Bargaining Begins!

We prioritize our proposals on wages, paid time off (PTO)

On April 17, we began bargaining to renew our collective bargaining agreement with our employer. We began by explaining the work our bargaining team has undertaken to listen to our members. Over the last few months, our leaders, Susan Coven and Zach Page, have held numerous conversations with many of you about our contract. We collected confidential responses on our survey and we held a membership meeting at Zach’s house last month.

In negotiations, we explained to the employer’s team that our key proposals focus on economics, especially wages approaching market parity and increased PTO accrual. We recalled at the last bargaining round that our key priority was to ensure full benefits for our on-call nurses. That system appears to be working well and those positions are typically filled.

However, our agreement last time also meant that nurses compromised on virtually everything else to get that provision. We received only 1 percent annual increases, which resulted in an associated loss in purchasing power over the last three years.

Our research shows that inflation has been running above 3 percent over most of the last two years. Gas, food, and rent are increasing at triple the rate of our pay.

Our wage study analyzed the local labor market for nurses, which we define as any unionized employer for nurses within driving distance of the Eugene/Springfield area. When a nurse is looking for a job, they want a unionized employer. They expect an hourly wage similar to someone with their years of experience.

We Are Paid 6.7% Less Than Market!

Our research shows we are 6.7 percent below market! If we receive 2.5 percent in each of next three years, we are likely to remain below market, because other nurses are getting 2.5 percent increases. Cascade Health Solutions (CHS)nurses recognize our organization is a small non-profit that provides a valuable service to our community. We sometimes experience annual net operating losses. Nurses recognize that working at CHS means our total compensation package may not be quite as competitive as compared to the two hospitals in town.

Nonetheless, our goal is to approach market parity by end of this contract. We want to recruit and retain experienced nurses. To accomplish that goal, we would need about 14.2 percent in pay increases over the next three years. So, our initial wage proposal is annual increases of 4.75 percent.

PTO

We heard from you, especially among our newer hires, that our earned leave accrual is behind what you were earning elsewhere. Our research supports this conclusion.

We are behind at every tier of PTO.
acccrual as compared to McKenzie-Willamette and in first seven years of service as compared to Sacred Heart. We propose an increase of an additional day of earned leave annually to each tier.

We proposed other economic changes as well as workload and rights to representation language. Our bargaining tracker, below, summarizes our proposals. See the actual language of our proposals Click Here or go to www.OregonRN.org/53 and follow the link.

### ONA-CHS Bargaining Tracker

<table>
<thead>
<tr>
<th>Article Section</th>
<th>ONA Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>§1.1</td>
<td>Bargaining unit definition to include Hospice House (clean up)</td>
</tr>
<tr>
<td>§2.1</td>
<td>Access to premises whenever the facilities—including Hospice House—are open (not just business hours)</td>
</tr>
<tr>
<td>§5.2 (NEW)</td>
<td>Rights to representation, supervisor must advise nurse of Weingarten rights when investigatory meeting is scheduled.</td>
</tr>
<tr>
<td>§5.5</td>
<td>Personnel files, employer remove discipline after 18 months (current is 2 years and nurse must request)</td>
</tr>
<tr>
<td>§8.1.2</td>
<td>Hospice house RN gets paid for missed meal, i.e., interrupted or no other RN available to care for patients</td>
</tr>
<tr>
<td>§8.10.5</td>
<td>When on-call position is vacant, nurse may sign up for call immediately preceding their scheduled shifts. If they experience busy call shift and nurse requests shift off or reduced hours next day, employer shall accommodate whenever possible.</td>
</tr>
<tr>
<td>§9.1</td>
<td>Step progression - delete inaccurate language (clean up)</td>
</tr>
<tr>
<td>§9.20 (NEW)</td>
<td>Advanced education differential; 2% BSN, 3% MSN</td>
</tr>
<tr>
<td>§10.3.1</td>
<td>Increase PTO accrual rate by one day for each tier</td>
</tr>
<tr>
<td>§10.5</td>
<td>If not working a holiday, not required to use earned leave</td>
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<tr>
<td>§10.5.1</td>
<td>Add Christmas Eve as major holiday</td>
</tr>
<tr>
<td>§10.6.1</td>
<td>Bereavement increase to six days (from current three) with pay</td>
</tr>
<tr>
<td>§12.2.1</td>
<td>If a nurse experiences an inequitable patient assignment (i.e., a heavier load than others, based on nurse’s position hours), the employer shall accommodate the nurse’s request whenever possible.</td>
</tr>
<tr>
<td>§16.1.1</td>
<td>Educational expenses and days increase to $300 (from current $200) and two days paid time off (from current one day)</td>
</tr>
<tr>
<td>§16.1.1</td>
<td>Unused education allowance may be rolled over to combine with current year</td>
</tr>
<tr>
<td>§17.6.4</td>
<td>Increase mobile stipend to $50 (from current $40) for 32-hour nurses and $45 (from current $35) for benefited nurses who work less than 32 hours.</td>
</tr>
<tr>
<td>§19.1</td>
<td>Expires 7/1/2022</td>
</tr>
<tr>
<td>§19.1</td>
<td>Delete hospice house re-opener (clean up)</td>
</tr>
</tbody>
</table>

Appendix A

Salary schedule. 4.75% annual wage increase
OHA Reports Staffing Problems at Pete Moore

Staffing at Hospice House Out of Compliance

The Oregon Health Authority (OHA) recently determined that the Pete Moore Hospice House (PMHH) is out of compliance with the Oregon Hospital Nurse Staffing Law. Since it is designated as an acute care hospital, the hospice house must meet all conditions of the staffing law. In-home hospice and home health services are not currently covered by Oregon’s staffing law.

Since the law became fully implemented in 2017, OHA audits all acute care hospitals every three years to assess compliance. The agency made an unannounced visit to PMHH on March 1 to review staffing records as well as interview the Staffing Committee co-chairs and nurse managers. On April 12, OHA reported found 12 infractions of nurse staffing at the hospice house with 32 findings of documented evidence in a 19-page report. (See box for details.) [Click here](#) for the full report.

To our knowledge, no Oregon hospital has been in full compliance with the new law and OHA finds numerous violations for most hospitals. Violations are a common occurrence as hospitals attempt to fulfill the new law.

In other hospitals, OHA reports more flagrant disregard around mandatory overtime, mandatory rest, and inadequate staffing than at PMHH. For example, last year, OHA found McKenzie-Willamette violated twenty rules of nurse staffing supported by 120 findings of documented evidence in a 46-page report. In particular, four departments were cited for inadequate meal periods and rest breaks.

Hospice House Meals and Breaks Concerns

Nonetheless, some of the PMHH infractions potentially affect safe patient care. For example, the law requires an RN and another nursing staff member (e.g., a licensed practical nurse (LPN) or a Certified nursing assistant (CNA) must be on duty at all times whenever at least one patient is present in the unit. At PMHH, when the sole scheduled RN takes a meal period or rest period (and is off duty), and no on-duty RN is available to assume patient care, Cascade Health breaches the law. Every time this occurs, the hospice...
Fact or Fiction: Unions Protect Lousy Workers

Our critics regularly claim that “unions protect lousy workers.” Nothing could be farther from the truth. The last thing Cascade Health nurses want is another nurse who is unsafe in their practice working beside them. An unsafe nurse exposes a patient to unnecessary risk.

Further, it makes the job of other nurses more difficult. When we follow or handoff a patient, we want to be confident that our colleagues will also provide exemplary care.

Our Oregon Nurses Association protects the process to ensure nurses’ rights, especially from an unfair allegation by a manager or a patient. Our right to have a steward present means that the accused nurse is heard and their words in a factfinding meeting are recorded accurately.

Most nurses who are called into such meetings adopt a reflective, inquiring posture. They are open to learn about possible errors in their practice and in the overall system. They are willing to assess all aspects of patient care, including their own behavior.

A few nurses resist efforts to recognize gaps in their practice. In the rare cases where the representative suspects a nurse may have erred and does not self-recognize, we often use a double-blind peer review process.

We redact all documents from the case, stripping them of any identifiers. These documents might include the nurse’s own written recitation of the event, the steward’s notes from the factfinding meeting, and any discipline issued by the employer.

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The labor rep will share these documents with nurse leaders in our facility or another regional hospital to assess the nurse’s behavior. These assessments will be returned to the nurse being investigated, with a general description of each reviewer.

For example, it might describe a reviewer as “Nurse B has worked for 20 years in acute care in both ICUs and PCUs in several medium-sized hospitals in Oregon. They have been a charge nurse for eight years, served on their PNCC for more than two years, and won two recent awards for nurse practice.” Just enough for the nurse to contextual the reviewer, but not enough to identify them.

The goal of these evaluations is to provide the nurse with an objective evaluation of their actions by several respected peers. Usually, the nurse accepts this collective judgment.

Then, the representative ensures that the employer provides resources for the nurse to improve their practice. Everyone’s goal is to return the nurse to a high-performing practice. We have too few RNs in Oregon to lose any. We want nurses to improve their practice, rather than being removed from patient care. We need every nurse to be a high-performer!

In some cases, the steward or labor rep perceives the nurse may not be a good fit with her present position. Then, we may act like a career counselor. We ask what kind of nursing they are interested. We may point out possibilities in other departments or other—preferably unionized—employers of nurses in our area.

In short, our Association advocates safe patient care by developing strong nurse leaders. If we have practice concerns, we ensure the nurse is provided the support and resources to rebuild their practice. Our community deserves high-performing nurses. We sometimes find that an under-performing nurse is not handled well by the employer. Many managers
Know Your Rights!

Your Right to ONA Representation

Both Oregon Nurses Association (ONA) contracts and the laws governing employment in a unionized workplace protect your right to ONA representation.

ONA-represented nurses have the right to be represented during any questioning about or investigation into their performance or activities as employees.

These are known as “Weingarten Rights”, after the federal court ruling that established them and these rights are only available to workers who are unionized.

However, a nurse must assert their Weingarten Rights by insisting on having an ONA representative present during an investigation because an employer is not required to provide a nurse a representative or even notify the nurse of her/his right to a representative.

Weingarten Rights Statement

"I request to have a union representative present on my behalf during this meeting because I believe it may lead to disciplinary action being taken against me. If I am denied my right to have a union representative present, I will attend the meeting, but refuse to answer questions that I believe may lead to discipline.

(This is my right under a Supreme Court Decision called Weingarten)."

Fact or Fiction: Unions Protect Lousy Workers

Continued from page 4

Know Your Rights!

Just Cause Questions

Forewarning: Did administration give the worker forewarning of possible disciplinary consequences of worker’s conduct?

Reasonable Rule: Was administration’s rule or order reasonably related to an orderly efficient and safe operation?

Discovery: Did administration make an effort to discover what happened before disciplining the worker? Did management investigate before administering the discipline? Who was interviewed? Did these employees bring complaints forward?

Fair Investigation: Was administration’s investigation fair and objective? Were there witnesses?

Evidence of Guilt: Did the investigation produce substantial evidence or proof of guilt?

Evenhanded Application: Did administration apply its rules, orders and penalties evenhandedly and without discrimination?

Fair Punishment: Was the degree of discipline reasonably related to the seriousness of the offense and the record of the worker’s service to the employer? Letter of Expectation (6-month warning)?

Oregon Nurses Association | 18765 SW Boones Ferry Road, Suite 200 | Tualatin OR 97062 | 1-800-634-3552 within Oregon | www.OregonRN.org
Staffing Education & Advocacy Training

Have you recently been elected to your hospital’s staffing committee or do you desire to be a more prepared and effective staffing advocate? If so, we encourage you to take a SEAT with ONA for our online Staffing Education & Advocacy Training (SEAT). This is the only comprehensive staffing law training in Oregon and is available online through our OCEAN platform. It is available 24/7 and can be taken at your own pace. It is free for ONA members and available to non-members at a discounted price.

Nurses can earn 2.25 continuing nursing education contact hours for completion of the entire SEAT series.

Visit www.OregonRN.org/OnlineCE to get started.

Officer Nominations Are Now Open

We are seeking nominations for these officers for our local bargaining unit:

- Chair
- Vice Chair
- Secretary-Treasurer
- Membership/Education Chair
- Grievance Chair

Full descriptions can be found on your ONA/CHS webpage www.oregonrn.org/53 and following the Bylaws link or Click Here.

If you are interested, please contact Gary Aguiar, our labor rep. Text/call him at 503-444-0690 or email at Aguiar@OregonRN.org

Oregon Nurses Association is accredited as a provider of continuing nursing education by the American Nurses Credentialing Center’s Commission on Accreditation.