hillside Avenue

Hillside Health Centre
1454 Hillside Avenue
First Floor

Hillside Terrace
1452 Hillside Avenue
2nd, 3rd, 4th floors

Victoria Cool Aid Society
First Floor
1450 Hillside Avenue

Piercy Respite Hotel
1450 Hillside Avenue
1st floor

Parking Garage
STAFF Only
Proximity Card Required For Entry

Main Entrance

Hillside Avenue

Picketing

Please respect the surrounding neighbors by observing posted signs and speed limits.
For your safety and convenience please observe signage on roadways and parking areas at Island Health sites.

Produced by Parking Services Effective 23 October 2014
Cottage - Worthington

Map #20

Access/Egress

1. Loading dock: Deliveries must be unrestricted

2. Back lane

3. (7) Ambulance/Public - must be unrestricted