

**BY EMAIL**

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**\*\* WITHOUT PREJUDICE EXCEPT TO COSTS \*\***

January 21, 2026

**ALG Lawyers**

104 – 32615 S Fraser Way  
Abbotsford, BC, V2T 1X8

**Attn: Mr. Arpan Parhar**

Dear Mr. Parhar:

**Re: S Calhoun, C Parobec, and K Parkinson (Inquiring Members) -and- Hospital Employees' Union (HEU), Demand to Suspend Ratification**

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We represent the Hospital Employees' Union (HEU) and write in response to your letter dated January 7, 2026. We have had the opportunity to review the demands set out in your letter and would like to provide clarity on some of the issues in order to resolve your clients' concerns.

**I. Background on Collective Agreement Bargaining and Ratification**

Collective bargaining between the Health Employers Association of BC (HEABC) and the various unions who provide services to health care providers in British Columbia are carried out collectively by several bargaining associations rather than by the individual unions. In the current case, the bargaining association involved is the Health Services and Support - Facilities Subsector Bargaining Association (FBA) which represents the following unions:

- Hospital Employees' Union (HEU),
- British Columbia General Employees' Union (BCGEU),
- International Union of Operating Engineers (IUOE),
- Private & Public Workers of Canada (PPWC),
- BC Nurses' Union (BCNU),
- International Brotherhood of Electrical Workers (IBEW),
- United Brotherhood of Carpenters and Joiners of America (UBCA),
- United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada (UA), and
- International Union of Painters and Allied Trades (IUPAT).

Each of these unions has several local unions (Locals) across the province. The HEU represents the largest number of Locals in the FBA at 161 individual Local unions.



## II. Current Status of Collective Agreement

The Collective Agreement referred to in your letter dated January 7, 2026 was ratified on December 19, 2025.

The Tentative Agreement, including all Greensheets, adopting the new terms of the Collective Agreement was executed by the HEABC and the FBA on November 17, 2025. When the membership ratified the new Collective Agreement, this was the final step to adopting the new Collective Agreement.

## III. FBA Ratification Process

Once the FBA executes a Memorandum of Agreement modifying the Collective Agreement it puts it out to members to be ratified. The *FBA Articles of Association* (Article 7) provides the ratification procedure. Article 7(c) sets out how the ratification vote is to proceed, and the threshold needed to ratify a Memorandum of Agreement:

Each constituent union shall determine the method of conducting and counting the vote among its members. Where a majority of all ballots cast are in favour of ratifying the proposed collective agreement, the Association Negotiating Committee shall execute the collective agreement on behalf of the Association.

In regard to the current Memorandum of Agreement, 54.21% of voting members of all unions that are represented by the FBA voted in favour. This meets the simple majority threshold to ratify as set out in the *FBA Articles of Association*.

## IV. HEU Ratification Process

The HEU's own internal *Constitution and Bylaws* sets out the procedure and threshold for ratification of a collective agreement by the HEU membership. Article 11, Section H of the HEU *Constitution and Bylaws* sets out how a ratification vote is to proceed, and the threshold needed to ratify the Memorandum of Agreement:

### Section H

#### VOTING – RATIFICATION OF PROPOSED TERMS OF SETTLEMENT:

...

f) Membership decision: The decision to ratify or reject a tentative agreement shall be made by a majority of the ballots cast.

For Provincial or Multi-site votes, a Membership decision shall prevail:

- i) by two-thirds (2/3) of the eligible Locals voting in the majority, and
- ii) by fifty per cent (50%) of all eligible voting Members voting in the majority.

Initially, an internal unofficial report indicated that 107 of the HEU Locals had voted in favour of ratification, and that this constituted 2/3 of the Locals. At this time the HEU had a good faith belief



that the ratification threshold had been met. The Union's understanding is that this unofficial initial result was later improperly shared externally, which resulted in confusion as to whether the threshold had been met.

In the unofficial report, there was an initial error in how the South Delta Local was classified. A check of the results on December 19, 2025 raised the question of whether the South Delta Local had voted for or against ratification. The members of South Delta Local had voted 70 members in favour of ratification and 69 members against. The close race in South Delta resulted in an internal constitutional question as to whether the threshold for counting South Delta in favour of ratification required a simple majority, or whether it required "50% +1".

As can be seen above in Section H(f), ratification "shall be made by a majority of the ballots cast". This is in contrast with language in other areas of the HEU *Constitution and Bylaws*, dealing with other matters, which specifies "50% +1". As such, ratification is counted by simple majority and South Delta's vote counted in favour of ratification.

With South Delta counting towards ratification, 108 of 161 HEU Local Unions voted in favour of ratification, and as such the number of eligible Locals voting to ratify the Memorandum of Agreement is 108 of 161 (67.08%). This meets the first threshold to ratify.

Further, 55.73% of eligible HEU voting members voted in favour of the Memorandum of Agreement. This meets the second threshold to ratify.

For clarity, no additional voting and no recount of the votes cast occurred. The discrepancy between the preliminary results shared internally with the FBA and the final results released publicly was entirely based on the HEU undertaking a proper consideration of how the HEU *Constitution and Bylaws* applied in the case of the results of a close vote in a single Local.

## **V. Shorncliffe Local and Totem Local Were Not Treated As Distinct Locals**

There is no "Totem" Local, and there never has been. Previously, members at the Shorncliffe Care Centre facility were members of Shorncliffe Local, and members at the Totem Lodge facility were members of Sechelt Local.

In 2023 the public sector facilities Shorncliffe Care Centre and Totem Lodge were closed, and the workers and residents were moved to a new privately operated facility named Silverstone Care Centre. The HEU members now working at Silverstone Care Centre were able to maintain their FBA membership and employment at this private facility as the new employer became an HEABC affiliate.

Sechelt Local has continued as it includes other members at other facilities.

The members who now work at Silverstone Care Centre are members of Shorncliffe Local.

Shorncliffe Local has not requested a name change, nor is the local required to.



The merger of the members from the Totem Lodge facility and Shorncliffe Care Centre facility was agreed to by the members of both Locals to reflect the change in employer and geographical move, and continued as the Shorncliffe Local. This agreement was confirmed by the Provincial Executive in a motion on November 7, 2023 and this exists within the minutes of the meeting. The merger was done in compliance with the HEU *Constitution and Bylaws* and the merger policy. These documents remain available as always on the HEU website.

Members of Shorncliffe Local have been operating under this merger agreement since the 2023 merger, and as they remain members of the FBA they have retained all rights and privileges to vote in the ratification.

Only Shorncliffe Local and Sechelt Local were each listed as a Local in the ratification vote. There is no “Totem” local nor were any votes tallied for a “Totem” local.

## **VI. HEU Members Voting in More Than One Local**

HEU members are allowed to vote in every Local to which they are a member. This is a longstanding practice, and conforms to Article 11, section H(a):

### **Section H**

#### **VOTING – RATIFICATION OF PROPOSED TERMS OF SETTLEMENT:**

a) Voting: Eligible members in each Local shall vote individually on the proposed terms of settlement. Where a vote is conducted in person and wherever practical, eligible Members on all shifts shall be provided with an opportunity to cast a ballot.

. . .

The ability for members to vote in each Local to which they belong was communicated to all HEU members in advance of the vote.

## **VII. No Prior HEU Members Were Permitted to Vote**

Former members are not allowed to vote on Union business. The Union has no evidence, and no evidence has been provided, that any former member voted in the ratification. As with any vote, such as with BC Elections or Elections Canada, voter lists are based on the best information available at the time of the vote.

## **VIII. The Vote Was Conducted and Certified by Simply Voting**

Simply Voting Inc is a Canadian online elections platform that has been in operation since 2003. Currently Simply Voting services over 5,000 organizations in 74 countries worldwide.

Simply Voting is used by Elections Prince Edward Island, Elections North West Territories, the Green Party of Canada, the Parti Liberal du Quebec, the New York State Democrats, Unifor, the



Canadian Union of Public Employees (CUPE), the Movement of United Professionals (MoveUp), the BC College of Nurses and Midwives, the Ontario Nurses Association, and thousands more.

The HEU ratification vote was certified by Simply Voting and signed off on by Simply Voting President Brian Lack. Questions or concerns about the authenticity or accuracy of the results should be directed to Simply Voting.

The HEU does not have access to how any individual member voted. The purpose of a secret ballot is to allow union members to vote for or against a proposed collective agreement without fear of reprisal from either an employer or from a union.

#### **IX. The Inquiring Members Have Failed to Exhaust the Required Procedure for Complaints**

Article 19, Section B of the HEU *Constitution and Bylaws* sets out the procedure for making a complaint where a member in good standing believes that a member or officer of the Union has committed an offence under the HEU *Constitution and Bylaws*, including where it is alleged that any member of the HEU has “otherwise engage in serious misconduct detrimental to the welfare or interests of the Union, its Locals, or its Members” (Article 19, Section A(j)).

The Inquiring Members should follow this procedure before pursuing any other dispute resolution mechanism, and have 90 days from the date on which the alleged offense was discovered to file a complaint with the Office of the President as set out in Article 19, Section B.

We trust this addresses your client’s concerns.

Yours truly,

**KOSKIE GLAVIN GORDON**

Per:

**ANTHONY GLAVIN**

cc: Client