

We Still Have Our Union!

April 14, 2011

For RN Members at Encino Hospital Medical Center

The hospital has currently begun a typical “Union-busting” campaign to try to scare us into giving up our Union. We have compiled some questions we’ve heard around the hospital and provided answers.

Do I still have a union even though our contract expired?

Yes. Our Union continues to bargain our contract with management and still represents us as it did before. As a union member, you are still able to participate in SEIU 121RN activities.

Our contract expired; do I still have a contract or a collective bargaining agreement?

Yes. Our contract remains in effect with the exception of dues being deducted from our paychecks, the right to binding arbitration and our right to strike (or the hospital's right to lock out employees). If the hospital violates the contract, grievances can be addressed through the National Labor Relations Board (NLRB).

If the hospital violates our contract, what should I do?

Call your steward, bargaining team member or Union Representative, Judith Serlin, just as you did before, and they will help you resolve your concern.

Why is the hospital suddenly so interested in our Union? Why are talking to us about the union and trying to get us to stop supporting our Union?

Prime has tried to decertify the Union at other facilities and they might try this at our hospital. These are typical campaign tactics. We faced them when we first organized when Tenet owned Encino and we still organized our Union. Our Bargaining Team will continue to pursue a fair contract and members should continue to support our team.

Why would Prime try to break our Union?

Prime has a pattern of purchasing financially struggling hospitals, cutting services such as Rehab or other unprofitable services, laying off workers and canceling HMO and insurance contracts. Prime would make even more profit if they cut our pay and benefits.

I've heard that Prime tried to break the Union at Centinela Hospital. What happened at Centinela?

Management hired anti-Union consultants and people to work in the Human Resources office to decertify the Union. They held small group meetings with RNs and other workers where they said negative things about the Union and tried to convince employees that they were better off without a Union.

Can they do this at Encino?

Yes. The union busters didn't work at Centinela but you can expect to hear similar anti-Union messages from your managers and HR Director.

Can the hospital kick our union out?

Absolutely not. Only Union members have a say over our Union. In fact, management gave up talking to the RNs at Centinela because there was so much support for their Union. Fewer than 25 percent of those voting at Centinela cast ballots for “no union” or NUHW.

Since Prime has stopped deducting dues from my paycheck, do I still have to pay?

We are asking Encino RNs to continue paying a flat rate of \$77 for 120 or more hours of work per month, \$46 for RNs working more than 48 but less than 120 hours, and \$15 for RNs working 12 to 24 hours per month. Our Union continues to represent us in all issues and will actually have to incur increased expenses to take grievances to arbitration, if necessary. During difficult times such as this, it is more important than ever to continue to support our Union. Our Union will also mail each member a letter detailing the flat dues rates.

Other than pay and benefits, what are some of the reasons we are in a Union?

Our Union protects our ability to speak up at the hospital. It enables us to protect our nursing license without fear of retaliation, and gives us a voice on patient care issues. Our Union contract also spells out an equitable process for call-off and distribution of extra shifts. Our Union guarantees that no changes to our working conditions occur without first discussing the changes with our Union to try to come to an agreement.

When do you think we will have a new contract?

Our goal remains to gain a fair contract that puts patient care and RN safety at the forefront. Bargaining with Tenet took over a year, but we ended up with a good contract. We are not asking for anything that won't benefit our patients, our hospital and our community through improved language and a strong ability to recruit and retain the best RNs.



Managers had a meeting recently where they started talking about a strike. Are we going on strike?

We are bargaining for a fair contract. If at some point in the future the Bargaining Team were to recommend a strike, you would have to approve a strike through a secret-ballot vote.

What has our Union taken to arbitration and won since Prime bought Encino?

Reserve Sick was reinstated, a terminated RN brought back to work, night shift RNs paid for full 12 hours for daylight savings, per diem rates upheld for employees hired prior to Prime's purchase, RNs who opted for payment in lieu of health benefits paid in accordance with the contract, RNs received step raises they were owed, and the stewards have resolved many, many grievances. Our Union is currently working with Human Resources to repay RNs impacted by increases in healthcare premium costs and who are owed money in regard to the RMBA. At the end of April, our Union is going to arbitration on Prime's pay practice.

What is it like to not have a union?

- Mandatory overtime
- Working every weekend
- Vacations cancelled at management's convenience
- No differentials for night shift or on-call
- No voice in patient care issues
- Routinely missed rest breaks and no penalty for missed meal periods or breaks
- No progressive discipline – you could be fired immediately for any reason
- No right to respect on the job
- No rules on shifts – you could be switched from days to nights to eight hours, then 12 hours – you may never know what shift you'll work next.
- No protection against forced Title 22 violations, thus putting your RN license at risk.

For more info, contact our Bargaining Team:
Nene Ruelo, Grace Haidenthaller, Homer Marmol
and Muti Jarrett

Encino Union Representative: Judith Serlin / (213) 247-4584 / serlinj@seiu121rn.org