

Practice Education Guidelines for BC Labour Disruptions

July 2021

Intent / Purpose

- Describe the conditions for when practice education experiences can or cannot continue during labour disruptions within Health Care Organizations (HCO).
- Outline the roles and responsibilities of the Post-Secondary Institutions (PSI) and HCOs in the event of a strike or job action within the HCO.

Definitions

Refer to: [Standard Terms and Abbreviations](#)

<i>Essential Services</i>	The B.C. Labour Code "requires employers and unions to maintain certain essential services to the public when they take job action in a labour dispute. Essential services are those related to the health, safety, or the welfare of British Columbian residents, or to the provision of primary or secondary education programs." ¹
<i>Lockout</i>	"...losing a place of employment, a suspension of work or a refusal by an employer to continue to employ a number of his or her employees, done to compel his or her employees or to aid another employer to compel his or her employees to agree to conditions of employment" ²
<i>Job Action</i>	"...the threatened or actual withdrawal of services to further a negotiating position during a dispute" ³ "activities undertaken by union members to express disagreement with their employer's or government's policies or laws. Such activities could include going on strike, work slowdowns, work-to-rule, picketing and other protest actions." ⁴
<i>Strike</i>	"...a cessation of work, a refusal to work or to continue to work by employees in combination or in concert or in accordance with a common understanding, or a slowdown or other concerted activity on the part of employees that is designed to or does restrict or limit production or services ..." ⁵

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The guideline **does not apply** to Students who are in co-operative-, residency-, apprenticeship-, or internship-type education practice education experiences and remunerated by the HCO (a paid work experience), instead they take direction from their HCO manager/supervisor and/or union representative, as applicable.

Students in practice education experiences are not considered part of essential workplace services during a labour disruption within HCOs.⁶

¹ Labour Relations Board. (n.d.). *Guide to the Labour Relations Code, Province of British Columbia: Chapter 7 Essential Services*. Retrieved June 13, 2019 from <http://www.lrb.bc.ca/codeguide/chapter7.htm>

² Queen's Printer. (May 2019). *Labour Relations Code [RSBC 1996] Chapter 244*. Government of British Columbia. Retrieved January 17, 2021 from https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96244_01

³ College of Physicians and Surgeons of Alberta. (2021). *Standard of Practice: Job Action*. Retrieved January 17, 2021 from <http://www.cpsa.ca/standardspractice/job-action/>

⁴ Canadian Nurses Association. (2017). *Code of Ethics for Registered Nurses*. Pg. 24. Retrieved January 17, 2021 from <https://www.cna-aiic.ca/~media/cna/page-content/pdf-en/code-of-ethics-2017-edition-secure-interactive>

⁵ Queen's Printer. (May 2019). *Labour Relations Code [RSBC 1996] Chapter 244*.

⁶ School of Social Work. (2017). *BSW Program Field Education Manual*. University of Victoria. Page 40. Retrieved June 13, 2019 from <https://www.uvic.ca/hsd/socialwork/assets/docs/Practicum/fieldmanual.bsw2017.pdf>

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HCO's may alter, change, re-schedule, substitute, or terminate any practice education experience in order to meet its operational or administrative needs in the event of labour disputes or disruptions.⁷

HCO's administration, human resource personnel, and Practice Education Coordinator(s) make every effort to allow Students to continue the practice education experience either during (if at all possible), or as soon as possible after a labour disruption, as long as appropriate supervision and learning opportunities are available.⁸

In the event of job action (legal or illegal) within a practice education setting, PSI might direct the Students and Educators to temporarily leave the practice education setting until the HCO administration and human resource personnel have been consulted.

PSI could allow Students and Educators to continue the practice education experience during a job action or cross the picket line during a strike if:

- The union of the HCO Supervisor or PSI Educator supervising the Student directs their members to cross another union's picket line; and
- It is agreed to by the HCO administration and human resource personnel.

Students take direction from their PSI and do not cross any picket line unless permitted by the PSI.

The HCO and the union involved could exempt the Student from the restrictions of strike or job action if the HCO Supervisor supervising the Student works in a service or discipline that is deemed an essential service (e.g. physicians, midwives, nurse practitioners, non-contract/non-union disciplines).

Anytime Students are in a practice education setting during a labour disruption, the Student only performs activities that are within the range expected of Students within their specific area of study, after they have been taught the theory and skill by the PSI, and when adequate supervision is available (see [PEG Student Practice Activities, Limits, and Conditions](#); [PEG Supervision of Students](#)).

⁷ Health Care Protection Program. (2008). *Risk Note: Managing Risk in Educational Affiliation Agreements - Educational Institution Affiliation Agreement Template*. Retrieved October 27, 2020 from <https://www.hcpp.org/?q=node/17>

⁸ Department of Communication Sciences and Disorders. (2017). *Clinical Externship Handbook*. University of Alberta. Page 12. Retrieved January 17, 2021 from <https://www.ualberta.ca/communications-sciences-and-disorders/media-library/documents/clinic/csdclinicalexternshipandbookoct2017.pdf>

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Roles, Responsibilities and Expectations

Post-Secondary Institutions

- Inform the Students of the procedures for when there is a labour disruption (unionized strike or job action).
- Where applicable and possible, work with the HCO to pre-plan alternative practice education experiences when the possibility of job action/ strike becomes evident (for example, when 72 hour strike notice is served).
- Provide Students with a contingency plan, before the labour disruption begins or in the early stages of one, outlining the effects of a strike on practice education and how these will be addressed.⁹
- Update the Students regularly on the status of the labour disruption.¹⁰
- Work with the HCO to determine the best approach to gaining the practice education experiences needed and minimize the impact to the Student's studies and graduation.
- If necessary and possible, arrange for an alternative practice education experience either within the HCO, an alternate HCO, or simulation lab setting.¹¹
- If determined that the Student may remain in the practice education setting during the disruption, explore options with the Student, such as:¹²
 - terminating the current placement and moving to a new practice education setting
 - suspending the current placement until after the labour disruption is over
 - crossing the picket line to continue the current placement providing supervision is available by their PSI Educator and/or HCO Supervisor
- Implement necessary remediation strategies following a labour disruption.

Students

- Honour and respect any picket lines.
- Contact the PSI for advice and direction.
- Leave the practice education setting if directed to do so either by the PSI or HCO

⁹ Wickens, C.M., Labrish, C., Masoumi, A., Fiksenbaum, L.M., & Greenglass, E.R. (2017). *Understanding the Student Experience of University Labour Strike: Identifying Strategies to Counter Negative Impact*. Higher Education Quality Council of Ontario. Retrieved June 13, 2019 from <http://www.heqco.ca/en-ca/Research/ResPub/Pages/Understanding-the-Student-Experience-of-a-University-Labour-Strike.aspx>

¹⁰ Ibid.

¹¹ School of Rehabilitation Science Physiotherapy Program. (July 2020). *2020-2021 Physiotherapy Clinical Education Handbook*. McMaster University. Page 51. Retrieved January 24, 2021 from https://healthsci.mcmaster.ca/docs/librariesprovider123/pt-clinical-education/physiotherapy-clinical-education-handbook-2020-2021.pdf?sfvrsn=278c2014_0

¹² School of Social Work. (September 2019). *BSW Field Education Manual 2019/2020 - Appendix G: Labour Disputes*. Ryerson University. Page 85. Retrieved January 24, 2021 from https://www.ryerson.ca/content/dam/social-work/pdfs/student-resources/undergraduate/field-education/BSW_Field_Education_Manual.pdf

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- Stay in contact with the PSI.
- If allowed to continue in the practice education setting:
 - Only continue when there is adequate supervision and appropriate opportunity for learning is available.
 - Only perform activities that are within the range expected within their specific area of study and after they have been taught the theory and skill by the PSI.

Health Care Organizations

- Work with all parties (administration, human resources, PSI and HCO Practice Education Coordinators, and the involved union(s)) to determine if it is necessary for the practice education experience to be suspended and the Students to leave the practice education setting.
- Identify a primary contact within the HCO to act as a liaison between the HCO administration/human resources/unions and the PSI.
- Communicate changes in the levels of service or staffing levels to the PSI that will impact Students in the practice education setting.
- Work with the PSI to find an alternative practice education experience within the HCO if necessary and if the job action allows.
- Ensure that any Students remaining in the practice education setting are not considered part of essential workplace services.
- Facilitate the return of the Students to the practice education setting as soon as the labour disruption has ended.

References and Resources

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Guideline Review History

Version	Date	People Responsible	Brief Description (reason for change)
1	February 2007	Authors/Editors: Carol A. Wilson (BCAHC), Barb Collingwood (BCAHC) Reviewers: Practice Education Committee of the BC Academic Health Council (Grace Mickelson, Chair)	
2	February 2013	Editors: Heather Straight (VCH) Carrie Edge (FHA) Deb McDougall (BCHAC)	Revised to new template Guideline standards confirmed and aligned with current practice Roles/responsibilities updated References updated
3	March 2021	Editor: Carol A. Wilson (PHSA) Reviewers: Judy Lee (KPU) BJ Gdanski (PHSA) Ministry of Health (Allied Health Policy Secretariat and Nursing Policy Secretariat) Ministry of Advanced Education, Skills and Training (Health Education Reference Committee) Health Authority Practice Education Committee	Title changed to broaden application beyond strike and job action Updated definitions and references Updated guidelines Consistent with language in the affiliation agreement template Roles/responsibilities updated