



**BC NURSES'  
UNION**

*Standing up for health care*

**Via Courier and Email: [johansen@crnbc.ca](mailto:johansen@crnbc.ca)**

December 21, 2016

Cynthia Johansen, Registrar and Chief Executive Officer  
College of Registered Nurses of British Columbia  
2855 Arbutus Street  
Vancouver, BC V6J 2Y3

Dear Mesdames:

**Re: Annual Membership Fee Collection on Behalf of ARNBC**

I write in my individual capacity as registrant of the College of Registered Nurses of British Columbia ("College" or "CRNBC"), member of the Association of Registered Nurses of British Columbia ("ARNBC"), and as President of the British Columbia Nurses Union ("BCNU").

As you know, a majority of BCNU's 43,000 members are registrants of the College and members of ARNBC.

Since 2015, CRNBC has been collecting ARNBC annual membership fees from its registrants on its behalf. As you are aware, ARNBC's bylaws have always required the Board to consult the members when determining the annual membership fee. Recent events suggest that ARNBC has not been complying with its bylaws.

In particular, ARNBC recently held an Extraordinary General Meeting ("EGM") on December 13, 2016, the purpose of which was to amend ARNBC's bylaws. One of the proposed changes to the bylaws was to delete the requirement for the Board to consult the membership when determining the annual membership fee.

I recall that proposed changes to the bylaws regarding elections in 2015 were described by ARNBC to its members as reflecting the "current process" despite the fact that the "current process" was contrary to the bylaws. I am concerned that the recent proposal to remove the requirement to consult the membership when determining the annual membership fee is a similar attempt to amend the bylaws to reflect a "current process" that is inconsistent with the existing bylaws.

My concerns were heightened by the "2016 ARNBC EGM Q&A" published by ARNBC shortly prior to the December 13, 2016 EGM, in which ARNBC states that "consultation" has no definition and appears to suggest that the requirement to consult is meaningless:

**4. Why are you changing the bylaws to give the board the power to increase fees without member input?**

ARNBC promised not to raise fees for the first three years of its existence, and we didn't. In fact, we waited five years before raising fees by an additional dollar per month. Our old bylaws stated that we would not change fees without consultation with members, but described no parameters around what that consultation would look like. Our lawyers advised us that by definition consultation had no legal definition and so, we are proposing to remove it.

This raises serious questions about whether ARNBC has in fact been consulting with members regarding the determination of the annual membership fee, as required under the bylaws.

For example, the recent decision to increase annual membership fee from \$41.13 to \$53.13 for 2017 came as a surprise to me and other BCNU members who were not consulted with respect to such a change. ARNBC has asserted that it did consult with RNs and NPs, but I am not aware of anyone who was actually consulted. For that matter, I am also not aware of ARNBC actually consulting any of its members in respect of either the 2015 or 2016 annual membership fee.

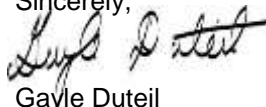
I am particularly concerned that ARNBC may be directing CRNBC to collect from its registrants a mandatory ARNBC membership fee which has not been properly authorized in accordance with ARNBC's own bylaws.

I have written to ARNBC and requested that ARNBC provide full details of what steps were actually taken to consult with the membership as a whole for each year's fee. I have also requested that ARNBC voluntarily direct CRNBC to suspend the collection of any annual membership fee from CRNBC registrants until the issue of whether the fee has been determined in accordance with ARNBC's bylaws has been conclusively resolved. A copy of my letter to ARNBC is enclosed.

It is unclear whether ARNBC will comply with my requests. However, given the circumstances, it would not be appropriate for CRNBC to rely upon bare assertions by ARNBC that it has complied with its own bylaws. I would expect that CRNBC will take all steps necessary to ensure that CRNBC is not acting in breach of the *Health Professions Act* or its bylaws, and accordingly immediately cease collection of any fees on behalf of ARNBC until the propriety of such fees has been conclusively resolved.

I trust that that CRNBC will keep me fully informed as to actions taken by CRNBC to address this issue, as it is of great importance to the BCNU and its members.

Sincerely,



Gayle Duteil

Registrant CRNBC and President of the BCNU

Encl:

- *Letter to Zak Matiescyhn, President of ARNBC re: Annual Membership Fee (delivered on December 21<sup>st</sup>, 2016)*

cc: Gary Fane, Executive Director, Negotiations and Strategic Development, BC Nurses' Union  
Umar Sheikh, Director of Legal Services, General Counsel, BC Nurses' Union