Majority Unite to Hear Employer’s Response on PFP

Nurses display solidarity in advocating for third year Implementation

Once again, a majority of nurses displayed solidarity by attending a meeting with our employer over the pay for performance (PFP) issue. On Oct. 16, nine Benton County nurses united to hear the county’s response to our request that they honor their promise on the third year implementation under the PFP system. In addition to the nurses who attended the Aug. 28 initial presentation, several others showed their support by coming to this second meeting.

The county said they appreciated our voices and the feelings that were expressed at the earlier meeting. Since that meeting, they brought additional county executives into the conversation and gathered information. While they took our perspectives “to heart,” they said they cannot agree to paying the third year as originally promised. They asserted that our contractual language has a “me too” clause, which allows them to offer the same PFP system that they use for unrepresented employees. They hand-delivered a letter in which they respectfully disagreed with our claim to contractual rights. Click here to view letter.

Nonetheless, they want to work with us to find a satisfactory solution. They offered to meet with us using interest based bargaining (IBB), which is an alternate to the traditional (positional or adversarial) bargaining used in most labor negotiations. IBB is often used when both sides trust each other and want to resolve differences by articulating interests rather than offering formal proposals. Where traditional bargaining often leads to intractable positions, IBB offers the prospect of moving beyond compromises that are usually unsatisfactory to both parties in positional bargaining. ONA and the county have used IBB in the past. Click here to view a good summary of IBB.

In the days following that second meeting, our nurse leaders consulted with all of you. You said we should try this alternate approach. Both parties recognize we retain our rights to pursue other avenues if this approach is unsuccessful. In a follow-up letter to them, we agreed to try IBB. Click here to view follow-up letter.

The County found a facilitator who was available on very short notice and we have agreed to meet on Nov. 14 and 15 as well as Dec. 5. We hope to conclude our work in these three sessions.

The county has agreed to pay our four representatives to attend these IBB sessions. Robin Baker and Angela Edwards, Cindy D’Angiolillo and Niki Kelley will attend the meetings along with our labor representative. This group will meet in advance of the first IBB session and will contact you to hear your interests.
In October, four Benton County Health Department nurses completed our popular Know Your Rights workshop (steward training). Three attendees signed up to be stewards, who will serve as our front-line leaders to assist other nurses.

Experienced stewards answer contractual questions as well as assist in disciplinary meetings and filing grievances. These newly-trained stewards will be mentored so they can perform some of these tasks soon.

Other Benton County nurses attended the first part on Oct. 8 but couldn’t make it to the second part on Oct. 29. We are holding several more workshops in Albany (Nov. 9) and Eugene (Nov. 11, 16, and 23) from 9:30 a.m. to 1:30 p.m.

To learn more, contact Gary Aguiar via text/call 503-444-0690 or email Aguiar@OregonRN.org.

NEWLY-TRAINED STEWARDS
Angela Edwards, Lincoln Health Center
Robin Baker, Benton Health Center
Niki Kelley, Corrections

Your Union, Your Rights

As a member of ONA, you are a member of a labor union and have specific rights guaranteed by the National Labor Relations Act (NLRA).

Rights as a Member:
• Bargain collectively through representatives of employees’ own choosing for a contract with your employer setting your wages, benefits, hours and other working conditions.

• Discuss your terms and conditions of employment or union organizing with your co-workers or your ONA Labor Relations Representative.

• TAKE ACTION with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency and seeking help.

What Management Cannot Do:
• Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.

• Question you about your union support or activities in a manner that discourages you from engaging in that activity.

• Fire, demote, transfer you, reduce your hours or change your shift, or otherwise take adverse action against you. Cannot threaten to take any of these actions, because you join or support a union, because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.

• Prohibit you from wearing union hats, buttons, t-shirts and pins in the workplace except under special circumstances.

• Spy on or videotape peaceful union activities or pretend to do so.

• Engage in Direct Dealing with employees, or change working conditions without union input.

What does it mean to be “direct dealing”? In general, an employer is obligated to bargain over its employees’ wages and other terms and conditions of employment when a union represents those employees. The union is the legally recognized representative of the employees. Doing otherwise, cutting individual deals with nurses without agreement by the union, is prohibited by law. Direct dealing is when an employer and employee discuss and take action without the union’s knowledge or presence in matters that fall within the scope of mandatory subjects of bargaining.

Changes to working conditions happen when a new policy comes up that changes the way that your day to day work happens or creates a new circumstance for possible discipline. For instance, requiring nurses in certain departments to wear color coded scrubs, changing a requirement about education or licensing, or changing a scheduling system or vacation approval policy.