

April 11, 2012

APRN OFFICERS

President:

Glenda Peters, 8E

Vice-President:

Philip D'Onofrio, 6E

Secretary:

Bobbi Rychlick, RRT

Treasurer:

Maryann Dutton,
Outpatient Infusion

Members at Large:

Laura Fryburg,
IV Therapy
Terry McCoy,
Labor & Delivery

Labor Relations Representative

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What is this?

ONA's QR code. A QR code (abbreviated from Quick Response code) is a type of matrix barcode (or two-dimensional code) that you use with your smartphone.

How to Use:

With a QR code reader app on your smart phone, take a picture or scan the QR code to open the ONA website in your phone's web browser. Many smartphones come with the app pre-installed, but others you will have to download a QR code reader app.

JOINT AGREEMENT REACHED ON NURSE LICENSURE RENEWAL

As you know, nurses have struggled with confusion and misunderstandings about when licenses must be renewed at the Oregon State Board of Nursing (OSBN). Some nurses received corrective actions even when they renewed prior to expiration, and in another situation where the license was renewed late, but the nurse was not scheduled for many days.

Nurses have filed multiple grievances filed since 2009 over licensure, renewals, and discipline. Finally, we are pleased to announce that we have reached an agreement with the Medical Center that we believe will strike a balance between the realities of employees and their lives, proper cause requirements for discipline and labor laws, and the Medical Center's operational needs (i.e., scheduling, compliance and Joint Commission audits).

A joint announcement was sent in March. Please take the time to review these rules – your failure to follow them can negatively impact your employment! To read the announcement and examples, see your bargaining unit webpage at www.OregonRN.org.

WEEKEND DIFFERENTIAL GRIEVANCE UPDATE

We have reached an agreement on the grievances filed for unpaid consecutive weekend differential. Last fall an individual nurse filed a grievance after she learned she had not been paid the differential for years. In the context of investigating that grievance it was discovered that the Medical Center did not pay this differential, unless it was specially notified.

To resolve the grievance, the Medical Center agreed to pay nurses the differential for consecutive weekend shifts worked 15 days prior to the date the grievance was filed – present (excluding some shifts worked as the result of trades).

While this may be technically correct (the 2007-2011 contract states the grievance must be filed 15 days after the event or the date the nurse should reasonably have known), we do not believe this is a particularly fair position. Nonetheless, you need to pay attention to your paystubs and learn your contract language. If your employer is going to play hardball on the contract, then staff must be vigilant in ensuring that they are paid properly.

To read the details, read Oregon Nurses Association's (ONA) letter to the Medical Center which is posted on your bargaining unit webpage at www.OregonRN.org.

NURSES REPORTED TO OREGON STATE BOARD OF NURSING FOR FACEBOOK ACTIVITY BY MEDICAL CENTER

A group of nurses were recently called to meetings by human resources and management. In the meetings they were informed that comments posted on Facebook had been reported to their manager, and they had been investigated for violating both the Providence Policy on Electronic Social Media (604), and professional standards in the Nurse Practice Act. While the Medical Center acknowledged that the nurses had not violated its policy, they informed the nurses they would report them to the OSBN for unprofessional conduct.

The nurses were reported for an online Facebook conversation which began with a single posting about an interaction with a family member. That posting received several comments from colleagues. *Nurses who merely clicked the "like" button in response to the conversation were also told they would be reported to the OSBN.* None of information posted included patient information or identified or referenced Providence.

The way this was handled by Providence shows several things. First, management is aware of the fact that it cannot stop all social media activity. There is only so much control an employer has over outside activities of its employees, and there are legal rulings in place that allow employees to make certain comments online without fear of discipline. Second, your employer wants to stop the activity and is exploring more creative reactions in lieu of discipline. Lastly, the reality is that your Facebook activities are not private, no matter how you have updated your privacy settings.

ONA does not represent nurses before the OSBN for licensure issues. However, ONA members are entitled to a free 30-minute consultation with a law firm that does represent nurses in licensure matters. ONA does assist nurses in discipline issued by *your employer* as a result of licensure problems.

(For more information on social media, turn to Page 5 of this newsletter.)

IS IT "BREAKING NEWS" THAT NURSES DON'T GET BREAKS? NURSES FORGE AHEAD THROUGH GRIEVANCE PROCESS

A grievance meeting was held March 29 for two nurses who filed grievances for not receiving breaks in PACU and SSU. They have asked that Providence reimburse them for the 15 minute break(s) they should have been allowed. The Medical Center representative noted that safe care requires that nurses not always take a break at a good interval / appropriate time. While everyone agrees that there are times that safety demands flexibility in breaks (at times), the guidelines are in place to keep nurses healthy and patients safe. Studies consistently show that errors increase with fatigue. It is important to advocate for rest and meal periods – this is for you and your patients.

We were met with pretty serious irritability by management in our meeting; and it is clear that nurses are being asked to care for others, but discouraged from caring for themselves. If nurses do not assert their rights, compliance and acceptance become the norm. Thank you to the nurses who filed these grievances, and for standing up for the rights of nurses everywhere. The Medical Center responded on April 5 and declined to pay for the missed breaks. The next level of the process is Step 3 which is a meeting between the nurses, the Association, and chief nursing officer and human resources staff member(s).

To read the Washington State Nurses Association arbitration decision awarding nurses pay for their missed breaks, visit your bargaining unit webpage. We provided this decision to the Medical Center in our last meeting but they were not persuaded.

RESULTS ARE IN! INTRODUCING YOUR 2012-2014 APRN OFFICERS

In February, we scheduled a date for your officer elections and published a call for nominations. One nurse candidate submitted a nomination for each officer position. Your bylaws stated that if officer positions are uncontested, voting is not required. To better use our resources we will not hold voting for the uncontested positions as originally planned in May.

YOUR NEW OFFICERS ARE:

Chair	Glenda Peters	8E
Vice-Chair	Philip D'Onofrio	6E
Treasurer	Maryann Dutton	Outpatient Infusion
Secretary	Bobbi Rychlick	Critical Care Float/ RRT
Member-at-Large	Laura Fryburg	IV Therapy
Member-at-Large	Terry McCoy	Labor & Delivery

Thank you to our dedicated outgoing Treasurer, Jennifer Speer (Labor and Delivery).

You will be missed!

To read your bargaining unit bylaws, visit our website. www.OregonRN.org

LABOR AND DELIVERY NURSES STRIVE TO IMPROVE UNIT IN 2012

This unit has been very active in 2012. For updates on the petition delivery and unity of these very special nurses, and the task force staffed by a specially retained nurse-consultant, please check the newsletter archives on your bargaining unit webpage.

CLINICAL LADDER NEGOTIATIONS

You thought we were done negotiating? Not entirely. The Clinical Ladder Letter of Agreement (Appendix B), must be negotiated every two years. It expires on July 1, 2012, so we will begin negotiating this in about June. To prepare for negotiations, ONA has sent an information request to the Medical Center and is in the process of selecting a negotiating team. For larger contract negotiations, the team is comprised of your officers. But for Clinical Ladder, in some years, only a portion of the officers have participated, depending on their schedules and complexity of negotiations. We have also typically included one or two Clinical Ladder Board members on the negotiating team.

At this time it is unclear which, if any, issues will be negotiated given the extensive changes made to the application and renewal packet that were negotiated in 2009. In 2009, we did not reach an agreement that was ratified until February 2010!

We hope the negotiations will be more straightforward this time. We will not be issuing a pre-negotiation survey for Clinical Ladder but if you have suggestions, please send them to us at APRNemail@gmail.com.

MONITORING OUR INSURANCE BENEFITS

If you read anything in the newspaper, listen to radio, or watch TV news you know that health insurance, its cost, and the quality of the coverage are important issues to many people. The Presidential election and the up-coming Supreme Court opinion on the constitutionality of the Affordable Care Act will only magnify this issue's importance.

A lot of changes were made to our health Insurance benefits starting this year. Providence wanted these changes in part to improve employee health and to keep benefits affordable for the long term by helping employees to keep chronic conditions under control.

Will it work? To that end, ONA bargained for a Health Insurance Task Force, one at each Providence facility that we represent, to work with Providence and monitor whether or not the changes are effective and the desired outcomes are achieved.

Two of your APRN officers and your labor relations representative will serve on this task force. We are providing training for the officers and anticipate the meetings will start after EPIC implementation about mid-summer.

To read the contract language establishing the task force, go to Appendix E of your contract at page 71.

WHAT DOES FAIR SHARE MEAN?

As a result of our contract, there are ONA membership requirements at St. Vincent Medical Center.

One option offered to nurses is "fair share" in lieu of joining ONA as a full member. Fair share payers pay slightly reduced dues (representing only the portion of ONA's budget related to collective bargaining). Very few nurses choose the fair share option because they do not receive the benefits of full membership. For example, discounts for ONA workshops or events are not available to fair share payers. Fair share payers do not have voting rights, cannot be a local officer or steward, or serve on other local committees. They also cannot be a delegate to the Oregon Nurses Association House of Delegates or to the National Federation of Nurses.

We encourage everyone to join as a full ONA member because you will receive all of the many benefits of membership, and we want all

nurses to be active members of their professional organization and union.

Dues for Fair Share are \$28.15 per pay period and \$35.39 per pay period as a full member . To read the membership obligations in your contract, read Article I, Section C. at pages 3-5.

For more information about ONA and what we do, visit our website at www.oregonrn.org.

STEWARDS' COUNCIL DINNERS A GREAT WAY TO GET INVOLVED

The next Stewards' Council dinner is April 25. If you are interested in becoming a steward, you can learn about the council on the website or talk to your ONA leaders. We are always looking for more stewards, particularly in these units: Emergency Department, Main OR, Pediatrics, 8W, 5W and Pediatrics OR / Gerry Frank Center.

SOCIAL NETWORKING SITES PITFALLS FOR THE UNWARY

Many of you have joined social networking sites such as MySpace, Facebook or LinkedIn. As you know, you can become online "friends" with colleagues or friends of colleagues. This raises issues that could impact your work and employees should be careful about considering future outcomes.

Here are some tips to keep your personal information unknown within your employment context, as well as some basic rules about your postings and whether you can be disciplined for certain off-duty activities.

1. Create your own specialized privacy settings on the site. Most have options that will allow you to prevent anyone other than a friend or friend of friend from viewing your information. To learn how to do it on your networking site, visit the help links, or just Google "privacy settings [insert social networking site name]," which should help you determine how to keep your information secure.
2. If you wouldn't want others to know or see specific images or information, don't post it. Keep in mind that security can only go so far, and there will be accidents or surprises.
3. Don't friend co-workers if you include anything personal on the site.
4. Don't post anything if you're angry or impaired.
5. Consider how tone often does not transmit well in writing.
6. Don't post any patient information.

Employers have struggled with how to address concerns over online postings, and employees often don't understand the parameters of postings created while they are off-duty. These are some general rules. But keep in mind, these are very fact-specific situations, and you will need to contact your labor relations representative if you want a more specific review of your situation.

In order to discipline an employee for off-duty conduct, it must meet one of the following four tests:

1. There must be serious (not speculative) harm to the employer's reputation or business as a result of the employee's posting or activity, and a nexus between the harm and posting; or
2. The employee's conduct must adversely affect his or her ability to perform their job duties; or
3. The conduct leads other employees to refuse to work with that employee; or
4. The off-duty conduct seriously undermines the employer's ability to direct the work force.

There are other exceptions, such as illegal activities, harassment, and other serious activities which could automatically lead to severe discipline or discharge. Regardless of the legality of the postings, be careful about what you post online. For recent National Labor Relations Board rulings, visit www.NLRB.gov. The American Nurses Association has also created a fact sheet which is available on the ANA website at www.nursingworld.org.

If you have questions, please contact Sally LaJoie at lajoie@oregonrn.org or 503-293-0011 x 328.

UPDATE YOUR CONTACT INFORMATION!

Throughout the year it is critical the bargaining unit team and ONA labor relations representatives are able to communicate openly and efficiently with nurses. It is even more critical during contract negotiations. The ONA website, mail at home and emails at home continue to be the best methods of getting negotiation updates to all members as quickly as possible. Unfortunately, many members aren't getting the most up-to-date information because ONA doesn't have a current mailing address or a home email address on file for them or the email address on file is a work email.

ONA is often restricted when sending out mass emails to employer based email addresses and if we don't have a current mailing address or home email address that results in many members not receiving the critical information they need as quickly as they should. To remedy this situation, ONA is encouraging all members to go to www.OregonRN.org and click on —**Update Your Contact Information**, to update their information on file to include a personal (non-work) email address to ensure the messages get through in a timely manner.

Together we can make sure everyone is involved and stays informed.

NEW BENEFIT FOR ONA MEMBERS

NEW Auto and Home Insurance exclusive nurse benefits and special rates.

Oregon Nurses Association has a new benefit that is available to our members.

California Casualty Auto and Home Insurance. ONA chose California Casualty because of their 60 years of experience insuring association members, unique nurse coverage offerings, financial stability, exceptional customer service and solid reputation with other associations throughout the country.

For more information, contact us at:

1-877-626-2871, or

www.calcas.com/shanacek



GOVERNMENT RELATIONS

Phone Bank for Amanda Fritz:

ONA member, Portland City Councilor Amanda Fritz is up for reelection. She needs our help reaching out to ONA members in Portland to make sure they get their ballots turned in and vote for Amanda Fritz. ONA will be hosting a nurse-to-nurse phone bank for Amanda on Tuesday, April 24 at the ONA office in Tualatin from 5:30-8:30 pm. Please RSVP with Jenn Baker at baker@oregonrn.org if you are interested in helping reelect ONA member Amanda Fritz to the Portland City Council. A light dinner will be provided for those who participate in the phone bank.

Nurse-to-Nurse 2012 Primary Phone Bank:

On Thursday, April 26, ONA will be hosting a nurse-to-nurse phone bank for our ONA endorsed candidates in the May primary. Please help us contact nurses in key districts to discuss the important election and help ensure we elect pro-nursing candidates to the Oregon State Legislature. Please RSVP with Jenn Baker at baker@oregonrn.org if you are interested in helping out. A light dinner will be provided for those who participate in the phone bank.