

Backgrounder

Why is government introducing this legislation?

The Government of New Brunswick has introduced the *Essential Services in Nursing Homes Act* which provides a mechanism to allow for essential services designations to be established for unionized nursing home care and support workers. While not limiting the right to strike of nursing home employees, the legislation would ensure nursing home residents are not put at risk by job action.

Which nursing home care and support workers does this legislation apply to?

The legislation would apply to 49 of the 62 nursing homes in New Brunswick with unionized employees. This includes 46 nursing homes represented by the Canadian Union of Public Employees (CUPE), through the Council of Nursing Homes Union, as well as three nursing homes represented by the New Brunswick Union of Public and Private Employees (NBUPPE).

The legislation does not apply to eight nursing homes with non-unionized employees, nor does it apply to five nursing homes which fall under Part III of the public service and already have essential service designation levels. Registered nurses employed in nursing homes, represented by the New Brunswick Nurses Union, are not subject to the legislation.

What percentage of workers will be designated essential workers?

The percentage of employees to be designated essential is not specified in the legislation. The designation levels will be set based on negotiations between the employer and employee representatives. Any disputes over designation levels would be referred to the Labour and Employment Board.

What are the job descriptions of these employees?

The majority of nursing home care and support workers are licensed practical nurses and resident attendants who provide personal care services to nursing home residents. Nursing home care and support workers also ensure the safe operation of nursing homes through the provision of food services, laundry services, janitorial services and physical plant operations.