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Disabled Nortel employees see lifeline disappear

By SCOTT TAYLOR, OTTAWA SUN

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Disabled Nortel employees, just weeks away from losing their medical benefits on Dec. 31, watched what appears to be their remaining lifeline dissolve before their eyes Thursday.

Senator Art Eggleton's Bill S-216 that would amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act fell in a partisan vote 6-5 in a Standing Senate Committee hearing.

The bill would have disabled employees leapfrog past common creditors when companies that are self-insured go bankrupt. Without it, the Nortel disabled employees will receive about a third of the current coverage.

The end is coming for Jennifer Holley, who will see her income drop from \$3,000 to around \$900 a month. The drugs she needs cost \$400 on their own leaving her \$500 for everything else.

"Well, I'm going to be very poor," she said.

"We're all worried about what we're going to do after the new year."

Holley said the emotional toll on some of her colleagues has been devastating. Already in poor health, some will have to move from homes specifically adapted for their condition to government housing or worse.

Fortunately, she owns her home in the Ottawa Valley outright.

Federal Environment Minister John Baird said his government has tried to find a solution but making a law retroactive to include the Nortel workers would be impossible.

"We can't make laws retroactive because they would be struck down immediately by the court as unconstitutional, and I think some people are giving some false hope that Parliament could do that."

Baird said such a law would equate to expropriation of the bond holders' assets.

"It's almost akin to having \$1,000 in the bank and your bank goes bankrupt. You'd have access to your money before the tellers (get their) pension."

The disabled workers are the only ones objecting to a \$57-million sunset deal negotiated by a court-appointed monitor with the company.

Under that deal, Nortel agreed to fund long-term disability benefits along with health, life, dental and pension benefits until Dec. 31.

"The Conservative members put a one-page draft report on the agenda and were able to carry it by a 6 - 5 vote," Eggleton said. "It says that the bill should not be proceeded with."

However, Eggleton said he will continue the fight.

"I told them that 34 out of 54 countries and all our major trading partners have this kind of provision or something similar to protect the people on long-term disability."

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