

# President's Letter

April 29, 2014

## Negotiations Update

*Arbitration Terms of Reference not yet finalized*



Yordan Karaivanov, MD  
President

Dear Colleagues:

The NLMA Board of Directors has been busy preparing for upcoming negotiations with government on a new agreement to replace the 2009-2013 *Memorandum of Agreement* that expired on September 30, 2013.

Some of the themes that will guide the NLMA in the negotiations process include maintaining competitiveness, primary care reform, modernizing the MOA, greater fairness among physician groups and health system sustainability.

The terms of the 2009-2013 MOA continue and remain in full force and effect until a new agreement has been negotiated.

Either party has the right to give 30 days' notice to start negotiations. Once negotiations start we would hope for rapid progress, but if an agreement has not been concluded within 12 months binding arbitration can be triggered. Access to arbitration was one of the major achievements of the last MOA and the upcoming negotiations will be the first opportunity to see how it adds discipline to the process.

The NLMA is concerned, however, that Government has not responded to our requests to finalize the terms of reference for arbitration. Article 2.05 of the current MOA states, in part, that:

"The parties agree to the principle of binding arbitration as a dispute mechanism for future negotiations on and after October 01, 2013. Terms of reference will be developed by the parties and shall include the province's financial position as a relevant consideration as well as neither party being able to apply for arbitration prior to 12 months elapsing from the date negotiations commenced."

The NLMA and government agreed to develop terms of reference for binding arbitration before the expiry of the current agreement. Despite numerous attempts, the NLMA has been unable to engage government in a discussion to finalize the binding arbitration procedures.

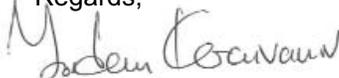
Earlier this month, Past-President Dr. Tony Gabriel, on my behalf, met with Health Minister Susan Sullivan, and in mid-May I will be meeting with Finance Minister Charlene Johnson.

In the meeting with Minister Sullivan, a broad range of topics including issues related to primary care reform, electronic medical records and finalizing the terms of reference for binding arbitration were discussed.

In correspondence to Minister Johnson on April 16 and in our April 15 meeting with Minister Sullivan, we clearly stated that the NLMA will not begin negotiations for a new MOA until we have finalized the generic terms of reference for arbitration.

I look forward to a successful conclusion of this matter and I will keep members abreast of any new developments.

Regards,



Yordan Karaivanov, MD  
President



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