Unfair Labor PracticeFiled by ONA

Sacred Heart Home Care Services (SHHCS) has seen many changes implemented over the last year without the collaboration of our SHHCS elected leaders or ONA. ONA has addressed each one of these and bargained the impacts. This isn’t the relationship that we are used to having with SHHCS administration.

Most recently a change was implemented impacting two Home Health (HH) nurses whose positions were deemed remote. This constituted a significant change in working conditions which is a mandatory subject of bargaining.

This change was implemented prior to any notification to ONA. Once we were informed of the change, we issued a demand to bargain over the impacts. At that point Sacred Heart should have stopped their implementation of the change but they did not. This constituted an Unfair Labor Practice, so ONA filed a formal complaint with the National Labor Relations Board which is investigating. We will keep you posted on the outcome.

Important Updates from Your PNCC!

The PNCC (Professional Nursing Care Committee) convenes monthly to review education requests, Staffing Request & Documentation Forms (SRDF) and discuss issues related to nursing practice in Home Care Services (HCS) and recommending ways and means to improve patient care. For more information on the objectives of PNCC see article 17 in your contract which can be found on the ONA-SHHCS bargaining unit website www.OregonRN.org/85.

Recent agenda items include:

1. Education requests and process: The PNCC is working on streamlining the education request process including making an online form available. For the past two years since Peacehealth unilaterally changed expense report process with no accommodation for ONA funds there have been many obstacles for a smooth process.

Please know we are diligently working with administration to ease the process for nurses to utilize their contracted educational hours. Thank you for your patience as we get closer to achieving this goal.

2. SRDF: Reviewing SRDFs and holding management accountable to responding per contract. Please continue to fill out SRDFs in situations where assignments are potentially unsafe or there is insufficient time to allow for lunch and breaks. It is important to notify your supervisor at the beginning of a perceived unsafe assignment to allow time for modification, fill out the SRDF if no modification is made or the modification is insufficient and who you escalated the concern to. There is no risk of retaliation and management encourages the use of this staffing tool, please continue taking the time to fill out an SRDF.

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3. Equality and Inclusion Training. PNCC Members are aware Black, Indigenous and People of Color (BIPOC) employees face challenges white employees do not. We are pursuing training through ONA to discuss such topics as racial bias, implicit bias, systemic and cultural racism. We want to work to provide a safe environment for BIPOC employees to report incidents of racism in the workplace while amplifying BIPOC voices within our agency and community. Racism is a public health crisis, the first step is education of leaders, then education will be strongly encouraged and made available to others.

4. Oregon State Board of Nursing (OSBN) Training. We have made a request of Director of HCS Mary Allred to pursue training for all nurses from OSBN re the Oregon Nurse Practice Act (ONPA). The following is the email sent to Mary Jan. 12.

Dear Mary,

On behalf of the Home Health (HH), Home Infusion (HI), and Hospice RNs, the PNCC is requesting that you, as the nursing director, reach out to the Oregon State Board of Nursing (OSBN) for presentations specific to the Oregon Nurses Practice Act (ONPA). Per statute, OSBN is required to provide quarterly presentations to agencies that request it. Here is a link to the request form: [https://www.oregon.gov/osbn/Pages/Presentation_Request.aspx](https://www.oregon.gov/osbn/Pages/Presentation_Request.aspx).

We want to bring to your attention the many changes occurring at the agency directly impact nurse practice. The addition of licensed practical nurses’, encouragement of the Outcome and Assessment Information Set (OASIS) nurses to adjust assessments, attempts to redefine the scope and services of HI nurses, and the inconsistent direction with the wound and ostomy program have all brought significant anxiety within our units relative to our professional liabilities. We depend on nursing management to create clear policies and protocols relative to nursing practice and have found there is significant confusion related to the differences of Centers for Medicare & Medicaid Services reimbursement regulation and the ONPA. Ultimately, those of us who provide direct patient care are accountable to the NPA first and we are requesting the agency provide clarity by requesting quarterly presentations by the OSBN.

We are hopeful management will attend these presentations with the direct care nurses. In order to achieve maximum benefit for the agency and the individual licensees, we are requesting the SHHC offer paid time to attend these presentations, which are one to two hours in length.

We look forward to receiving a response to our request within five business days of you receiving this.

Respectfully, the PNCC

While we wait for Mary’s reply, we strongly encourage each of you to visit the [OSBN website](https://www.oregon.gov/osbn/Pages/Presentation_Request.aspx) and review the [ONPA](https://www.oregon.gov/osbn/Pages/Presentation_Request.aspx). It is your legal and professional responsibility to understand your legal scope of practice. Ignorance of the law is not an excuse for violating the practice act – please don’t put your license at risk!

5. Foundation funded Wound Care Education Scholarships. We were disheartened to learn after months of working on Wound Care training funded by the PeaceHealth Foundation, Mary Allred has scraped the project. Maggie Yokum, RN HH and Cindy Rasavage, RN HH have spent months working out the details that would have provided for three nurses training to manage the increasingly complicated wounds. HCSs is now seeing through paid scholarships to obtain their Certified Wound Ostomy Nurse (CWON) certifications. Administration was insistent that training only be offered to visiting nurses and case managers working an FTE of 0.8 or greater (excluding nurses working per diem, less than 0.8, and PCC’s). When nursing pointed out the many reasons this is not advisable, Mary abruptly ended this endeavor.

As you may be aware, ONA has been working on creating an agreement for the awarding of Foundation funded scholarships for up to 3 nurses to expand their ability to provide expert wound care to our patients. This opportunity was initially promoted by management / Human resources in the winter of 2020 and a concrete proposal was presented to management by Cindy Rasavage WOCN in the...
summer of 2020. There were issues to be resolved regarding who would be eligible for these scholarships. ONA wanted to be sure that the process was fair and equitable for our members. After reaching out to management at the end of October, ONA did not hear back from management so that negotiations could continue. ONA requested follow up in October, November and December but got no response. On 12/29/20 Mary sent out an email stating that management was rescinding their proposal for the scholarships.

Unfortunately, at this time, further support and education for staff to manage our complex wound and ostomy patients is at a stand still. We are very disappointed with management’s lack of support in providing appropriate educational opportunity for our staff.

We as nurses have the responsibility and power to speak up for best practice and hold those responsible for thwarting that endeavor accountable. We encourage you to attend the next director’s forum in February to ask any questions you may have.

As a reminder, Mary has not directly responded to the HCS’s petition signed by 75 percent of HCSs RNs sent last November 2020, a weak response from HR was received instead (see SHHCS Dec. 9 newsletter). A handful of RN leaders in HCSs deemed this unacceptable and subsequently sent letters to VP Home and Community Services Bryan Stewart requesting accountability from nursing leadership and a response from Mary. Nursing has yet to receive a reply from either Bryan or Mary to the widely felt concerns detailed in the petition.

Please feel free to reach out to any PNCC member to further discuss any of these topics or issues related to nurse practice.

Respectfully,
Alicia Harrison, RN, HI Chair
Paul Van Waardenburg, RN, HO Secretary
Lise Tilley, RN, HO, Joy Straub, RN, HH,
Danielle Kelly, RN, HH, Allison Hyder, RN, HO

**Don’t Go Alone!**

**Weingarten Rights. Do you know your rights?**

Weingarten was a U.S. Supreme Court case that gave workers the right to have a steward present in some circumstances "when a supervisor asks for information that could be used as a basis for discipline."

As a represented nurse you should always request a steward if a meeting could lead to discipline.

You should say the following whenever requested to go to a meeting with administration or your manager:
"Could this discussion in any way lead to discipline? If so, I respectfully request that my union representative be present."

There may be times when a manager ignores a nurse’s Weingarten rights. If that happens, you should stay in the room to hear the manager out and take notes. If you are denied representation you don’t have to answer any questions until you have a representative present.

If this happens to you, please reach out to your steward or labor representative right away!

**My manager asked to have a meeting with me, and I told them I wanted an ONA rep to join me, now what do I do?**

ONA has multiple stewards at SHHCS that have been specially trained to join you for this type of meeting. [SHHCS webpage](#)

**Why should I bring a steward? Won’t that make things worse?**

Stewards have received special training to represent you in this type of meeting. A steward will help coordinate the meeting time and location and is there on your behalf to support and advocate for you. They are also there to take notes so there is a record of the meeting. If you do receive a corrective action the steward or labor rep will help to determine if the discipline is fair and accurate or if it needs to be

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Don’t Go Alone!  *(continued from page 3)*

grieved or challenged. Don’t go alone.

**Are you interested in becoming a steward?**

Trainings include new steward trainings, basic grievance handling, and building power. SHHCS needs more stewards! Let us know if you are interested in being an advocate for your fellow nurses!

Questions or comments? Let us know! Reach out to a current steward for more information or contact Laura Lay at Lay@OregonRN.org.

SHHCS Stewards: Jo Turner, RN, HO, Maggie Yokum, RN, HH, Allison Hyder, RN, HO, Paul Van Waardenburg, RN, HO.

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**ONA stewards are the lifeblood of what makes our union strong. A strong union has at least one steward for every unit and shift. Stewards are there to answer colleague’s questions and discuss concerns and help keep every nurse up to date on important union activities.**

**Space is limited so register today at:**


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**Introductory Steward Training**

- Thursday, January 28, 2021
- Saturday, April 17, 2021
- Saturday, June 19, 2021
- Tuesday, September 21, 2021
- Thursday, December 9, 2021

**Grievance Handling Training**

- Saturday, February 27, 2021
- Wednesday, May 19, 2021
- Thursday, July 22, 2021
- Saturday, October 9, 2021

**Building Worksite Power Training**

- Tuesday, March 16, 2021
- Saturday, August 7, 2021
- Wednesday, November 10, 2021

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**Save the Date: ONA Virtual Lobby Week, Feb. 22-26**

**We Always Show Up!**

This year, the legislative meetings will take place virtually over the week, providing nurses with multiple opportunities to advocate for the profession and patients. There will also be write-in opportunities for those who are unable to attend a virtual meeting.

**Registration will be open by Jan. 21, 2021 and is free for all members and nursing students to attend.**