

January 07, 2026

VIA EMAIL

“WITHOUT PREJUDICE EXCEPT FOR COSTS”

Barb Nederpal
President
Hospital Employees Union

Lynn Bueckert
Secretary – Business Manager
Hospital Employees Union

Dear Ms. Nederpal and Ms. Bueckert:

Re: Demand to Suspend Ratification and Disclose Voting Records

I write this correspondence on behalf of Shannon Calhoun, Courtney Parobec and Kim Parkinson (the Inquiring Members).

The Inquiring Members are all members of the Hospital Employees’ Union (HEU).

On November 17, 2025, the Facilities Bargaining Association (the Bargaining Committee) on behalf of the Hospital Employees Union (HEU) reached a tentative collective bargaining agreement with the province of British Columbia (the Tentative Agreement).

The Inquiring Members seek that the ratification process for the Tentative Agreement be stopped immediately until there is sufficient evidence that the vote was conducted in accordance with the Hospital Employees Union Constitution and By-Laws (the HEU Code).

Background Facts

All HEU members had an opportunity to vote on the Tentative Agreement between December 15, 2025, and December 19, 2025.

On December 19, 2025, the Bargaining Committee and Provincial Executive were provided with voting results indicating that 66.45% of locals (107 of 161) voted in favour of the Tentative Agreement. 54.2% of individual ballots voted in favour of the Tentative Agreement.

On December 22, 2025, the HEU leadership issued an email stating that in fact, 108 locals had voted YES.

The HEU leadership has failed to identify which local changed from NO to YES, when the change occurred, as well as any other relevant circumstances related to the changes.

Article 11, Section H (f) of the HEU Code outlines the procedure for ratifying the Tentative Agreement as follows:

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

Each local is a geographic district in the province for HEU members.

The Inquiring Members take issue with the voting procedure related to the locals and individual ballots as outlined below.

1-Concerns regarding the Locals

The number of locals that were initially reported to have approved the Tentative Agreement does not meet the constitutionally required threshold of 66.66% locals to ratify the Tentative Agreement.

This issue was immediately raised to the Bargaining Committee and stakeholders in the provincial government on the Tentative Agreement. The Inquiring Members understand that the numbers and the constitutionally required threshold were confirmed by the Bargaining Committee and the provincial stakeholders.

The Inquiring Members understand that the Bargaining Committee then issued an email stating that 108 locals voted YES for the Tentative Agreement three days after the issue was initially raised.

The Inquiring Members seek an immediate explanation regarding the discrepancies in locals which voted YES for the Tentative Agreement.

Specific concerns regarding the Shorncliffe and Totem Locals.

The Inquiring Members understand that the previous Shorncliffe and Totem locals were closed for approximately two years and later appeared as a single merged local.

In the voting process for the Tentative Agreement, the previous Shorncliffe and Totem locals were treated as distinct locals despite the previous treatment as a merged local for two years.

There are serious questions related to the process by which Shorncliffe and Totem de-amalgamated. It is unclear why Shorncliffe and Totem were treated as an individual local and then subsequently de-amalgamated for the purposes of ratifying the Tentative Agreement.

2-Concerns regarding Individual Ballots

The Inquiring Members believe there were other members of the HEU that voted in multiple locals.

The Inquiring Members have informed me that there is documented evidence of at least one member voting in multiple locals.

Even with multiple voting being permitted, many members who work at multiple locals did not receive a ballot, whereas some did.

Article 11, Section H (a) of the HEU Code outlines that eligible members in each local shall vote individually, and that the decision to ratify shall be made by majority of ballots cast.

There is not any constitutional authority that allows for voting to occur "one vote per local" or "one vote per employment opportunity".

In the extremely unlikely event that the honourable court were to accept an interpretation of the HEU Code permitting certain members to vote more than once, this critical information was never disclosed to members at the information meetings or at any other time prior to or during the election process.

Members were not informed that they may be entitled to cast more than a single ballot. A litany of procedural fairness issues then arises given many members who qualify for multiple ballots did not receive this information.

Furthermore, I understand there are screenshots demonstrating that a ballot was cast in a local where the individual has not worked for over five years.

The Inquiring Members have also informed me that there is evidence that ballots from former members were counted.

As you will see in our disclosure request, we are seeking information that allows us to determine the number of votes that should have been rendered invalid due to not following the procedure in the HEU Code. The information sought includes disclosure of the identities of all individuals who cast ballots in the ratification process.

Transparency, Accountability and Disclosure

The HEU Code demands rigid transparency and accountability in the voting process. It is our belief that such standards have not been met in the election ratification.

Even if the honourable court accepted your position on any singular issue, the remaining issues remain outstanding.

I also note that we have outlined only the most important issues for the sake of brevity. There may be additional grounds for challenging the validity of this ratification that cannot be fully detailed at this stage until complete disclosure of the voting process is provided.

We are seeking the following documents and information (the Requests) on behalf of the Inquiring Members:

1. The total number of eligible voters for the ratification vote;
2. The total number of ballots cast;
3. Detailed breakdown of votes by local;
4. Identities of all individuals who cast ballots in the ratification process, together with confirmation of their membership status at the time of voting, including whether any non-members participated;
5. Confirmation of whether Simply Voting detected, flagged, or recorded any instances of duplicate voting or multiple ballots associated with a single member;
6. Any audit report, integrity report, validation report, or system-generated verification documentation produced by Simply Voting for this vote;
7. All communications between HEU and Simply Voting relating to vote validation, voting irregularities, duplicate ballots, access controls, or system integrity;
8. Confirmation of whether HEU requested an independent audit of the vote, and if not, a written explanation as to why an audit was not requested;
9. Information about the reasons why the Shorncliffe and Totem locals are being considered as two separate locals when they merged under the name Shorncliffe. If they are being treated as two separate locals, please provide all relevant details including the names of the local executives for each of these two locals so that we may contact them to verify the accuracy of the information provided.
10. Full disclosure of the specific Simply Voting platform configuration and ownership arrangement utilized by HEU for this ratification vote, including but not limited to:
 - a) Confirmation of whether HEU uses a standard Simply Voting service hosted on Simply Voting's platform, or whether HEU maintains an enterprise version that is self-hosted on HEU's own servers;
 - b) If HEU uses Simply Voting's hosted platform, confirmation of what oversight and accountability measures Simply Voting provides regarding election integrity and result

validation;

c) If HEU uses a self-hosted enterprise version, full disclosure of HEU's internal oversight procedures, including the identity of HEU personnel who served as scrutineers with administrative access to the voting system, what changes or modifications can be made to vote counts by HEU administrators, and what audit trails exist to track any administrative interventions;

d) Complete documentation of the technical architecture and access controls for the voting platform, including any instances where HEU personnel had the ability to add, modify, or remove ballots, alter vote counts, or otherwise influence the voting process

I note that the issues related to Simply Voting are crucial with respect to transparency and accountability related to the voting process.

If the process is controlled by the HEU, then wider scale issues exist related to fair election practices.

If the HEU does not have any of the information contained in the Requests, then a positive obligation exists to forthwith obtain the requested items.

We ask that each of the Requests is met and responded to no later than January 14, 2026. We also ask that next steps related to ratification of the Tentative Agreement be delayed until the issues outlined in this correspondence are adequately addressed.

Failure to comply with this demand will leave the Inquiring Members with no alternative but to pursue all available legal remedies.

Our hope is that the parties can resolve the outstanding issues in an efficient and co-operative manner without the need for additional remedies.

Thank you for taking the time to read this correspondence.

Yours truly,

ALG LAWYERS

"Arpan Parhar"

Arpan Parhar