

NUHW STRIKE Q&A

Why are we holding a 5-day, ULP strike?

An overwhelming majority of us at Santa Rosa Memorial Hospital voted to authorize our bargaining team to call for a five-day ULP (Unfair Labor Practice) Strike. We are striking because Providence continues to commit unfair labor practices, including illegal retaliation and unilateral changes to our working conditions. More than 700 of us striking together will send a strong message to Providence that we are united in opposition to their unfair labor practices and that we demand that they settle a fair contract immediately.

When is the strike?

The five-day strike will begin on Monday, July 20, at 6:00 A.M. and last until Saturday July 25, at 6:00 A.M. NUHW members will be picketing outside the hospital 6:00 A.M. to 3:00 P.M. daily, Monday, July 20, through Friday, July 24.

Is there a strike fund to help workers on strike?

NUHW has a strike fund, but only enough to cover the direct costs of organizing and conducting the strike. Our bargaining team has voted to establish a hardship fund, to be administered by a committee of NUHW members

Will I continue to get benefits while I'm on strike?

Under the National Labor Relations Act (NLRA), Providence cannot withhold accrued benefits while we are on strike, but they also do not have to provide continuing compensation during it.

OUR LEGAL RIGHTS

Do we have the right to strike and picket?

Yes. Our right to strike is expressly protected by federal law. Section 7 of the NLRA states in part, "Employees shall have the right. . . to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." 29 U.S.C. § 157. Strikes are included among the concerted activities protected for employees by this section for all workers including full time, part time, and per diem employees. In addition, the First Amendment of the U.S. Constitution and California law both protect our right to peacefully picket.

Can I be fired or disciplined for striking? Can we be locked out?

No. It is illegal for employers to retaliate against employees for exercising the right to engage in protected concerted activities under the NLRA. We are engaging in an unfair labor practice strike and it is illegal for the employer to retaliate, permanently replace, or lock us out. The NLRA makes it unlawful for an employer to interfere with an employee's right to strike. 29 U.S.C. § 158(a)(3). It is also unlawful for an employer to retaliate or discriminate against any bargaining unit employee who participates in a strike. 29 U.S.C. § 158(a)(3). This means that Providence cannot legally retaliate against you in any way because you exercised your right to strike.

For more information, please contact your bargaining team member, steward, or NUHW organizers Larry Ligouri at (707) 484-4105 or liligouri@nuhw.org, or Karissa Tom at (415) 812-2407 or ktom@nuhw.org.



NUHW STRIKE Q&A, CONTINUED

Can I strike if I'm still in my probationary period?

Yes. You have the same rights and protections under federal law as any other employee in the union. Probationary employees who engage in protected activities are actually more protected from termination while engaging in protected concerted activity because the Employer would have to demonstrate a non-retaliatory cause for discipline.

I'm not a member of NUHW, but I don't cross picket lines. Can I honor the strike?

Federal law, upheld by the United States Supreme Court, gives all employees the right, as a matter of conscience, to honor a picket line.

PATIENTS AND SCHEDULING

How can we ensure our patients are cared for?

We will be giving management official notice of the date the strike is scheduled to begin and end. Management has ample time to plan ahead by cancelling elective surgeries for the day, gradually reducing the census, preparing managers to work on the floors, etc. We are striking for our patients! Our proposals are fundamentally about improving the quality of care at Providence hospitals like SRMH.

Do I have to personally notify my manager that I won't be coming to work?

No. NUHW's delivery of the legal 10-day notice will inform Providence that all NUHW members will not be reporting to work. There is NO requirement for individual employees to inform management of their intent to participate in a strike.

What if my manager asks me if I'm coming to work?

You do NOT have to answer or disclose any information. You can let your manager know that it is unlawful to question you about your intentions or to try to discourage you from participating in a strike. Or you can simply say that "I will stand with my co-workers." If a manager tries to coerce, threaten or intimidate you in any way, please document and notify your union steward or NUHW organizer.

What do we do if we are working the night shift when the strike begins?

Members who are at work the night before the day of the strike will stop working at 6:00 A.M. It is management's responsibility to be prepared for that and to facilitate your need to give report early. Obviously, night shift NUHW members will not be coming to work in the evening on the days of the strike.

Can I discuss the strike with my patients?

At your discretion, you may inform your patients that you will not be at work and why. Do not lobby or pressure them in any way to support the strike. You may provide brief factual answers in response to patient questions regarding the strike, the issues, or how patients can help, but be careful to avoid soliciting support.

IMPORTANT REMINDER

None of us want to strike but we know that striking is our best way to get Providence to listen and be accountable. We are standing up for our patients, our community, and each other.

Management is responsible for placing us in the position of having to fight to protect our patients, our values, our benefits and our co-workers.