

# RN LOCAL 121RN news



June 2013

[www.seiu121rn.org](http://www.seiu121rn.org)

Published for the Membership of SEIU Local 121RN

Let's give a hearty shout-out to about 50 RNs at College Hospital Cerritos who voted to join together in SEIU121RN in February. See full story on Page 2.



## 121RN Looking for Dedicated Executive Officers, Delegates

Executive Officers and Conference Delegates are described as follows in the 121RN Bylaws:

*The elected officers of the Local shall be the President, Vice President, and Secretary-Treasurer, who shall serve for a term of three (3) years.*

*Additional delegates to the convention of the International Union, SEIU State Council, and SEIU Western Conference shall be elected by a secret ballot in the Local Union's regular election in accordance with the applicable law and the provisions of the Constitution of the International Union.*

This year is election year for Local 121RN officers and delegates. Nominations for officers and delegates are made by submitting a petition signed by no less than 10 members in good standing. The petition form can be obtained from your representative or

by calling the Pasadena Union office.

The vote is done by a mail-in secret ballot vote conducted by an independent election company. Notice of the election will go out in August; ballots will be mailed in September and ballots will be counted at the end of October. Candidate bios will be included with the ballots.

Our Local benefits from having as many active members as possible, so now is a good time to think about increasing your activity. You do not have to be an expert on Unions or know everything in your contract. You simply must be a member in good standing of at least one year, and you should be passionate and dedicated to helping fellow RN members across all 20 of our represented facilities in Southern California.

If interested in any of the above positions, please call the Pasadena 121RN headquarters for job descriptions at (626) 639-6200.

## 121RN Welcomes 8 New Staffers

There have been a lot of changes at 121RN headquarters in Pasadena over the last few months as we have welcomed eight new staff members.

### NEW STAFF

**Pamela Chandran**, General Counsel. Pamela has represented labor unions as an attorney for seven years. Prior to law school, she worked as an organizer, representative and collective bargainer for SEIU Local 399, and New England Health Care Employees Union District 1199. She began working for Local 121RN on April 15, 2013.



**Richard Negri**, Director of Health & Safety. He previously worked as Program Director and New Media Campaign Manager for the Healthcare Division at



SEIU headquarters in Washington D.C., where his work included online organizing, mobilizing, and educating both rank-and-file

**STAFF / Continued Page 2**

# Local 121RN — Our Union Works!

## About 80 RNs Join 121RN So Far in 2013

By a blowout margin of 3-to-1, about 50 Registered Nurses at College Hospital Cerritos voted to join SEIU 121RN this past Feb. 20.

### **CHARGE RNs OFFERED 'BRIBE'**

The Union election did not determine whether Charge RNs would be a part of the Bargaining Unit. After the election, management immediately reclassified Charge RNs to Shift Supervisors and offered them a bribe of across-the-board raises to prevent them from joining their co-workers in SEIU. This is a typical tactic used by management when

they're trying to prevent employees from joining a Union. The only way to lock in a wage increase is by negotiating it into a Union contract. Management can take away any raises they offer on their own at any time, and it has happened over and over again.

Because of our RN members' solidarity and commitment to their Charge Nurse co-workers, Shift Supervisors had an opportunity to choose to be a part of our Union without waiting for a separate election. Those joining the RN Union will continue to earn a differential

when serving as a "Lead RN." Those Shift Supervisors who decided to remain AT-WILL employees can be let go as quickly as the \$2 per-hour bribe.

### **OTHER FACILITIES**

We also recently brought in four RNs at Sierra Vista Rehabilitation Center, and about 25 RNs who work at an outpatient surgery facility operated by John F. Kennedy Memorial Hospital in Indio. 121RN already represents nurses at JFK Memorial and the RNs at the surgery center were added to the existing bargaining unit at JFK.



**Members of the College Hospital Cerritos RN Organizing Team (left), and RNs and service and tech workers outside College Hospital Cerritos before winning their Union elections.**



## RCH Begins Pilot Floating Program

Riverside Community Hospital 121RN members recently made an agreement with management on a pilot program for floating. Our Union will continue to work on the program to fit the nursing needs for safe patient care.

- Float 1 will consist of RNs competent in Med/Surg, D2 and D3 and will earn scale plus 5 percent.
- Float 2 will be RNs competent in PCU, N4, Telemetry, SICU and MICU and will earn scale plus 7 percent.

For the purpose of call offs, the float RN will be absorbed into the unit to which they are assigned for the day and will rotate call off. A separate ED Holding float differential is being discussed.

## STAFF: Local is Growing

### **Continued from Page 1**

members and local union leaders. Richard is currently working on workplace violence prevention programs and coordinated a new class on the same subject April 30 in which more than 33 people participated.

**Other new 121RN staff:** Cory Cordova, Rosanna Mendez, Al Chavez, Kevin Ihrke, Carolynne Komata, and Angel Harb.

# Stronger Together!

## Outlying Offices Expand from Cramped Quarters

All three of our SEIU 121RN outlying offices in Rancho Cucamonga, Camarillo and Riverside have signed new leases in the last couple of months. The new offices provide much-needed space for Union meetings and classes, as well as office space for the Union representatives working out of the offices.

If you'd like to see any of the new offices, please call ahead to make sure someone will be there because the reps are often at their hospitals.



**The video conference area at the new Rancho Cucamonga office.**



**A comfortable area to meet or relax at the Rancho Cucamonga office.**



**The Camarillo office now has a much larger meeting space for classes, meetings and video conferencing.**



**Though they have not yet moved in, Riverside staffers Donna Sigaty and JoAnn Valdez will have individual offices as well as a small area for member meetings.**

### **Riverside**

Reps Donna Sigaty, RN, and Joann Valdez  
Servicing Riverside Community Hospital and Garfield Medical Center

4298 Orange St.  
Riverside, CA 92501  
(951) 782-9377

### **Rancho Cucamonga**

Rep Debbie Pendergraft, RN  
Servicing Pomona Valley Hospital Medical Center

8686 Haven Ave. #210  
Rancho Cucamonga, CA 91730  
(909) 484-4933

### **Camarillo**

Reps Chris Slane, RN, and Phyllis Lugo  
Servicing St. John's Regional Medical Center, St. John's Pleasant Valley Hospital, and Los Robles Hospital & Medical Center

360 Mobil Ave., Suite 100  
Camarillo, CA 93010  
(805) 482-4600

# FREE BLS Classes for Members!

SEIU Local 121RN now has a certified Basic Life Support BLS/CPR instructor on staff and 121RN members may earn their re-certification for free. If you already have a current BLS/CPR manual, you can bring it to the class and save the cost of a manual. If you need a manual, you may purchase one at the class for \$15. All testing material will be covered during the class and we will spend time practicing learned skills on CPR mannequins.

If you need to renew your BLS / CPR Certification, contact:  
**121RN Union Representative Cris Stables, RN**  
(818) 653-6769 or [stables@seiu121rn.org](mailto:stables@seiu121rn.org)



## Providence Tarzana RNs, Professionals in the Thick of Bargaining New Contract

As Providence Tarzana RNs and Professionals bargained on Wed., May 15, it was clear that the honeymoon period of initial bargaining was over and management showed us what they REALLY want. And it's what they always want: To strip us of the hard-earned protections in our current contract and save the hospital money at the detriment of hospital employees and patients. Management proposed the following changes:

### **MANDATORY OVERTIME**

Management has proposed taking the teeth out of the mandatory overtime language.

Our 121RN Bargaining Team feels this would give management carte blanche to hold employees over for any reason. What if the hospital underestimates staffing for the day? Is that an emergency? Or what if several employees call in sick on the night shift? Is that such an "emergency" that it requires day shift employees to work overtime until they find replacements? We have no idea how managers could and would interpret what an "emergency" actually is after the defining contract language is gone.

### **CALL-OFF / FLEXING AS 'TIME WORKED'**

Management said our contract language that allows employees who have been called off to retain the hours for benefit vesting purposes is no longer relevant. However, this language allows workers who are called off and who choose NOT to use PTO, to retain the unpaid hours for retirement

benefit vesting purposes. Under the Providence 401(a) and 403(b) retirement plans, both vesting and match qualification are based on hours of service. If this contract language is deleted, call-off hours taken as leave without pay will no longer count as hours worked toward matching or vesting credit.

### **UNION PROPOSALS**

- How information from the hospital's electronic tracking system may be used.
- How new technology and equipment should be implemented into the workplace.
- Once a position has been posted and qualified employees have applied, the hospital will make a good faith and reasonable effort to fill the position within 30 days.
- To address suspensions over minor issues, our Union and the hospital agreed to set parameters on when an employee may be placed on unpaid suspension such as if investigating theft, fraud or dishonesty, and if the employee's continued presence creates a threat to patients, other employees, the employee themselves, or hospital property.
- Per diem shifts to be equitably distributed.
- Employees allowed to request time off prior to current maximum of 90 days ahead.
- Extra shift understanding and call-off per past practice to go in the contract.
- *No subcontracting of bargaining unit work!*

# 2013 Member Scholarship Program Approved

The 121RN Executive Board approved \$1,000 scholarships to be awarded to one applicant from each represented facility.

## **CRITERIA**

- Must be a member in good standing.
- Must not have received a scholarship from the Local previously.
- Applicants must provide evidence of enrollment in and payment to a nursing or healthcare degree program.
- Scholarships are awarded by seniority.

One \$2,000 Robert Thomas, RN, activist scholarship will be awarded to a member who meets the general qualifications, as well as serving within the past five years as a 121RN Bargaining Team Member, Steward, Chapter or Executive Officer, Union Committee Member, Legislative Lobby Team Member or other active position within the Union or Chapter.

Applications will be available in September and awarded at the first Executive Board meeting in November. Watch your bulletin boards or check the website in September at [www.seiu121rn.org](http://www.seiu121rn.org)!

## 2012 Scholarship Winners



**Northridge 2012 winners Mirdula Chand and Desiree Baker with 121RN President Gayle Batiste.**

**Bobbie Guiangan (second from right) with Kaiser Moreno Valley Community Hospital co-workers.**



- Anne Chan, Garfield Medical Center  
 Rebeca Perez, John F. Kennedy Memorial Hospital  
 Nanette Logan, Los Robles Hospital & Medical Center  
 Bobbie Guiangan, Kaiser Moreno Valley Community Hospital  
 Mirdula Chand, Northridge Hospital Medical Center  
 Desiree Baker, Northridge Hospital Medical Center  
 Christina Matara, Northridge Hospital Medical Center  
 Julie McKay, Northridge Hospital Medical Center  
 Amina Mohammadi, Pacifica Hospital of the Valley, Robert Thomas Activist Scholarship winner  
 Michelle Reed, Pomona Valley Hospital Medical Center  
 Juanita Dubon, Pomona Valley Hospital Medical Center  
 Alicia (Lisa) Skibar, Pomona Valley Hospital Medical Center  
 Jorge Strembert, Pomona Valley Hospital Medical Center  
 Gina Marcaccio, Providence St. Joseph Medical Center  
 Patricia Lopez, Riverside Community Hospital  
 Julianna Lares, St. John's Regional Medical Center  
 John Gallardo, Providence Tarzana Medical Center  
 Jaime Hannans, West Hills Hospital & Medical Center



**Jaime Hannans**



**Gina Marcaccio (right)**



**Nanette Logan (right)**



**Patricia Lopez**

# Experts from Around U.S. Shed Light on Tragedy of Workplace Violence, Demonstrate Prevention Tactics

Reports by Registered Nurses of being stabbed, raped, punched, kicked, spat on and more are increasing. For healthcare workers, physical abuse on-the-job can be tragic and career-ending.

But why is this happening when studies show that most instances of workplace violence are preventable? Many workers are turning to Unions for help, and so we created a CEU class to address the issue. "Violence: It's Not Part of the Job" was held for the first time at 121RN headquarters in Pasadena on April 30.

Experts from around the United States presented their findings and real-life techniques for decreasing and preventing instances of workplace

violence at the class, which was co-sponsored by the SEIU Nurse Alliance of California. The date it was held was just a few days after Workers Memorial Day - which the founders deemed a day to "remember the dead - fight for the living." Workers Memorial Day is observed on April 28 to coincide with the formation of the Occupational Safety and Health Administration (OSHA) in 1971, as well as the day of a similar observance in Canada.

Class presenters showed how emotions and disagreements can escalate into physical violence, what laws specific states are enacting to curb workplace violence, how to utilize Cal/OSHA Illness and Injury Reports to improve conditions at a worksite, and how Workers Memorial Day began in the United States in 1989 in order to bring awareness to this widespread problem.



In a 2011 health and safety survey of more than 4,600 nurses, the American Nurses Association found 11 percent of

respondents had been physically assaulted in the previous 12 months while a little more than 50 percent said they had been threatened or verbally abused. About one-third listed on-the-job assault as one of their top three safety concerns.

It is critical for healthcare workers to learn and understand that, while every episode of workplace violence is different from the next, statistics prove that almost all of them are preventable.

#### Class participants learned:

- How bullying at work affects



nurses and healthcare workers.

- How to navigate the Cal/OSHA complaint, investigation and reporting process.
- About Injury, Illness and Prevention programs.
- About the history and purpose of Workers Memorial Day.

SEIU 121RN plans to present the "Violence: It's Not Part of the Job" class again in the future and it will be posted to our calendar of events at [www.seiu121rn.org](http://www.seiu121rn.org) once the date is set. If you have questions about workplace violence prevention, please contact Director of Health & Safety Richard Negri at (626) 375-6426 or [negrir@seiu121rn.org](mailto:negrir@seiu121rn.org)



# NOTICE REGARDING UNION DUES, FEES AND THEIR USE

All of the SEIU Local 121RN contracts contain union security clauses which require the represented employees, as a condition of employment, to pay dues or service fees. This is the only obligation under such union security clauses. Individuals who are members pay dues while individuals who are nonmembers, also known as service fee payers, pay an equivalent fee. This fee is the same as the dues which are 1.65% of base salary with a monthly cap.

Nonmembers do not have a right to vote in union elections, run for office or participate in union/hospital committees.

Pursuant to current federal labor law determined by the National Labor Relations Board (NLRB) and the federal courts, if an employee files an objection in writing to paying the full amount of union dues (aka 'fair share'), the employee is only required to pay those expenses of the Union that are germane to the responsibilities of the Union as the exclusive representative for purposes of collective bargaining.

The employee usually signs an authorization card for dues to be deducted from their paycheck although they can pay dues directly to the Union. Some hospitals will deduct the 'fair share' fees upon notification by the Union but most deduct the full amount from the check and SEIU 121RN refunds the difference between full membership dues and the 'fair share' amount each month.

Non-members who object to paying the full amount of dues must pay a percentage of the full dues or be subject to termination from their employment. This percentage is determined by a yearly audit. The percentage is 81.57% of the 1.65% dues for 2013.

Pursuant to current NLRB regulations and case law, the Union has determined the percentage of the dues amount that is germane to its responsibilities as the exclusive bargaining representative, thus the fee that even objecting non-members owe, based upon the following definitions:

**Chargeable Expenses** – Chargeable expenses are those incurred by the Local that reflect the share of the costs of operation of the Local which are considered necessarily and reasonably incurred for the purposes of performing the Local's duty as a representative of the employees in dealing with the employer on labor management issues, including but not limited to the costs of: negotiating and administering the collective bargaining contract; settling grievances and disputes by mutual agreement, or in arbitration, court or otherwise; activities and undertakings normally and reasonably employed to implement the duties of the Local as representative of the employees in the bargaining unit; and, the maintenance of the Local's associational existence.

**Non-chargeable Expenses** – Non-chargeable expenses are those of an ideological or political nature and those that are not necessarily or reasonably incurred for the purpose of performing the duties of an exclusive bargaining representative. The term "political" is defined as support for or against candidates for political office of any level of government and any office in the union structure. The term "ideological" is defined as support for or against certain positions that the Union may take, which are not work related.

## Salaries and expenditures related to Qualifying Activities:

- Preparation for negotiating collective bargaining agreements.
- Negotiating collective bargaining agreements.
- Adjusting grievances and conducting arbitrations pursuant to collective bargaining agreements.
- Conducting ratification proceedings for negotiated collective bargaining agreements.

- Providing information on the negotiations, or provisions in collective bargaining agreements, as well as on matters relating to representation in the collective bargaining process and contract administration.
- Purchasing books, reports, and advance sheets used in matters relating to representation in the collective bargaining process and contract administration.
- Paying technicians and professionals in labor law, auditing, economics, and other subjects for services used in
  - (a) negotiating and administering collective bargaining agreements,
  - (b) processing grievances and conducting arbitrations, and
  - (c) administering the fair share fee procedure.
- Publishing those portions of newspapers, newsletters and other communications which relate to bargaining and representation.
- Participating in lawful impasse procedures, and fact-finding, mediation, arbitration, and/or economic action intended to secure favorable collective bargaining agreements and favorable resolution of grievances.
- Prosecuting and defending litigation or charges before administrative agencies relating to ratification, interpretation, or enforcement of collective bargaining agreements.
- Prosecuting and defending litigation or charges relating to concerted activity, the duty of fair representation and collective bargaining, as well as collective bargaining agreements, and any other chargeable activities.
- Providing social and recreational activities open to all represented employees.
- Governing the union, and conducting union elections.
- Conducting general membership meetings and conventions.
- Non-professional expenses incurred in administering the fair share fee procedure.
- Lobbying, electoral or political activities or public relations efforts designed to enhance the reputation of the health care profession.

## Salaries and Expenses related to Non- Qualifying Activities:

*The types of activities that have been excluded in the calculation of your fair share fee include the following (but not all are necessarily included in each year):*

- Training in or actual voter registration, get-out-the-vote, and political campaigns.
- Supporting and contributing to charitable organizations.
- Supporting and contributing to political organizations and/or candidates for public office. Supporting and contributing to ideological causes and committees, including ballot measures.
- Supporting and contributing to activities relating to foreign affairs.
- Providing benefits available only to members.
- Litigation not related to collective bargaining or the union's function as an exclusive representative.

In addition to any other avenue of relief available under the law, objectors have the right to challenge the Union's calculation of the reduced fee before an impartial arbitrator appointed by the American Arbitration Association and a portion of the objector's fee shall be held in escrow while he/she pursues that challenge. Full information on the process will be provided to the employee upon request.

Requests for information or changes should be sent to: SEIU Local 121RN, Membership Administrator, 1040 Lincoln Ave., Pasadena, CA 91103. Include name, address, social security number, employer name, employee number (if any) and your work location.

## Nurse Safety, Affordable Care Act Hot Topics at Annual Legislative Conference

Luisa Blue was keynote speaker for the Nurse Alliance of California's annual two-day Legislative Conference held in Sacramento. Blue is the CEO of SEIU Local 521, and she was a founding member for the SEIU Nurse Council (now the SEIU Nurse Alliance Leadership Council), the Nurse Alliance of California and Local 121RN. She was the first staff person for the SEIU Nurse Alliance of California.

The Affordable Care Act for 2014 was a topic, with speakers detailing the key benefits of the ACA this year, insurance protections of the law, Medi-Cal expansion and enrollment for all Californians.

**Mark Catlin, Industrial Hygienist for SEIU Health & Safety,** talked about the components of a comprehensive infection control program and how to present this to a labor management committee. Catlin also informed attendees on: Blood Borne Pathogens and Safety Needle Laws, implementation, and enforcement; Cal/OSHA's Airborne Transmissible Disease Standards and how they are working; and distinguishing between facts and myth when it comes to vaccines.

**Deborah Gold, Deputy Chief for Health and Engineering Services at**

**Cal/OSHA,** presented on:

What is a Cal/OSHA complaint and how is it filed? What are our rights around whistleblowing? What is reportable to Cal/OSHA? Why filing a report is so critical. What are our rights to access these records? What is an IIPP and how to use it to protect ourselves in the workplace?

**Katy McNamara and Andrea Nicholls, of the Los Angeles County**

**Federation of Labor,**

presented strategies of the Labor Occupational Safety & Health of UCLA to reduce the two most common injuries in health care: lifting injuries and assaults. They highlighted how to identify risk factors that result in common workplace injuries, strategize ways to eliminate these hazards, and improve existing mechanisms for effective safety programs in their own organizations.

**The Honorable Tricia Hunter from the American Nurses Association, California presented:** Nurse Practice

Act: Nursing Roles and Responsibilities; licensure in California and what that means for each individual; the responsibility to the client that the license requires; the expectation of the nurse understanding the scope of practice and legal responsibility that requires; the difference between supervising the employee versus supervising nursing practice; the difference between regulations and statutes and



who has the ultimate authority.

On the second day of the conference, nurses lobbied for key pieces of legislation that directly affect Registered Nurses and patients. Our nurses spoke directly with Senator Ed Hernandez regarding the ACA bills he authored, and pledged our support.