

"The boss doesn't listen when one guy squawks, but s/he's gotta listen when

# THE UNION TALKS

## MGH EVS VOTES INFORMATIONAL PICKET

April 2003  
Volume 2, Issue 4



This is an MHS employee-produced monthly newsletter. It will report union activities and issues from facilities represented by SEIU Local 250.

Letters and suggestions are welcome-  
dillwood08@msn.com

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Ask Josie

An online copy of this newsletter as well as information and photographs of Sacramento union events can be seen at

<http://dillingertoons.net>



MGH shop stewards delivered the notice of intention to hold an informational picket.

**M**GH EVS employees and all Union members had yet another opportunity in March to learn about Union Contract enforcement. Bargaining that began last Fall with CHW over changes in job duties in EVS appeared stalled when the EVS manager announced a May 4th date for implementation of his redesign plan for the department.

Since the Union was still offering proposals, this abrupt announcement felt like bad faith bargaining, and a vote to protest with an informational picket was held for EVS on March 25th. The vote was overwhelmingly in favor of the picket and the required ten-day notice was delivered to MGH Administration March 26th.

Subsequently, MGH agreed to meet with the Union to offer a new proposal, which Union members countered. We are now awaiting the next step.

Until further notice, the informational picket will continue as planned on April 9, and all employees and well-wishers are invited to participate during lunches, breaks, or other off-work time.

Remember, it is your right to participate in an informational picket and we encourage you to support EVS employees (and ultimately, yourself!) by joining the picket line for whatever time you can give.

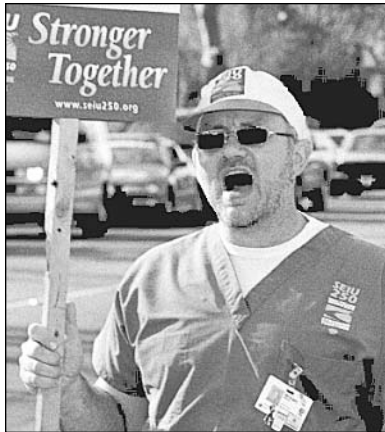
Could redesign changes in EVS affect you?

Absolutely! Shop Steward Victoria Gorman of Patient Registration described a situation in her department when a very ill patient waited for three hours in her department because his room was not ready for occupancy - no EVS employee had been available to clean it. In other departments, patient care employees have been advised they may be assuming EVS tasks such as trash removal.

Reduction in frequency of some EVS services may also occur, such as removing dirty linen "when the bag is full" as opposed to everyday. Is this a standard of hospital cleanliness we want to see?

--E.Dillinger and V. Gorman,  
MGH

**An injury**



MGH Steward Bill Watson

"Staffing problems are SO great that it's next to impossible for supervisors and managers to schedule you to be somewhere other than at your job."

"Are they really interested in doing the right thing for patient care and the employees or is this gonna be another confrontation? We should be able to fix this one, don'tcha think?"

**"It isn't the rebels who cause the troubles of the world, it's the troubles that cause the rebels."**  
--Carl Oglesby

## CONTINUING EDUCATION ABOUT CONTINUING EDUCATION TIME.....

**O**ur contract guarantees the availability of and payment for Continuing Education Time (CET) for all employees covered under the contract. To be eligible to apply for CET, you must be a benefited employee and have more than six months of continuous service with the employer. You can then be paid for up to thirty-two hours of CET each calendar year (prorated for less than full-time employees). You will be paid at your straight time hourly rate and CET will NOT be used in the determination of overtime eligibility. The courses must be related to your area of work, offered by an accredited institution, and have a direct benefit maintaining and improving skills in your current position. For more information on this, look at your contract or speak with your shop steward.

**T**he contract also says "CET will NOT be paid in excess of the normal work schedule. CET is not considered productive time . . ." Excuse me . . . WHAT WAS THAT? Looks like a boo-boo to me. We have had employees apply for CET, be approved and take the classes only to find out

that the compensation folks will not allow the hospital to pay the employee because the class was scheduled during the employee's off time. It seems that the contract requires that CET's be taken on scheduled work time only. That means that you have to be scheduled to have a "CET day" that doesn't exceed your regularly scheduled hours of work. You have to take CET on work days. We need a Band-Aid.

**F**irst big problem here is that staffing problems are SO great that it's next to impossible for supervisors and managers to schedule you to be somewhere other than at your job. We're just too busy. Second problem is that if you work 12 hour shifts, the class usually only lasts eight hours. That means PTO for the other four hours unless you go back to work for the remaining part of your shift. The third biggie is that we got paid for CET's (those that were allowed to take them) taken outside of regular work hours before the contract.

**W**e have met with Human Resources in hopes of resolving this

issue. Hopefully, it won't be too difficult. Hospital management and supervisory people are on our side with this one. They want us to take CET's on our days off and get paid for it. They want us to continue to better ourselves and be more competent at what we do. They want us to keep our licensure and certifications so that we can continue to practice what it is we do so much better than other hospital systems. They want us to be at work when they need us and still have the incentive to continually improve our skills and knowledge base. Looks like everybody but the compensation chiefs are on board with this one.

**L**et's see what happens. Are they really interested in doing the right thing for patient care and the employees or is this gonna be another confrontation? We should be able to fix this one, don'tcha think?

MGH Steward Bill Watson

## WOODLAND MEMORIAL UNION MEMBERS PICKET

Union employees at Woodland Memorial Hospital voted March 13 to hold an informational picket when contract bargaining stalled. At issue were job matches, a compromised "free" dependent health care benefit, and an odd management demand that a 5% wage increase given just before the Union election be considered part of the 10% wage increase Local 250 proposed.

The 96% "yes" vote to picket occurred immediately after CHW walked away from the bargaining table. "We were tired of being treated like second-class citizens here at Woodland Memorial," Maria Jenkins, (Patient Reg.) stated. "We could see during bargaining that CHW didn't take us seriously. We're showing them today that we are."

Last year, employees at the neighboring Woodland Clinic bargained a significantly better contract with CHW than is currently proposed for Woodland Memorial, and it is unlikely



Woodland Memorial employees were joined by Local 250 members from other CHW hospitals in an informational picket on April 1st.

that Union employees will accept this diminished version.

The picket line at Woodland stretched the entire length of the street from Gibson Road to near the entrance of the hospital. Union employees were joined by Local 250 members from other CHW hospitals. They carried signs, wore Union purple shirts, and chanted slogans in an effort to educate co-workers, patients,

visitors, and, of course, management about the bad faith bargaining going on at Woodland Memorial.

Several Woodland employees described the "conversion" effect they'd experienced during the Union organizing effort and subsequent contract bargaining. "I was against the Union at first," said Celeste Gutierrez (Patient Reg.) but I kept hearing what Local 250 had done at other hospitals and I could see that we were being treated like second-class citizens here. I'm a single mom-- I can't afford that!"

It was just a year ago in April that the Service Unit of MHS hospitals (including Woodland Clinic) won their first Local 250 Union contract. That was followed by the Tech bargaining Unit contract in October.

We offer Woodland Memorial Local 250 employees our help and best wishes in this contract fight!

-Ellen Dillinger, MGH

## CALIFORNIA BUSINESS JOURNAL BRINGS WELCOME NEWS FOR MHS

Employee complaints about understaffing at Mercy are frequently answered with management warnings about "being over budget." Employees are told that the department is overstaffed and that budgetary requirements may require job cuts, not increases.

It was with pleasant surprise, then, that I read the California Business Journal headline for March 14, 2003.

### "CHW PATIENT CARE NO LONGER BLEEDS RED INK"

The accompanying story explained that Mercy Hospitals Sacramento had reversed its downward fiscal spiral pre- 2001 and is now in the black. "Operating performance at Sacramento hospitals remains strong," according to William Hunt, CHW VP. The Business Journal elaborated on CHW's expansion plans in Sacramento, among them a \$400 million plan which includes \$173 million for a new heart center and retrofit at MG, and \$121 million for a four story wing at Mercy San Juan. \$14.2 million will expand the ER at Mercy Folsom, \$11.2 million will be spent for the ER at Methodist, and

\$2.9 million will be spent to expand psychiatric inpatient care at Woodland Memorial.

While we who work here applaud this sign of well-being in our healthcare corporation, we feel compelled to mention that it is not the buildings that provide the "care" in healthcare, it is the employees. If understaffing causes the quality of care in our hospitals to suffer, it will not matter that the decline occurred in a state-of-the-art-building.

Ellen Dillinger, MGH



Lorenza Clausen, Rad tech  
Patient Care Committee

"Our purpose is "to monitor the quality of patient services and to make recommendations to improve patient services in the context of work design, if applicable, or in current method or system of patient services delivery"

## **PATIENT CARE COMMITTEE GETS ITS START AT MGH**

The Patient Care Committee held its first meeting on March 12, 2003, followed by a second on March 20th. The committee was formed last November as part of the agreement with CHW. The six nominees obtained petitions signed by fellow coworkers, as required by the nomination process. The current members are Sally Carroll (RT, Respiratory Therapy), Lorenza Clausen (RT, Radiology), Martina Heese-Rogers (Care Assistant, 2 East), Nancy Kislow (RT, Respiratory Therapy), Stephanie Rhodus-Cortese (LVN, 2 East) and Bill Watson (Monitor Tech, 2 East).

Our purpose is "to monitor the quality of patient services and to make recommendations to improve patient services in the context of work design, if applicable, or in current method or system of patient services delivery". The committee will be able to achieve these

goals by meeting with each other, fellow employees and the six members of the CHW committee.

The issues brought to the committee will be discussed with the affected department(s) to get input prior to meeting with CHW. Any proposals will first be voted on by the affected members.

Any tentative agreements reached in committee will not become final until voted on by the affected membership. During any meeting with management the normal rules of collective bargaining will also apply to our committee. We will speak as one voice, have the right to caucus, involve the membership, take any necessary action and have the right to information.

Other area hospitals are in the process of forming their own committees. There are future plans to meet with

them, in order to share ideas and resources. This should better help us in reaching our goal to improve patient care at Mercy General Hospital.

We will keep you updated on future meetings and achievements as they occur. Please feel free to contact anyone on the committee with issues and/or ideas.

Lorenza Clausen  
Radiological Technologist  
Mercy General

Editor's Note: The Patient Care Committee will be using "Objection to Assignment" forms to assess staffing problems. Please fill one out if you are impacted by understaffing and turn it in to a shop steward, PCC member or a Union Field Rep. The forms can be obtained from your shop steward or Field Rep.

## **UPCOMING SHOP STEWARD EVENTS AND CHANGES IN GENERAL MEETINGS**

### HOSPITAL DIVISION STEWARD COUNCIL MEETING

DATE: APRIL 5, 2003

LOCATION: UNION OFFICE IN OAKLAND,

TRANSPORTATION PROVIDED. Bus will leave Sacramento 07:30 am Return at 1630 hours.

LUNCH PROVIDED. CHILD CARE PROVIDED.

FOR MORE INFORMATION, PLEASE CONTACT YOUR SEIU FIELD REPRESENTATIVE

**NOTICE: The April 10th General Membership meeting at Methodist has been moved to the temporary conference room. Times are 0700 - 0900 and 1530-1800 hours.**

**Bruceville General Membership meetings will be held at 3:30-6:00 p.m. only. (No am meeting)**

**to all.**

**JOB MATCH ARBITRATION AND SUMMARY OF MAY 2003 WAGE INCREASES:**

**H**ow do you decide what a job's wage should be? In the Sacramento area, Kaiser wages have always been the industry leader, so when we bargained our Contract, we looked at what Kaiser jobs paid. However, to do that, we had to match MHS jobs to their equivalent at Kaiser, and MHS did not always agree with the Union as to what the match should be. Though most jobs were eventually matched, about 14 job classifications were not, and it was agreed to ratify the Contract and take the disputed job matches to arbitration later.

**L**ater was March 2003, when the Union and CHW gave testimony and filed briefs on job matches and an arbitrator made the call.

**I**n determining job matches for clerical positions, Kaiser's Clerical Grades 1-7 were used. To learn what those grades mean and their wage scale, consult the Kaiser contract.

**THE ARBITRATOR'S AWARD:**

1) At issue in the first case was whether MHS Program Assistant and Senior Program Assistant job classifications would remain separate (MHS' position) or be matched as two steps of Kaiser Medical Secretary (Union position). The arbitrator determined that Program Assistant will be classified at Kaiser Clerical Grade 7 and Senior Program Assistant will be at Kaiser Medical Secretary level. This is an advancement for both to match the higher Kaiser levels.

2) Department Tech-Hospitalist: The Union position was that this position should be matched to Kaiser Medical Secretary. CHW put the match at Kaiser Clerical Grade 7, which is lower. The arbitrator determined that the position should be compensated at Kaiser Medical Secretary level plus 5%.

3) Office Clerical Series: Arbitration advanced these jobs to the Union proposals at higher levels  
Office Assistant I = Kaiser Clerical Grade 4 = Union position (CHW match was Grade 3)  
Office Assistant II = Kaiser Clerical Grade 5 = Union position (CHW match was Grade 4)  
Senior Office Assistant = Kaiser Clerical Grade 6 = Union position (CHW match was Grade 5)  
Office Assistant/Transcriptionist = Kaiser Clerical Grade 7 = Union position (CHW match was Grade 6)

4) Emergency Dept. Tech: Not entitled to premium pay for work in MSJH trauma unit. No advance.

5) Patient Registration/Patient Account Series: Arbitration advanced these jobs to the Union position/higher levels  
Patient Registration Assist. II and Patient Account Assist. II = Kaiser Clerical Grade 5 = Union (CHW was Grade 4)  
Sr. Patient Registration Assist = Kaiser Clerical Grade 7 = Union (CHW was Grade 6 +10%)  
Sr. Patient Account Assist: = Kaiser Clerical Grade 7 = Union (CHW was Grade 6)  
Principal Patient Account Assistant = Kaiser Clerical Grade 7 plus 10% = Union (CHW was Grade 6 +10%)

**WHAT HAPPENS NOW?**

In May of 2003, our Contract enters its second stage. Every Union employee will be brought to within 5.5% of the Kaiser October 2002 B-2 wage scale. If your wage currently is far away from 5.5% of Kaiser (and some employees are 30% away), your wage increase will be larger than someone whose current wage is closer to Kaiser. Union employees who are already 5.5% or closer to the Kaiser wage scale will receive a 4% wage increase. Kaiser's wage scale for each job classification is based on years of service and ours will follow that system.

**IT IS SO ORDERED: ARBITRATION RESULTS FOR TWO GRIEVANCES**

Two grievances that went to outside arbitration in February were resolved with an "award" from the arbitrator dated February 27th.

As in most disputes, there was a personal and a legal aspect presented in each case. Personal stories are what elicit sympathy and a sense of "That's not fair!" but it is the violation of the contract that brings a grievance to this final step in the process. It is the arbitrator's job to determine whether specific written provisions of the contract have been violated.

The first grievance arose from MHS' interpretation of AB 109, a state law that was written to allow employees to use accrued sick leave "to attend to the illness of a child, parent, or spouse of the employee." The law applies to employers who provided sick leave (not all employers do), and prohibits the employer from denying the use of sick leave for the above purposes, and from "discharging, threatening to discharge, demoting, suspending, or in any manner discriminating in the terms and conditions of employment an employee for exercis-

ing that right." (from the Legislative Counsel's Digest).

MHS (and other California businesses) used the wording of this law to escape the law's intention, and consequently MHS employees found themselves receiving "corrective action" when they used sick leave to care for sick kids, parents, or spouses. A grievance filed in October of 2002 contested MHS' interpretation of AB 109 and went to arbitration. The arbitrator determined that MHS's use of AB 109 as an "absence control policy" was not discriminatory (it applied equally to personal sick leave and leave to care for family members) and "thus did not conflict with the labor code applicable during the time period in question."

We lost the AB109 decision, but as of January 2003, a new law, SB1471, removes the supposed loophole and now employees DO have the right to use sick leave to care for family members. Corrective action "accrued" before SB1471 still stands, but from 1/1/03 on, SB 1471 rules!

The second grievance arose from MHS' belief that an employee hired before the Contract continued to be subject to the pre-Contract six month probationary period. The Union position is that the probationary period for all employees covered by the Contract is 90 days from the employee's date of hire, regardless of whether the date of hire was before the contract or not. The Arbitrator agreed with the Union.

The "personal" side of this second arbitration is that two employees had been "terminated" during what MGH believed to be their probationary period (The employer can terminate employees without just cause during probation). Since the employees' date of hire put them past the 90 days, the arbitrator's decision that they fell under the contract's provision meant that MGH couldn't fire them without just cause. The Union may now pursue grievances challenging these employees' terminations.

--Ellen Dillinger, MGH

**"WE ARE CALLED UPON TODAY TO DO WHAT CESAR CHAVEZ DID...."**

Sacramento celebrated Cesar Chavez' birthday this year with a march from Oak Park to the State Capitol. As founder of the United Farmworkers' Union, Chavez devoted his life to improving the dignity and working conditions of the people who work in the fields. An advocate of nonviolence, he opposed the Viet Nam war and worked tirelessly for social justice.

One Latino speaker at the memorial asked: "How would we most truly honor Cesar Chavez? Would it be as a kind of Disneyland Cesar, saintly and unthreatening, or would we more truly



Cesar Chavez march from Broadway and MLK to the Capitol on 3/29/03 included members of many labor unions, including SEIU Local 250.

honor him by continuing his work of nonviolent social justice?"

Father Kenny of the Sacramento diocese also spoke at this event, saying that the Catholic Church supports the rights of workers. "We are called upon today to do what Cesar Chavez did," he said. "May God bless you and keep you as you continue to work for the good of all."

In commemorating Cesar Chavez' tradition of non-violence, Father Kenny spoke briefly of the war in Iraq and of the Pope's stance against it.

-----Ellen Dillinger, MGH



## ASK JOSIE:

### Questions and answers to live by.....

"PEACE, LIKE CHARITY, BEGINS AT HOME" President Franklin D. Roosevelt  
U.S President 1933 -1945

- 1) Which president enacted the medicare program?  
A. Pres. Franklin D. Roosevelt      B. Pres. John F. Kennedy      C. Pres. Harry S. Truman  
D. Pres. Lyndon B. Johnson
- 2) Mercy Sacramento Service Employees will be brought within \_\_\_\_\_% of Kaiser B2 wages in May 2003.  
A. 10%      B. 12%      C. 7 ½%      D. 5 ½%
- 3) When and where was the first U.S. strike by doctors?  
A. 1925      B. 1939      C. 1975      D. 1965
- 4) Mandatory subjects which must be bargained according to the National Labor Relations Board?  
A. Absence rules      B. Elimination of positions      C. Production quotas      D. All of the above
- 5) What was the first African-American union?  
A. NAACP      B. Brotherhood of Sleeping Car Porters      C. The MLK, Jr. Union      D. The Federation of Freedom
- 6) The union can:  
1. Circulate a petition in support of a grievance      2. Write letters to local newspapers about a grievance  
3. Establish an informational picket to publicize the grievance      4. All of the above.
- 7) When an employee asks for representation, the employer must either:  
1. Grant the request and delay questioning until the union representative arrives.  
2. Deny the request and end the interview immediately.  
3. Give the employee a choice of (a) having the interview without representation or (b) ending the interview.  
4. None of the above

### ANSWERS

1. President Lyndon B. Johnson signed the Medicare bill on July 30, 1965.
2. Sacramento=5 ½%      Woodland=20%      Bruceville=10%
3. In 1975, physicians at New York City Hospitals engaged in a work slowdown to request shorter hours.
4. All of the above
5. The Brotherhood of Sleeping Car Porters, founded in 1925 by A. Philip Randolph and other labor leaders. The Pullman company at first opposed the Brotherhood, then awarded the Union its first contract in 1937. Later the Brotherhood became best known for its civil rights activism.
6. All of the above
7. 1, 2, and 3

## WE NEED MORE SHOP STEWARDS!

### CHIEF SHOP STEWARDS

MGH: TBA  
Home:  
Work:  
METH: Chris Kurpies  
Work: 423-6176  
Bruceville Terrace:  
Christine Thomas  
684-9265  
MSJH: Sherri Macias  
Home: 971-0654  
Work: 537-5037  
Woodland Clinic:  
Lydia Bone  
(On union leave.  
Refer to union  
bulletin board for  
stewards' phone  
numbers.)

### SEIU Local 250 Field Representatives:

Josie Summers: 275-6342  
(MGH, METH, BVERR)  
Edna Hollins 321-2322  
(MSJH, FOL, WOOD)

### STEWARDS MEETINGS

Methodist/Bruceville meets 3rd  
Wed. 1530-1630 hours.  
Location: Methodist Hospital

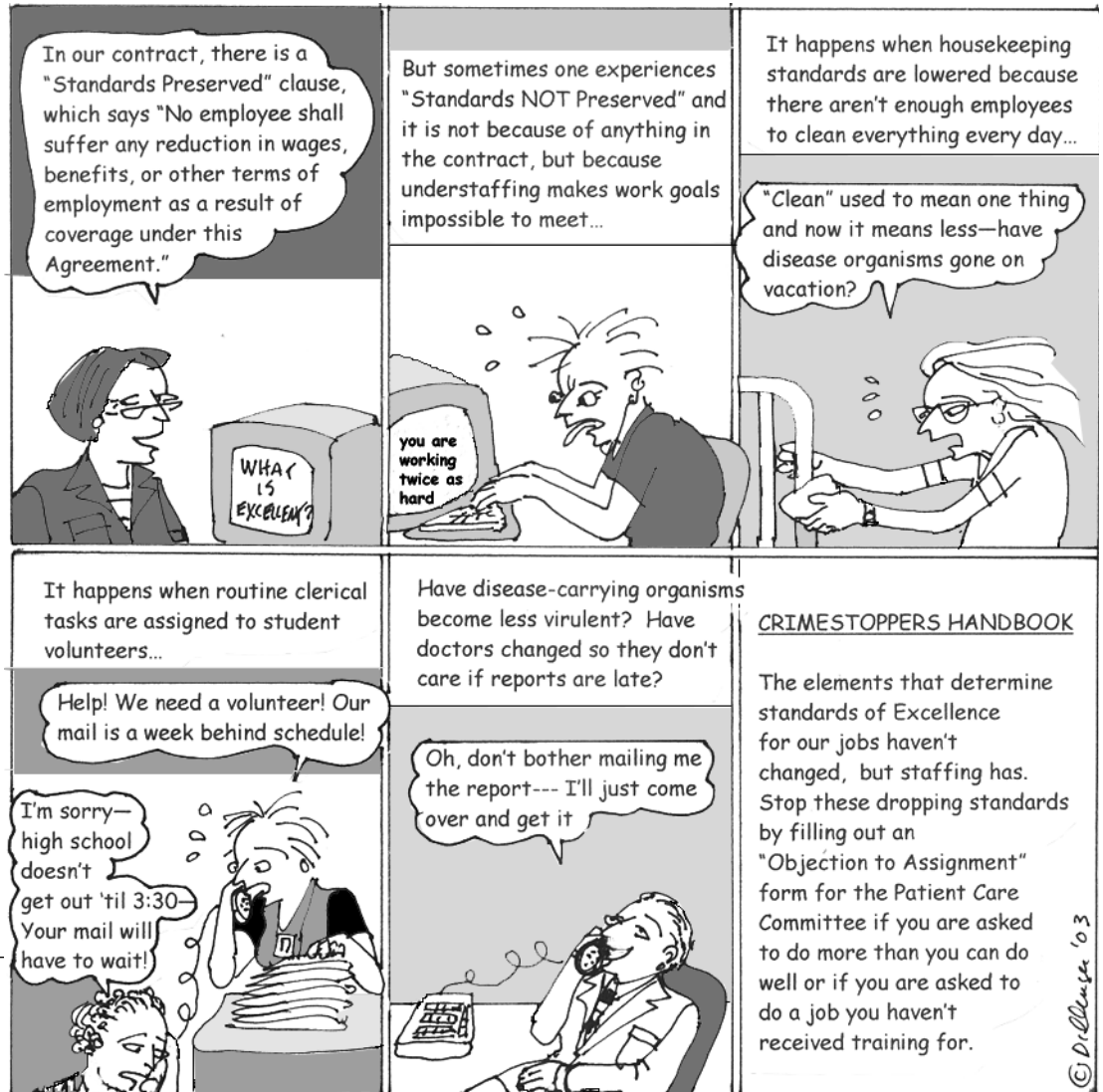
Mercy General meets 2nd Wed.  
at 1630 - 1730 hours.  
Location: MGH Green-house

Mercy San Juan meets 3rd  
Thursday, 1800-1900 hours  
Location: MSJH Conference  
Room.

Woodland Clinic and Hospital  
meets 1st thursday, 1730-1830  
hours.  
Location: DCR 3 and 4

Mercy Folsom meets 2nd Tues.  
1330 - 1530 hours  
Location: MHF Conference  
Room

## STANDARDS PRESERVED.....



## SEIU ORGANIZING CONFERENCE HELD IN LAS VEGAS

It was my honor and pleasure to be chosen to attend SEIU's organizing conference in Las Vegas, March 20th through the 23rd. I met members of SEIU from across the United States and Canada. Organizers, Member Organizers, RN's, Technical, and Homecare workers, all came together to listen to dynamic speakers, and attend workshops. It wasn't all work, we had great food and dancing. There was even a fashion show put on by our members. They did an excellent job and modeled the latest fashions in SEIU gear.

We heard some moving stories of other member's struggles and the accomplishments they have made. It is amazing how much we have grown and are still growing as a Union.

It gave me the opportunity to learn more and have fun too! All-in-all, I came back very motivated and inspired. --Sharon Martinez, MGH Shop Steward