We are Ready to Start Negotiating

In our 3-day May 2019 hearing with the National Labor Relations Board (NLRB), Unity management tried to delay our union organizing efforts, arguing that Unity nurses should have a union vote with Legacy Emanuel nurses. The NLRB sided with us, and we held our union election in June. Unity then decided to appeal the NLRB’s decision that let us have a vote.

In late November, we received the long-awaited news that we were hoping for—the NLRB agreed with us and respected our long and hard-fought union win! With this decision, we are eager to get sit down with management to talk through our priorities.

Have you filled out your survey?

To effectively represent all nurses during our negotiations, our bargaining team needs to hear from you! Our contract will address patient and nurse safety, working conditions, education and training, staffing, and compensation levels. Last week, we sent you a survey, asking for your opinion on these issues. Please fill out this survey before Friday, Dec. 20, 2019. It takes just 10 to 15 minutes to complete. Thank you!

What else can we do to support our bargaining team?

Our ONA negotiating team will make sound arguments about our priorities, but that won’t be enough to win an agreement that nurses and our patients deserve. We all need to pitch in and play a role. When we demonstrate that we are unified, we can make real change and win a strong contract. Here are ways you can demonstrate your solidarity and support for our team and for each other:

• Wear buttons
• Sign petitions
• Public and community outreach—outside of work hours, we speak with community organizations, hold union rallies, and speak with elected officials.

(These actions are different than a strike. A strike is a method of last resort. We vote on this after we’ve tried everything else to reach agreement.)

STEPS TO COLLECTIVE BARGAINING

We participate in supportive activities.
In late August, one of our patients had a sentinel event. Instead of using a Just Culture Algorithm or engaging our staff members in a root cause analysis or addressing system issues, management chose instead to blame individual nurses. This response feeds into a culture of fear where staff may underreport issues for fear of being disciplined.

Soon after this happened, we received mixed information regarding nurse handoff and our role in the q-15 checks. An overwhelming majority of us (85%) signed onto our petition which asks for clarification of these items in addition to taking a collective look at what system errors occurred in order to figure out what steps can be taken to prevent those errors in the future.

Last week, the affected nurses and our ONA executive team had a scheduled meeting with Unity President Melissa Eckstein. During this meeting, we planned to give her our signed petition and explain why we need to work together to solve these issues. Unfortunately, Melissa cancelled because she said it was a bargaining issue. We, however, know that this is an urgent practice issue that requires immediate attention. We will continue to work to meet with management to discuss our issues and will keep you posted.

Unity nurses Sherrie Neff (1E), Tamara Kneipp (Unit 2), Kristen Sharp (Unit 2), and Sarah Mittelman (PES) leave our petition with Melissa’s staff.

Our First Bargaining Sessions

Meet & Greet Bargaining Session
Friday, Jan. 17, 2020, 2—4 p.m.

Bargaining session #1
Monday, Jan. 27, 2020, 8 a.m.—4 p.m.

Bargaining session #2
Friday, Jan. 31, 2020, 8 a.m.—4 p.m.

Location TBD
Assignment or Delegation?

Following the sentinel event, management redefined our understanding of the role of our colleagues, Behavioral Health Therapists (BHTs). In addition to an educational training, several managers informed us that we are now responsible for ensuring the BHTs complete their work.

As nurses we value the contribution of BHTs. They are a core part of the team and we could not do our job without them. Management insists on the added responsibility of nurses double-checking the BHT’s safety checks. The only way to do this is to follow around our colleagues all day—creating a culture of micromanagement and extra work to our already full workload.

We disagree with management’s interpretation of the nurse practice act and voiced our concerns in several meetings. We reached out to the Oregon State Board of Nursing (OSBN) to get clarification on this issue that affects our licenses and the culture of our units. Here’s what OSBN Executive Director Ruby R. Jason, MSN, RN, NEA-BC has to say:

1. “Delegation” only occurs in community settings (not a 24/7 hospital). Therefore, Division 45 Standards and Scopes of practice that management refers to, does not apply.

2. For inpatient psych areas, nurses “assign” duties based upon their knowledge of the role of the BHT, their organizational approved competencies and job description.

3. Since Unity employs BHTs and verified their competencies, and because rounding on patients is a role expectation of the BHT, then management is accountable for their performance to their employer.

4. When a nurse “assigns” a task in this type of scenario, they are NOT accountable under their license for the lack of performance by the BHT. The only time it is under your license is if you assigned a BHT to perform a patient care task that you know they are not competent to provide.

Doctor’s Orders

We agree with OSBN’s clarification. In last week’s inpatient shared governance meeting, our petition was read aloud with management present. Management’s response was that we are still responsible for the completion of tasks by BHTs because the safety checks are a doctor’s order and only nurses can carry out or delegate MD orders. Kristen Sharp, Unit 2 RN, reached out to OSBN for clarification on the nurse practice act’s “Liability of Nurse Supervising Nurse Assistants” (678.036). Here’s what Ruby R. Jason, MSN, RN, NEA-BC had to say:

"Technically physician orders can be carried out by non-nurses if the order was written to the non-nurse and the non-nurse signs off the order and the physician knew that they had the knowledge, skills and abilities, and competencies to carry out the order. Signing off an order means that you have the abilities to understand the order and determine if the order is appropriate for the client. The statute they are referring to states that nurses can accept orders from physicians but it is not an exclusionary statute. Pharmacists, dieticians, social workers, medical assistants, etc. all may implement a physician order if their organizations allow them to do so. If you know that the BHT has the competencies to perform the skill and, based on organizational policy, they would be accountable for the requirements of their role.”

Nurses are currently the ones that sign off on the doctor’s order for the safety checks, but this is a practice that can be changed to better reflect everyone’s current responsibilities. Again, we are continuing to ask management for a meeting to help address this issue.
**Join the Contract Action Team (CAT)**

We need nurses from every unit and every shift to join our ONA Contract Action Team (CAT). CAT members will ensure we have a flow of communication to and from the bargaining team throughout negotiations and keep everyone up to date and in the loop.

Will you join us? Let one your bargaining team members know or contact Aaron Giesa at Giesa@OregonRN.org.

**Meet Our New ONA Labor Representative**

Aaron Giesa joined ONA as a labor representative in 2019. A lifelong resident of the Pacific Northwest, Aaron has been working professionally in the labor movement since 2006. Most recently, Aaron worked with the nurses and other healthcare professionals at Kaiser Permanente, supporting them through contract negotiations and the enforcement of their rights on the job. Currently he is working with nurses at the State of Oregon, American Red Cross, Multnomah County, Legacy Silverton, and Unity.

He is incredibly excited to be working with Unity ONA members on their historic efforts to win a first union contract. He will be supporting us by training our union stewards (our coworkers who are our trained union advocates), helping us with grievances and disciplinary issues, helping foster connections between nurses at Unity and Silverton, and generally supporting us through our contract campaign.

You can reach Aaron at Giesa@OregonRN.org or 503-293-0011 x1370.

**SAVE THE DATE!**

**ONA Convention and House of Delegates**

May 18-19, 2020, Portland, OR

The convention's theme is "Rising Up Together" and will feature sessions on professional development, nursing practice and workplace issues, as well as topics critical to ONA's strategic plan including equity and inclusion.

Registration is open at oregonrn.org/events