



NUHW NEWS AND VIEWS

Sutter–California Pacific Medical Center

MARCH 2017

Around the union

Here are the latest developments in the union, including grievance victories and bargaining updates:

About 250 pharmacists, social workers, mental health clinicians, physical therapists and other professional workers at **UCSF Benioff Children’s Hospital Oakland** voted overwhelmingly January 24 to join NUHW. These new members are coming on board as the union negotiates a new contract for approximately 900 technical, business/office clerical, and service workers at the hospital.

Members at St. Joseph’s **Santa Rosa Memorial Hospital** won a class-action grievance to reverse management’s unjust discipline of employees for not completing their online continuing education courses. After we provided evidence that St. Joseph knew that the online program was down and failed to reboot it in a timely manner, management rescinded all related discipline.

Emergency department techs from St. Joseph’s **Queen of the Valley** in Napa successfully fought unfair scheduling changes. They sent a letter to the manager and demanded that he not make any scheduling changes until they’ve had the chance to bargain with him. Upon receiving the letter, the manager informed all ED techs that their current schedules would remain in place.

Dietary workers at **Queen of the Valley** forced management to respond to their concerns about the kitchen renovation and secured a strong agreement that protects their jobs and provides a fair process for arranging schedules and assignments during and after the renovation. Despite management keeping workers in the dark about

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WHAT TO KNOW ABOUT THE ATTENDANCE POLICY

The Attendance Policy is found on page 36, Paragraph 139 of our contract:

If unplanned absences (whether paid or unpaid) without advance notice and approval exceed five (5) incidents within the prior twelve (12) months, counseling or disciplinary action may be taken. Consecutive days taken at one time are one incident of unplanned absence.

This means that if you call in sick on March 15, 2017, you may be counseled or disciplined if you have more than five absences since March 15, 2016 (count back 12 months from the day of the absence).

However, NUHW members also have other protections. We’re also covered by the San Francisco Sick Leave Ordinance. Though this legislation was meant to help workers in the city who don’t have sick leave, PTO, and the benefits of a union contract, NUHW members are still covered. If you have enough hours in the San Francisco Leave Bank to take time off, you cannot be punished under the policy.

Additionally, if you or a loved one has an ongoing medical condition that requires absences, you should check if you qualify under the Family Medical Leave Act (www.dol.gov/whd/fmla). You can use your PTO with FMLA and you cannot be disciplined if your absence is FMLA-related.

No matter what, if you are sick or your child is sick and you need to take care of them, call in sick. If we have to, NUHW will fight unjust discipline.

The Attendance Policy is intended to prevent frequent abuse and deal with employees who repeatedly create staffing problems. The other thing to know about the policy: few people have been disciplined, and when they have been, it has mostly been minor discipline. In the past three years, no one from NUHW has been terminated for attendance problems.



STEWARD SPOTLIGHT ANDRES MEDINA

Cal campus Surgical Technician Andres Medina is one of CPMC’s newest shop stewards and our first surgery department steward in many years. After working at CPMC for just a year and a half, Andres decided to become a steward last summer to “make relations between management and OR techs better and to make the department a better place to work. I plan on being here a long time, so that is important to me.”

Andres has already handled multiple issues, including contributing to the Surgical Technician Career Ladder, setting up a successful department meeting with his co-workers, and addressing scheduling concerns.

“In my short-time as shop steward, I’ve learned a lot from other stewards and my co-workers,” said Andres. “I hope to continue to grow.”

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Around the union

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their renovation plans, NUHW members demanded to bargain over the impact and prevailed.

After a months-long evaluation process, the public Petaluma Health Care District selected El Segundo-based Paladin Healthcare to operate **Petaluma Valley Hospital**. The decision will have to be approved by district voters in a special election in June. NUHW members have urged the hospital's elected board to be transparent in searching for a new hospital operator and will continue to monitor this process.

A steward from **Los Alamitos Medical Center** in Orange County saved a member's job when she noticed that management was incorrectly counting tardy days that had already been overturned by a grievance victory. The steward succeeded in getting management to rescind the member's termination notice.

After members at **Kindred Hospital Brea** in Orange County repeatedly raised concerns about low staffing and its impact on patient care, management finally agreed to staffing solutions proposed by members, including creating a turn-and-lift team, developing a response system to call lights, and allocating time before each shift for an informal huddle to discuss workload.

Bargaining is underway at eight facilities: UCSF Benioff Children's Hospital Oakland, Queen of the Valley, Mission Neighborhood Health Center in San Francisco, Kindred Hospital Bay Area in San Leandro, Fountain Valley Regional Hospital in Orange County, Norris Cancer Hospital of USC, and Brios Healthcare's San Rafael Health & Wellness Center and Novato Healthcare Center.

WORK-FREE BREAKS NOW MANDATORY

How many times do our breaks get interrupted by a ringing phone, or by a supervisor or manager asking us to help out with something?

As the California Supreme Court ruled recently, "during rest periods employers must relieve employees of all duties and relinquish control over how employees spend their time.... A rest period, in short, must be a period of rest."

WHAT DOES THIS MEAN?

- If you are required to be on call during a break, it's not a break.
- If you get called to work during a break, you must be given another break or paid an hour's pay for not receiving your full break.

If you or your co-workers are expected to be on call during your break, please contact your shop steward or union organizer, as your employer may be violating California law.

GRIEVANCE VICTORIES AND SETTLEMENTS

We won two grievance victories by forcing management to honor union jobs and seniority: 1) An Anesthesia Technician received pay for a shift that management gave to a non-union employee; and 2) Two EVS employees received overtime pay after management gave the overtime opportunity to a less-senior employee.

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STEWARD SPOTLIGHT: ANDRES MEDINA

One of Andres' priorities as a steward is to improve communication and transparency in the department, which he believes would benefit the entire department beyond NUHW members. "I want my co-workers to feel that we are doing the right thing for us and our patients, and we want to make sure the hospital is doing the right thing for the patients, and for us."

Aside from juggling his work and steward responsibilities, Andres is working toward his associate degree in business administration by taking classes three nights a week at Skyline College. Last semester he took a course on business law, learning about laws that govern employment relationships and the rights of both workers and employers, which he felt was helpful in his role as a steward. Now he's taking a course on managerial accounting.

Despite his busy schedule, he finds his roles and responsibilities as a steward and as a student rewarding and complementary. After earning his associate degree, Andres would like to transfer to a four-year Cal State University to continue his studies. Andres lives in Pacifica with his wife and their two dogs.

EVENTS AND ANNOUNCEMENTS

NUHW Steward Council meeting

Tuesday, March 21 • 1-5 p.m., Pac Conference Center Level A

New shop stewards in Pac Surgery and 1South Davies Nursing: Welcome Kimberly Garcia and Juvy Viray!

FNS meeting

Monday, March 13 • 10 a.m., Cal

Like us on Facebook. Created by your colleagues to facilitate discussions among each other, remember to like, share, and use the page: facebook.com/NUHWCPMC

For additional information, please contact NUHW Organizer Ryan Olds at (503) 421-4538 or rolds@nuhw.org.

