



Designation of Unionized Long-Term Care and Assisted Living Operators as HEABC Members

Questions and Answers

Background and Context

What is Health Employers Association of BC (HEABC)?

HEABC is the designated employer association under the *Public Sector Employers Act*. It negotiates province-wide collective agreements and coordinates human resources and labour relations across the health sector.

How is the Long-Term Care (LTC) and Assisted Living (AL) sector structured?

More than 28,000 LTC beds in BC operate under three ownership models: Health Authority owned/operated, contracted Not-for-Profit, and contracted For-Profit owners. In addition, there are fully private facilities not contracted to provide services. LTC provides 24-hour professional nursing care for individuals with complex healthcare needs, while AL provides housing, hospitality, and regulated services for residents needing support to live semi-independently.

Which unions operate in LTC/AL?

The Facilities Bargaining Association (FBA), Community Bargaining Association (CBA), Health Science Professionals Bargaining Association (HSPBA) and the Nurses Bargaining Association (NBA) are the bargaining associations in the LTC/AL sectors. Unions representing workers in these sectors include, but are not limited to, the Hospital Employees Union (HEU), the BC General Employees Union (BCGEU), the BC Nurse's Union, (BCNU), the Health Sciences Association (HSA), Canadian Public Employees Union (CUPE) and the International Union of Operating Engineers (IUOE).



What is happening to the 2009 policy that made HEABC membership voluntary?

The Ministry, in collaboration with the Public Sector Employers' Council Secretariat and HEABC, will implement new government policy direction to end the 2009 approach that allowed unionized contracted LTC and AL operators to voluntarily opt out of HEABC membership. This change will restore consistent membership requirements for eligible operators and support aligned provincial wages and working conditions across the sector

Why were some operators previously not HEABC members?

Mandatory HEABC membership for contracted LTC and AL operators was removed by the government in 2009. Since then, operators have been able to choose whether to join HEABC. As a result, many new LTC and AL operators that entered the sector after 2009 have never been HEABC members. A smaller number of operators who were members prior to 2009 chose to leave following the policy change.

Policy Overview & Rationale

What is changing?

Ministry of Health (the Ministry) has determined new policy direction regarding HEABC membership, which is reflected in the Memorandum of Agreement (MOA) concerning the FBA that addresses the transition of operators who become members of HEABC. Parallel Memoranda of Agreement have been reached to date for the Health Sciences Professionals Bargaining Association (HSPBA) and the CBA. The MOAs reflect that eligible unionized LTC and AL operators who meet HEABC membership criteria will transition into HEABC by September 30, 2028. Employers who transition to HEABC membership will become part of the broader provincial health sector bargaining structure, aligning terms and conditions with existing HEABC-negotiated collective agreements.



Why is this happening now?

The LTC and AL sectors are an integral part of the health care system and have experienced significant staffing challenges exacerbated by wage disparities and inconsistencies in benefits and working conditions. Government is moving to restore stable, consistent provincial wages and working conditions to improve workforce retention, recruitment, and support quality of care.

What is the rationale for expanding HEABC membership in the LTC and AL sectors?

Government direction since 2020 has emphasized restoring equitable and consistent wages, benefits, and working conditions across publicly funded LTC/AL facilities. Expanding HEABC membership supports this mandate through the standardization of employment terms such as wages and benefits set out in the HEABC-negotiated collective agreements.

What planning informed the decision to transition eligible LTC and AL operators into HEABC membership?

The decision to transition eligible operators into HEABC membership reflects longstanding government objectives to restore consistent wages, benefits, and working conditions across publicly funded seniors' care, support workforce stability, and improve recruitment and retention. The phased, two-year implementation approach allows for transition planning, development of transition agreements, and identification of operator specific considerations as implementation proceeds.

Scope & Eligibility

How many facilities may be eligible?

Analysis by the Ministry identified approximately 100 potentially eligible facilities. However, the Ministry, with the support of HEABC, will work to identify and confirm the number of operators that meet the criteria for HEABC membership and directly employ unionized staff.



Which operators will be brought into HEABC?

Only publicly funded operators that meet the following HEABC membership criteria will be included:

- The operator is a Health Organization as defined by HEABC Bylaws,
- Directly employs unionized staff,
- Receives, directly or indirectly, more than 50% of their annual funding from the provincial government, and
- Receives \$250,000 or more annually from provincial government sources.

Are fully private operators affected?

No. Fully private operators do not receive public funding for LTC or AL services. These operators are not eligible for HEABC membership and are out of scope for this initiative.

To be eligible, do operators need to receive at least 50% of their funding from the provincial government and have that funding be at least \$250,000 annually?

To be eligible for HEABC membership, operators must:

- receive more than 50% of their annual funding from provincial government sources,
- that provincial government funding must total at least \$250,000 annually, **and**
- be a Health Organization as defined by HEABC Bylaws and directly employ unionized staff.

Operators who do not meet all the above criteria will not be designated as HEABC members through this process.

What does “directly or indirectly” mean in regard to funding from the provincial government?

“Directly or indirectly” refers to any funding originating from a provincial government source regardless of how, or through what other agencies or entities, the funding flows to the operator.



How does HEABC membership apply where only a small proportion of staff are directly employed and unionized, and most services are subcontracted?

HEABC membership applies to operators that meet all established membership criteria. Eligibility is assessed by the Ministry of Health, with the support of HEABC, based on the operator's full circumstances. The assessment of directly employed unionized staff is based on whether there are any directly employed unionized staff, regardless of the number, or the proportion of total number of employees of the operator or the total number of employees at the worksite.

Subcontracted service providers that are not the facility operator are not eligible for HEABC membership, and existing subcontracting arrangements are not affected.

Will operators that unionize in the future become eligible?

Yes. If an operator at a future point meets HEABC membership criteria – for example, by receiving more than 50% of its annual funding from public sources and employees are unionized – it may be designated as an HEABC member at that time. Any such changes would be reviewed through the same assessment process and communicated in advance to support planning.

Are operators with no unionized employees affected?

No. Operators that do not currently employ any unionized staff are not included in the initiative and will not be designated as HEABC members. Only operators that directly employ unionized employees and meet the HEABC funding criteria are eligible for membership. However, if employees at an operator that meets HEABC funding criteria become unionized, the operator may then be eligible for HEABC membership.



Transition Approach & Timeline

What is the transition timeline?

The transition will take place over a two-year period:

- During Phase One (October 1, 2026, to September 30, 2027), approximately 50% of eligible unionized LTC and AL operators that meet HEABC membership criteria will be brought into membership.
- Phase Two (October 1, 2027, to September 30, 2028) will complete the process by transitioning the remaining eligible operators.

How will eligibility be confirmed?

Eligibility will be confirmed by the Ministry, with the support of HEABC, based on whether an operator meets the HEABC membership criteria. This includes confirmation of public funding thresholds and whether the operator directly employs unionized staff.

Information provided by operators will be used to support this assessment. Eligibility will not be determined until the required information has been reviewed and validated.

Will all operators be transitioned at the same time?

No. The transition to HEABC membership will occur over a two-year period and will be implemented in two phases. Approximately half of eligible operators will transition during Phase One, (October 2026 – September 2027) with the remaining eligible operators transitioning during Phase Two (September 2027 – October 2028). This phased approach is intended to support a thoughtful and paced implementation for all parties and ongoing monitoring as the transition proceeds.

How will it be determined whether an operator is included in Phase One or Phase Two of the transition and when will operators be notified of their transition phase and timing?

The Ministry of Health, with support from HEABC, is establishing decision-making principles and undertaking detailed planning to inform sequence transitions in a way that minimizes disruption, supports workforce stability, and allows for effective



implementation of transition agreements. Further information on how phasing decisions will be applied will be shared with operators once this work is complete.

Operators that meet the HEABC membership criteria will be notified as the planning for the phased approach completes, and in advance of their transition timing. The Ministry recognises the importance of providing advance notice to support operational, workforce, and financial planning. LTC and AL operators who are eligible will be notified in writing of the phase and timing of their transition as implementation planning progresses.

How will employers and employees transition into the HEABC-negotiated collective agreements?

HEABC will work with the affected bargaining associations to develop template transition agreements. HEABC will assess certification structures on a case-by-case basis, consistent with its established approach. The transition does not predetermine or alter existing certifications.

Operators that are identified as meeting the HEABC membership criteria will be notified directly, along with information on the next steps and expected timelines. HEABC will work with operators on a case-by-case basis to facilitate the transition.

What steps are in place to reduce the risk of operational disruption during the transition?

The operator transition to HEABC membership will occur in phases over two years, with operators notified in advance of their transition timing. Template transition agreements will be developed with the applicable bargaining associations to transition directly employed unionized employees of the operator to the applicable health sector collective agreements. HEABC will work with each transitioning operator and the applicable unions to implement the transition agreements, including the negotiation of any potential additions or modifications to the template transition agreements to address facility-specific considerations. Wage leveling will continue until at least March 31, 2027, for eligible operators that have not yet transitioned, subject to the conditions described above.



What happens if challenges or unintended issues arise during implementation?

The Ministry and HEABC will continue to monitor implementation as it progresses. Where issues or unintended impacts are identified at a provincial level, the Ministry may provide additional guidance or clarification to support a stable transition.

HEABC will work directly with each operator through negotiation and implementation of the transition agreements and will address operator-specific challenges or issues on a case-by-case basis. The phased implementation approach is intended to allow time to identify and address emerging issues while maintaining workforce stability and continuity of care.

The Ministry and HEABC will monitor implementation for each operator as it progresses and address broader or systemic challenges or issues as they arise.

How are concerns raised by operators or sector associations being considered?

The Ministry is aware of concerns raised by operators and sector associations regarding the HEABC membership initiative. These concerns help inform ongoing implementation planning, guidance development, and future updates to communication materials, including the Q&A.

While the policy direction to transition eligible operators remains in place, the Ministry will continue to monitor issues raised through formal correspondence and stakeholder engagement channels.

As implementation proceeds, the Ministry recognizes the importance of continued engagement with health authorities and operators to identify and respond to operator specific considerations.



How is the Ministry considering operational sustainability concerns raised by LTC and AL operators?

The Ministry recognises the importance of maintaining stable, sustainable services for residents and the broader health system. As implementation of the HEABC membership initiative proceeds, the Ministry will continue to monitor issues raised by operators, health authorities, and sector partners to identify risks, unintended impacts, or areas requiring further clarity.

Government has committed to fund operator transition to HEABC membership. Transition and collective agreement implementation will also be monitored with consideration given to operational sustainability of the incoming operators.

While the policy direction to transition eligible operators into HEABC membership remains in place, the phased approach is intended to allow time for planning, engagement, and identification of operator-specific considerations as implementation progresses. Operators are encouraged to email the HEABC Initiative website if they have questions during the transition process.

Does the transition to HEABC membership include changes to facility funding arrangements to address differences in collective agreement structures?

The transition to HEABC membership does not, on its own, change existing funding arrangements. As stated publicly during the BC Budget Estimates Debate process, government has committed to funding the costs associated with the transition to HEABC membership. Existing funding related to HEABC-negotiated collective agreements flows through existing health authority contractual relationships. Changes to operational funding will be implemented as part of phased transition planning.

While implementation details continue to be finalised, this work is intended to support workforce stability and continuity of care as eligible operators transition into HEABC membership.



What happens if a LTC or assisted living operator has an existing union affiliation but is not currently an HEABC member?

If a publicly funded LTC or assisted living operator meets the HEABC membership criteria but is not currently a HEABC member, the operator will be transitioned to HEABC membership. The HEABC membership criteria is:

- The operator is a Health Organization as defined by HEABC Bylaws,
- Receives, directly or indirectly, more than 50% of their annual funding from the provincial government, and
- Receives \$250,000 or more annually from provincial government sources.

In addition, operators must directly employ unionized staff to be eligible for HEABC membership.

Upon transition, the operator would retain its existing union affiliation, and that union will be included in the relevant health sector bargaining association(s), if it is not already included.

Employees of the operator will not be represented by a new union as a result of becoming an HEABC member.

Affected employees would be transitioned from their existing collective agreement(s) to the applicable HEABC-negotiated collective agreement(s), through established transition agreements. These transitions are facilitated by HEABC in coordination with the operator and the relevant union(s), and do not require operators to determine bargaining structure arrangements themselves.

Will the Ministry provide responses to the specific questions raised by BCCPA in its letter to the Minister?

The Ministry is aware of the issues being raised through correspondence, including questions submitted by sector associations. Questions received through the centralized intake (Moh.OperatorMembership@gov.bc.ca) and other formal channels are being reviewed together to identify common themes and inform implementation planning and updates to guidance materials, including the Q&A. As consolidated information is finalized, it will be shared through existing



communication channels. Where a response specific to an individual inquiry is required, a direct reply will be provided.

Workforce & Labour Relations

Will operators be encouraged or required to unionize?

Union certification processes are governed by the Labour Relations Code and remain entirely separate from this initiative. The applicable requirements and processes for employees to unionize are set out in the Labour Relations Code.

What about employee benefits and pension plans?

Employees will be transitioned to the benefit and pension plans associated with HEABC membership and applicable collective agreements. Implementation will be managed on a case-by-case basis, with HEABC facilitating the transition process in coordination with the relevant parties.

What about excluded (non-union) staff?

Staff who are excluded from existing collective agreements at eligible facilities due to holding management or similar positions will be assessed for appropriate placement under the HEABC excluded employee compensation reference plan.

How will positions that do not precisely match HEABC (FBA or other) benchmarks be onboarded to the collective agreement?

A job classification (evaluation) process for unionized positions will occur in accordance with the health sector collective agreements and HEABC will support employers in this process.

Wage Leveling & Funding

Will wage leveling continue?

Yes. Wage leveling will continue until at least March 31, 2027, for publicly funded operators that meet HEABC membership criteria but have not yet become members, with a condition that employers do not subcontract work currently performed by unionized staff.



If a facility subcontracts work that is presently performed by unionized staff, wage leveling may be discontinued for that facility as described above.

Existing subcontracting arrangements that do not replace work currently performed by unionized employees are not impacted.

This is intended to maintain stability and consistent wages during the transition period.

What happens to wage leveling for publicly funded operators that do not meet the HEABC membership criteria?

As described above, operators that do not meet the HEABC membership criteria would receive a minimum of 90 days' notice before any changes to wage leveling would take effect.

What is the approach for fully private LTC/AL operators?

Wage leveling for fully private LTC and AL operators concluded December 31, 2025, as previously communicated. Fully private operators are not eligible for HEABC membership.

What are the requirements operators must follow to remain eligible for wage leveling funding?

Operators receiving wage leveling must not subcontract any work that is currently performed by their unionized employees. This requirement is intended to maintain stability for the workforce during the transition period. If an operator begins contracting out work that is presently done by unionized staff, their eligibility for wage leveling will end, and wage leveling funding will be discontinued.

Will non-unionized LTC or assisted living operators lose wage leveling because they are not unionized?

Wage leveling for fully private operators ended on December 31, 2025. For publicly funded operators that do not meet HEABC membership criteria (e.g. do not directly employ unionized staff), any future changes to wage leveling would follow



established processes, including a minimum of 90 days' notice, to allow time for planning.

The HEABC membership initiative applies to publicly funded operators that directly employ unionized staff and meet HEABC membership criteria. Operators that do not directly employ unionized staff but otherwise meet HEABC membership criteria will not be designated as HEABC members through this process.

For sites with a mix of in-house unionized positions and subcontracted services, how long will wage leveling continue?

Wage leveling will continue until at least March 31, 2027, for eligible publicly funded operators that have not yet transitioned to HEABC membership, subject to the conditions, including restrictions on subcontracting work currently performed by unionized staff. For operators that do not meet HEABC membership criteria, or where funding policy changes are contemplated in the future, any changes to wage leveling would follow established processes, including a minimum of 90 days' notice.

Does the MOA affect wage leveling funding provided before it was signed?

No. The MOA applies prospectively from the date it was executed. The wage-leveling funding provided prior to the signing of the MOA is not affected by the provisions introduced through the agreement.

What can operators that do not meet HEABC membership criteria do to plan for potential changes to wage leveling?

The Ministry and health authorities recognize the importance of advance notice to support planning and stability. If a decision is made to adjust wage leveling funding for publicly funded operators that do not meet HEABC membership criteria, LTC and AL operators would be informed through established processes, including a minimum of 90 days' notice.



The minimum 90-day notice period is intended to provide LTC and AL operators with time to adjust business processes to reflect and update current site-specific employment agreements.

Will operators not meeting criteria receive support?

Government continues to advance strategic work to strengthen and stabilize the LTC and AL sectors and broader system-wide improvements. For operators that do not meet HEABC membership criteria, any future changes to wage leveling will follow standard processes, including a minimum of 90 days' notice to ensure operators have time to plan and adjust.

Operational & Special Scenarios

Will subcontracted employees be included?

Employees of subcontracted service providers are not included in this initiative. HEABC membership applies only to operators who directly employ unionized staff. Existing subcontracted employees will remain covered by their current employment arrangements.

Are subcontracted services affected?

No. Existing subcontracted service providers are not affected by the HEABC membership initiative. Membership applies only to LTC and AL operators. Staff of subcontracted service providers remain covered by their existing employment arrangements.

However, continued wage leveling is subject to the requirement that facilities do not newly subcontract work that is currently performed by unionized employees. If a facility subcontracts work that is presently performed by unionized staff, wage leveling may be discontinued for that facility in accordance with the Memorandum of Agreement.

Existing subcontracting arrangements that do not replace work currently performed by unionized employees are not impacted.



What about operators with mixed campuses of care where one side provides public beds and the other side is fully private pay? Or one side is LTC and the other independent living? Will these be considered a single employer?

This will depend on the circumstances in each case, including whether a single legal entity operates both facilities.

How will these changes affect sites that operate both publicly funded and private pay beds?

Eligibility for HEABC membership is based on whether an operator meets the criteria outlined above. Operators of facilities with some private pay beds will remain eligible if they meet the criteria.

What about operators that have facilities in other provinces? How will they be assessed in relation to HEABC membership criteria?

Only operations in BC will be assessed for eligibility. Operations outside of BC will not be affected.

Governance & Regulatory

Will regulatory changes be required?

Yes. The *Health Care Employers Regulation* will be amended to designate eligible operators as HEABC members. These amendments are made through an Order in Council, which is the formal mechanism government uses to add or remove employers from the Regulation.

What roles do Health Authorities and the Ministry of Health play in this initiative?

The Ministry sets policy direction and oversees implementation in collaboration with HEABC and other provincial partners. Health Authorities are supporting implementation by coordinating information requests, sharing guidance with operators, and identifying facility-specific considerations within their regions.



This coordinated approach is intended to ensure consistency across the province while allowing for operator specific circumstances to be addressed as the transition progresses.

Communications & Support

What support will be provided to operators joining HEABC during the transition?

Once operators that meet the HEABC membership criteria and are notified that they will be designated as HEABC members, they will work directly with HEABC through the transition and are to raise questions or concerns regarding labour relations or compensation/classification issues with their HEABC representative during the transition process.

All operators to be added to HEABC membership will receive a membership package which includes information regarding reporting requirements, HEABC resources, and the name and contact information of the assigned representative who can assist with questions involving collective agreement interpretation or other labour relations matters.

What services does the HEABC offer that are included in membership?

All HEABC members have access to experienced labour relations consultants and legal counsel, guidance on collective agreement interpretation, employment legislation, and dispute resolution, as well as representation in mediations, arbitrations, and Labour Board matters. Members can also access compensation/classification, disability management and other experts, as well as workshops and training sessions that build internal capacity to manage labour relations effectively.

Will additional guidance or information be shared with operators?

Yes. The Ministry will continue to update guidance materials, including this Q&A, as additional information becomes available or as implementation progresses.



Operators will be informed through their Health Authority contacts and existing communication channels.

How can operators raise questions or concerns as implementation continues?

Operators are encouraged to submit questions or concerns through **Moh.OperatorMembership@gov.bc.ca**, which serves as the centralized intake for this initiative. Questions received through this channel help inform clarifications, guidance updates, and future versions of the Q&A.

Health Authorities may also escalate operational or implementation issues to the Ministry as needed to support timely resolution.

Operators that meet the HEABC membership criteria and are notified that they will be designated as HEABC members will work directly with HEABC through the transition and are to raise questions or concerns regarding labour relations or compensation/classification issues with their HEABC representative during the transition process.

Please forward any questions you would like included in the next Q&A communication to Moh.OperatorMembership@gov.bc.ca.