

NUHW'S ONE-WEEK MENTAL HEALTH CARE STRIKE

Questions and Answers

Q: Why is NUHW going on strike?

A: Kaiser Permanente's 2,500 California mental health clinicians — psychologists, therapists, and social workers — will launch a statewide, one-week strike on Monday, January 12, to protest Kaiser's chronic failure to provide its members with timely, quality mental health care. Despite record profits, Kaiser does not staff its psychiatry departments with enough clinicians to treat the ever growing number of patients seeking mental health care. Kaiser's systemic understaffing forces patients to endure lengthy and illegal waits for treatment. For patients suffering from depression, anxiety, and other debilitating mental conditions, these delays can be insurmountable obstacles, sometimes leading to tragic outcomes, even suicides.

Kaiser has stonewalled patients and clinicians on this issue for four years by refusing to acknowledge the problems much less fix them. Having exhausted every other means of forcing Kaiser to correct the problems, Kaiser's mental health clinicians are continuing to adhere to their ethical responsibility to advocate for their patients by calling a strike to bring public attention to the crisis and to hold Kaiser accountable for providing the timely, appropriate care its members pay for with their monthly premiums and that Kaiser is required by law to provide. They will be joined on the picket line by Northern California Kaiser optical workers and by Southern California Kaiser medical social workers, speech pathologists, audiologists, health educators, and registered dietitians, all of whom also report problems with inadequate staffing.

Q: Can I honor the strike, even if I am not an NUHW member or my own union has not notified Kaiser that it will sympathy strike?

A: **YES.** Kaiser workers, as individuals, have the legal right to honor the strike. It is important that the workers who do so notify their supervisor of their intention to honor the strike. It is illegal for the employer to retaliate against any worker who honors a strike.

Q: If I am at a site where there is no picket line, but workers at that location are in fact on strike, can I still honor the strike by not going to work?

A: **YES.** The NLRB has ruled that refusal to work during a strike is protected even when there is no picket line. See *M/G Transport Services*, 204 NLRB 324, 325 (1973).

Q: Is it lawful for me to join the picket line and picket with NUHW?

A: **YES,** provided that there are no picket signs that would indicate that your union is on strike.

Q: If I am on an approved vacation or leave of absence, can I join the picket line?

A: **YES.** There is no legal restriction to joining a picket line while on vacation or leave of absence. If you are on medical leave, your participation or conduct on the picket line should not conflict with any physician's restrictions related to the reason for your leave.

