Q. Where are we at in the bargaining process?
A. Direct negotiations with management stopped being productive. Our first mediation session was July 9 and the next session is not yet scheduled.

Q. What is mediation?
A. When progress during negotiations stops, third-party neutral mediation provided by the Federal Mediation and Conciliation Services assists the two sides in reaching agreement. Their job is to get a contract settlement.

Q. Are we close to reaching a deal?
A. We were. At the start of our July 9 session, our ONA team was prepared to reach a tentative agreement on a new contract. We believed that, after months of work, the most significant issues identified by our nurse colleagues had been addressed.

This changed when Legacy asserted contract changes that would cause nurses to forfeit their current right to bargain over existing annual paid leave (APL) and Legacy shift incentive (LSI) benefits. Their proposal would mean that we would have to accept without a say whatever change they might want to implement in the future to APL and LSI benefits.

Q. Why is Legacy asking us to waive a right that we are legally entitled to?
A. Because they want the power and authority to unilaterally change this major part of our benefits without our say. We have a union. So our employer is required to bargain in good faith with us over mandatory subjects of bargaining such as wages, benefits, and working conditions. LSI and APL are both mandatory subjects of bargaining. If they want to reduce these benefits for all their unrepresented nurses at other hospitals, they can. But not for us. Right now we have the power to say no. This right makes it harder for Legacy to roll out LSI/APL benefit cuts with their non-union nurses because those nurses would question why Silverton nurses were spared.
Q. Does Legacy have plans to cut our APL or LSI?
A. Who knows. Earlier this year, Legacy made system-wide cuts to APL benefits for 20-hour/week positions. Legacy claims that they have no plans to make changes to these benefits. This is by no means a guarantee. Moreover, if they in fact are not going to change anything, why insist that ONA nurses give up the right to negotiate over changes in the future?

Q. Are there other ONA contracts where nurses have waived their right to bargain over these types of benefits?
A. Nope. Not a single one of the 50 ONA contracts waives this right. In fact, all bargaining unit ONA nurses in the state of Oregon and all other unionized Legacy workers in Oregon (represented by SEIU) have the right to bargain over these benefits. Accepting this proposal would put us behind.

Q. Shouldn’t our benefits be the same as all other Legacy employees?
A. Sure - if it’s fair. But it’s not. Despite what management has claimed, not all Legacy employees have the same APL or LSI benefits. At Legacy Emanuel, Randall and Good Samaritan over 1100 nursing assistants, food service workers, aides, techs, clerical staff, maintenance staff and many others, have higher APL than we do with the system wide policy. They guarantee up to 304 hours as their annual cap and 560 hours for the maximum balance, which is greater than the system wide benefits, and thus greater than what we receive. They have these benefits because they bargained them in their SEIU contract and didn’t waive the right to negotiate over these benefits.

Q. Why is Legacy doing this?
A. They simply do not want us to have a union contract. In 2016 they tried to gut our contract deleting the vast majority of articles in their opening proposals. This is another attempt to work towards that. They want power to make changes as they see fit without a voice for nurses at a bargaining table.

Q. What do we do now?
A. We stand up. We say no. Over the next few weeks, we will continue sharing information with you about Legacy’s proposal, and how it would impact us. We’ll also be asking for input from you.

Our ONA bargaining team cannot win this without you. We need your support, your voices and your action in coming weeks.

For now, talk with your colleagues about these issues. Make sure everyone on your unit understands what’s at stake, and is ready to stand alongside each other. Now is the time to come together and fight for our workplace, our patients, our hospital.

We are ONA!