Bargaining Update for Cancer Center Nurses

Bargaining for inclusion into the existing St. Charles Medical Center - Bend (STC-B) bargaining unit for the Cancer Center was supposed to take place on Sept. 16, 2020. Management’s attorney asked for an extension due to not being prepared with verified experience history. This information is being used to determine whether or not Cancer Center nurses were truthful on their resumes and if their qualifications are in line with other STC-B nurses.

The Cancer Center nurses have been in their roles for a number of years before voting to be a part of ONA. ONA

Cancer Center nurses have been waiting on a counter proposal from management since June 26, 2020. The make-up day will be Sept. 23.

SRDFs: Important Documentation

Individually, if you are ever called in front of the OSBN or have litigation due to practice, this documentation could be vitally important to your case. Because it is cataloged and maintained by ONA indefinitely, you will always have it available. SRDFs are also used by your ONA Staffing Committee members to build and enforce safe staffing plans.
Support Darlene Yochum, RN

In March, Darlene was brought to human resources (HR) because her manager allegedly heard other nurses talking about her. The rumor was Darlene had been terminated from another job years before in California. The manager felt justified to go through Darlene’s employment file to make sure “a box was checked.” This was not an in-unit chronological file but Darlene’s actual employee file.

In the meeting with HR and her manager, Darlene was honest and forthcoming. She had never hidden any information and had spoken in length with her previous manager about her previous jobs, including her previous work at STC-B. She listed all of her previous employment to be verified, including the position she was let go from in California following a back injury.

After Darlene became employed by SCHS-B, the California Board of Nursing (CA BON) heard a complaint from Darlene’s former employer. A very high percentage of complaints come from former employers as “having the final word” after a termination. The complaint was not regarding unsafe patient care, so instead of putting her family in financial distress and choosing to make Oregon her home Darlene decided not to return to California to engage on the complaint. She decided to just let the CA BON hand down a resolution.

The CA BON decided to put Darlene’s license on probation only in California.

Darlene immediately reached out to the Oregon Board of Nursing (OSBN). The OSBN did their investigation and they determined Darlene can practice unencumbered, which means that Darlene is able to work without any restriction in Oregon where STC-B is located. The OSBN assured Darlene that all investigations are confidential and since there was no findings there was no need to disclose the investigation.

**Quick timeline:** Darlene got the job at SCHS-B, CA BON sent notice of complaint and the resolution and OSBN said her license was unencumbered.

In March 2020, STC-B management, with HRs support, terminated Darlene for not making them aware of the action in California. Darlene has since provided evidence from OSBN to show that the California resolution states probation is only in effect in California and Oregon is not recognizing the CA BON resolution as an issue throughout the stages of the grievance process.

While waiting for the answer to the Step 3 grievance, six months after her termination, HR approached Darlene asking her to resign. Resigning would nullify any real ability to arbitrate or continue her appeal for employment insurance which management has denied her for more than six months.

This type of action by department managers and HR does not build trust or foster healthy work environments.

Please support Darlene! She should be reinstated immediately and made financially whole. Sign the petition showing your support: [https://bit.ly/2HHMMaV](https://bit.ly/2HHMMaV).

Bullying is Not Tolerated

Nurses are capable, strong and smart people. When they are made to feel less than, harassed or belittled it has a direct effect on patient care and outcomes. Because of these factors, it has become necessary for ONA to utilize the tools the OSBN has put forward to deconstruct bullying in the workplace for nurses.

We have filed complaints with the OSBN naming more than one department manager at SCHS-B. This was not a decision that was made lightly. SCHS-B management was given ample notification of the issues and time to correct them before we reached the decision to move forward with the complaints.
ONA Statement on Forced Sterilizations at ICE Detention Center in Georgia

We are outraged by reports that health care providers and officials at a U.S. Immigration and Customs Enforcement (ICE) facility run by a private prison company have denied immigrants basic medical care and sterilized women against their will.

These human rights abuses defy every health care providers’ code of ethics and continue a cruel and tragic history of health care providers and government officials ignoring and abusing the rights of Black, Indigenous, and People of Color (BIPOC). Nurses are called to be advocates for our patients and to promote and protect all peoples’ rights.

We join our colleagues throughout the country and around the world in calling for an immediate investigation into these charges and we applaud the nurse whistleblower who spoke out to bring these atrocities to light.

Travis Nelson, RN, ONA Cabinet on Health Policy
Deborah Riddick, JD, RN, ONA Director of Government Relations

Read the full complaint filed by the nurse whistleblower and advocacy groups.

Pandemic or Unemployment Assistance

Lost Hours? If you’re being low censused you may qualify for either benefit.

Unemployment Benefits: If you are losing hours and worked at least 500 hours last year OR earned more than $1,000 last year and worked throughout the year, you may be eligible for unemployment benefits.

For most nurses, if you were paid less than $648 in a week, you’re likely eligible. Note: Unemployment is not a substitute for paid leave. If you used paid leave to fill in for hours you would normally be working, unemployment benefits will not cover those hours.

Benefits range from $151/week to $648/week per person. Individuals are eligible to receive 1.25 percent of your yearly earnings per week.


Pandemic Unemployment Assistance: Even if you don’t qualify for regular unemployment benefits, people out of work due to COVID-19 are eligible for pandemic assistance.

Assistance ranges from $205/week to $648/week. You can receive 1.25 percent of your yearly earnings per week.

How Do I Apply? To apply for pandemic unemployment assistance click here, or go to: https://govstatus.egov.com/PUA

Please note that this is not legal advice. This summary is based on our understanding of Employment Department rules. If you have a legal question, you should speak with an attorney. ONA members receive a free half-hour consultation with a local law firm as a member benefit. Contact information is available at the ONA website. www.oregonrn.org/485
What are Your Weingarten Rights?

In the case *National Labor Relations Board vs. J. Weingarten, Inc.*, the Supreme Court ruled an employee who reasonably believes an investigatory interview will result in discipline has the right to have a union representative present. This is legally protected activity under the National Labor Relations Act (NLRA) and is your fundamental right as part of an ONA bargaining unit.

All nurses in ONA bargaining units have the right to ONA representation during any investigatory interview that could lead to discipline. By invoking your Weingarten Rights, you ensure you have an advocate by your side during difficult conversations. Having an ONA steward or labor representative supporting you gives you a contract expert to advise you during any conversations with management that may lead to discipline.

While we hope you never need to exercise these rights, it’s important that we all know our rights in order to protect ourselves and our coworkers.

You Have a Right to Representation

Every nurse has discussions with supervisors about job performance. When this happens to you, there is an important question to ask your boss, “Could this meeting lead to discipline or affect my personal working conditions?”

If the answer is “Yes,” stop the meeting and invoke your Weingarten Rights by saying:

“If this discussion could in any way lead to my discipline or termination, or affect my personal working conditions, I request an association representative, steward or officer be present. Unless I have this representation I respectfully choose not to participate in this discussion.”

How to Use Your Weingarten Rights

Take immediate action when you are called into a meeting or discussion you believe may lead to discipline.

- Ask the supervisor or manager who is present, “Could this meeting lead to discipline or affect my personal working conditions?”
- If the answer is “Yes,” stop the meeting immediately.
- Invoke your Weingarten Rights by saying: “If this discussion could in any way lead to my discipline or termination, or affect my personal working conditions, I request an association representative, steward or officer be present. Unless I have this representation I respectfully choose not to participate in this discussion.”
- Contact your ONA steward or ONA labor representative immediately or call the ONA office at 503-293-0011.
- Wait for the ONA steward or labor representative to arrive or reschedule the meeting. Do not continue the meeting until your ONA steward or representative is present!

Every ONA nurse has the right to fair representation. If you have additional questions about your Weingarten Rights, contact your union steward or your labor representative, Renee Ruiz.

Need help remembering your Weingarten Rights?

Request an ONA badge backer from your labor representative, Renee Ruiz. ONA badge backers identify you as a registered nurse, fit most lanyards and contain the full Weingarten statement on the reverse side.