

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

# THE UNION TALKS

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Volume 2, Issue 2



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-  
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An online copy of this newsletter as well as information and photographs of Sacramento union events can be seen at  
<http://dillingertoons.net>

## THE CONTRACT WORKS

On 12-13-02, management posted a new staffing grid for 2 East and Oncology. The new grid was to go into effect immediately. No discussion, no explanation, just do it, damn it.

Employees started complaining to me, the shop steward. "What is the UNION going to do about this?" My response was "What are YOU going to do about this--YOU'RE the union!" I asked those who complained if they were willing to put their name on a petition, or did they just want to complain. The consensus was to do something positive.

All LVNs and CNAs were encouraged to write an objection to assignment regardless of whether they were affected or not. (To see a contract violation and ignore it because it doesn't affect you weakens the contract and is a selfish act). Next we personalized a petition that read "I object to the change in the staffing grid for 2 East and Oncology. Any changes in the staffing must first be negotiated with myself and my fellow members of Local 250."

We then proceeded to get signatures from Local 250 members from all depart-



Marta, (LVN, Meth) raising a hand to speak at the Stewards' Council in Oakland. The issue of "Who's the Union?" came up there and was answered resoundingly in favor of members.

ments of the hospital. Remember, this was a violation of OUR contract. Some of the people personalized their signatures with notes such as:  
".....check first the Local 250 contract."

"I feel the nursing assistant to patient ratio of 1:15 is unrealistic."

"I thought all changes in staffing levels were to be negotiated with the staffing committee of Local 250."

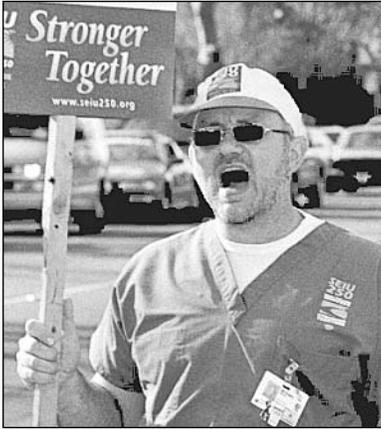
On 12-16-02, our chief steward met with the manager of the affected floors and at the same time, our field rep was having a meeting with HR. The result was that the grid was changed back to the original version.

Later in the month, a march on the boss (another employee right protected by the contract) was organized at Methodist. The result was reinstating an illegally fired employee.

My point is that the contract works, and because it works, it must be protected. No one has the right to negotiate or make deals without the consent of the workers. No one from management, human resources, Local 250, or shop steward is allowed to make decisions without our voice being heard.

Ken Hensley, Shop Steward, Mercy General

**An injury**



Chief Shop Steward Bill Watson, Mercy General Hospital

"Bill was the right man in the right place, and it will be very difficult to replace him."  
 -- Ken Hensley, Monitor Tech, MG

"Bill has been such a strong advocate for us throughout the process of organizing the Union--We wouldn't be where we are without his help and support!"  
 -- Marilyn Coleman, LVN, MGH

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

## From the Chief!

Hopefully, soon there will be a photograph of another "Chief" gracing the inside front page of this publication. Due to time constraints and the need to have a life, I have resigned as the Chief Shop Steward for Mercy General Hospital. This was done with no animosity or ill feelings in even the slightest way, and it is my hope that soon there will be another willing individual stepping forward into this leadership position. My tenure, lasting

over a year, was one of the most rewarding experiences of my lifetime. Working side by side with coworkers, fellow stewards, and union representatives has not only been quite an education, it has also reaped some profound rewards. My thanks to all involved in the evolution thus far of our efforts to make this facility, and all CHW facilities, better places to work in. I have met many talented and dedicated individuals and look forward to continued cooperation in order that we may further

the cause of creating different and innovative methods of providing healthcare to our communities. Thank you for the opportunity afforded me and rest assured that I will continue to advocate passionately for all of us and our patients. I intend to remain in my position as a Shop Steward for the nursing unit I work on and in that capacity, to help bring all of our dreams for a better workplace to fruition. Thanks for the dance.

## "THE CHIEF" IS FIRST RECIPIENT OF PRESTIGIOUS AWARD

Though we should all appreciate Bill's sense of self-preservation in this matter of leaving the Chief Shop Steward's post, he will be sorely missed! Bill has led us through nearly five years of Union organizing, bargaining, contract enforcement, Union job actions, and shop stewards' meetings, and it's difficult to imagine all these events without him at the head of the table.

He's been an articulate spokesperson for Union employees at MGH, as well as a very compassionate one, being on-call to us 24-7 throughout his administration as The



Bill receiving the "Golden Cell Phone" award, presented at a monitor-side ceremony on 2E.

Chief. It's hard to balance the needs of a whole group of people while maintaining concern for individuals, but Bill has been uniquely able to do it.

Yikes, I'm talking about him like he's gone, but,

fortunately, he is still here among us, serving as Monitor Tech/shop steward from 2 East. If we are lucky, he will be unable to break the habit of responding to our frequent pleas for his great store of advice!

In any case, thanks, Bill, and congratulations for earning *The Union Talks* first annual "Golden Cell Phone" award for Union Excellence at MGH! You are the best!

---Ellen Dillinger, Mercy General

## WHEN WORKING TOGETHER WORKS: WHAT'S IT LIKE?

Mercy Folsom is sometimes referred to as "The Country Club" by employees at the other Mercy Hospitals. Situated in a somewhat rural location, one is likely to see wild turkeys, and warnings about rattlesnakes on its surrounding grounds. The hospital is smaller and consequently more "personal" than other MHS hospitals.

What's it like to be a Local 250 union member at Mercy Folsom? A recent interview with Chief Shop Steward Nikki Sparks and shop steward Lynn Gifford-Cook contained many compliments for Mercy Folsom Human Resources director, Kathleen Noble. "After the union won and the contract was in place, Kathleen was able to shift gears and work with us," Nikki said. "She acknowledges and is respectful of the shop stewards, and is always willing to meet with us when we need to talk to her. Employees feel comfortable calling her when there is a problem." Edna Hollins, Union field rep at Mercy Folsom (and elsewhere) agreed with this assessment.

When I remarked on the contrast between what these shop stewards had experienced with their HR director here and what has sometimes

occurred at the other MHS hospitals, Lynn spoke again of Kathleen's attitude of respectful neutrality - "She's like Switzerland!"



Mercy Folsom Chief Shop Steward Nikki Sparks, Lynn Gifford-Cook, and Nikki's husband Joe at the Local 250 office after attending the Stewards' Council in Oakland on January 25th.

I wondered how this Union/Human Resources relationship played out when there was a dispute. Nikki and Lynn cited a recent instance when a problem that might have gone all through the grievance process elsewhere was peacefully resolved at Mercy Folsom. The issue occurred in a department where work was being assigned to non-union employees

while Union employees doing similar work in the department were losing hours. A meeting to discuss the issue took place between Chief Shop

Steward Nikki Sparks, Local 250 field rep Edna Hollins, HR director Kathleen Noble, and members of the affected department. It was subsequently announced by management that the non-union employees would become members of the Union, paving the way for hours to be assigned as per the Union contract. The issue was discussed by those affected and an agreeable solution found-"at the lowest possible level" which is how we would all like to solve things.

When asked what they would like to see happen at Mercy Folsom, Nikki and Lynn said that

there are still some understaffing problems and expressed the hope that more Union members would participate as shop stewards. Given their description of Mercy Folsom HR, it sounds like a rewarding thing to do! ---Nikki Sparks, Lynn Gifford-Cook, Ellen Dillinger

## WOODLAND HEALTHCARE IN BARGAINING FOR FIRST CONTRACT

On Oct.17, 2002, Woodland Healthcare voted for Local 250. There are now 141 of us in the Union!

The progress since then: Of four scheduled negotiation meetings in December and January, two were

cancelled by administration. (Editor's note: That is fairly typical!). At the first meeting, we talked about bulletin boards. This seems to be a sensitive subject and we still haven't come to an agreement about which departments can have one. At the second meeting, we went on

to try to match Woodland Healthcare jobs to Kaiser level B2 jobs. This was difficult in cases where there was no one present from departments with disputed jobs to explain what the job included.

(continued on page 6)

**UNION EMPLOYEES PROTEST HOSPITAL FAILURE TO BARGAIN PARKING**

**D**id everyone see the article on the parking changes in the "Inside Mercy" newsletter for January 29, 2003? It looks like the grievance we filed regarding parking issues has fallen on deaf ears....The agreement with Ron Kampling, (Manager, EVS) and HR was that any changes made had to be bargained with the Union. All we ask is that our contract be followed--- Talk to us! However, the agreement has been ignored.

Notification of the impending changes was not given to the Union until the night before it was announced in the Mercy newsletter.

The "Inside Mercy" article warns that if employees fail to purchase a stamp or blue card for parking, their name and department will be written down. After 3 instances of this in a rolling year, the employee's supervisor will be notified. Three instances of parking in non-employee areas or blocking

a driveway will also result in notification of the supervisor and corrective action. The article finishes by advising us to contact Ron Kampling, Guest Services Manager, with any questions.

So, I do have a question, Ron. Why didn't you follow our agreement and notify the Union about this change?!!!

-----Sharon Martinez  
MGH

**BEREAVEMENT GRIEVANCE FILED: "Standards Preserved" Disputed**

**W**e have filed a grievance on the interpretation of language in the contract concerning the use of bereavement leave.

It seems that Human Resources officials have determined that the language restricts the use of this benefit to a level somewhat less than what was available to us before the contract. It is also more limiting as to who's passing will qualify us to use the rights the contract provides.

Because this interpretation is more

"strict" than the previous bereavement policies, we will be fighting to get the right to attend family funerals and ceremonies with respect to the diversity of cultural traditions represented by our membership. The author of the bereavement leave language in the contract assures us that the interpretation that Administration is standing behind, was their intent. They wrote the language, and so that intent was to take away privileges we previously had.

There is a clause in the contract writ-

ten specifically to keep those kinds of "take aways" from happening. Looks like yet another fight on our hands.

If you have had ANY problems with exercising your rights to bereavement leave benefits, contact your Shop Steward immediately. It's bad enough that you've suffered this type of loss. There's no need for your employer to add yet even more grief to a tragedy of this magnitude.

--Bill Watson, MG

**UPCOMING SHOP STEWARD EVENTS**

**SHOP STEWARD TRAINING FOR PART II:** All Shop Stewards and/or Bargaining Committee members please attend!

This section of training provides information on what your legal rights are as a shop steward, how to file grievances, Weingarten Rights, how to meet with management, etc.

DATE: February 8, 2003

LOCATION: 1911 F Street (SEIU Local 250 Union Hall)

TIME: 09:00am-15:00 p.m.

BONUS: Lunch will be provided.

**CONTACT YOUR FIELD REPRESENTATIVES IF YOU HAVE NOT ATTENDED THE PART II TRAINING.**

Josie Summers: (916) 275-6342

Edna Hollins: (916) 275-4497

**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.

**to all.**

## EMPLOYEES NO LONGER PENALIZED WHEN CARING FOR SICK KIDS

A few months ago I wrote an article about Assembly Bill number 109 (AB109). For those of you who don't know, AB 109 prohibits an employer from discharging, threatening to discharge, demoting, suspending or discriminating against an employee for using sick leave to care for their sick children and also provides that an employee is entitled to reinstatement and reimbursement for lost wages when an employer denies the employee family sick leave.

This bill adds section 233 to the Labor Code to provide that any employer who offers paid sick leave to their employees must permit an employee to use, in any calendar year, accrued sick leave to attend to an illness of a child, parent, or spouse.

I wrote this article the same day I had spoken to Human Resources con-

cerning AB 109 and was told that absences covered under this new law did not count as an unexcused absence. Well, three or four days later I received a call from the same person in Human Resources and I was told that he/she made a mistake, and the absences do, in fact, count as unexcused.

I thought AB109 was worded very clearly, but as it turns out, companies all over the state of California thought they had found a loophole in the text of the law. A grievance was filed in October which is going to arbitration soon. As it turns out, a new law took effect January 1, 2003, Senate Bill 1471. This law states that if an employer maintains an absence control policy that counts sick leave taken to attend to the illness of a child, parent, spouse or domestic partner as an absence that may result in discipline,

discharge, demotion or suspension, it is a per se violation of Labor Code section 233, which prohibits retaliation by an employer on this basis.

Well, needless to say, after I found out about SB1471 I couldn't wait to bring this up in a meeting with management. My next meeting just happened to be with one of Mercy's Labor Relation Specialists. At that meeting, I was told that as of January 1, 2003, Mercy Healthcare would not count absences to care for a sick child, parent, spouse or domestic partner.

There are limits to how many days can be taken for sick family members. You can only use 50% of annual sick leave accrual for this purpose.

--Chris Kurpies, Chief Shop Steward, Methodist

	EMPLOYEES WITH LESS THAN 2080 HRS OF SERVICE	EMPLOYEES WITH SERVICE OVER 2080 HRS
Schd. To work 40 hrs.per pay period	14 hrs eligible for family use	26 hrs eligible for family use
Schd. To work 64 hrs.per pay period	22.5 hrs eligible for family use	42 hrs eligible for family use
Schd. To work 80 hrs.per pay period	28 hrs eligible for family use	52 hrs eligible for family use

If you have any questions ask your shop steward.

## THE SHIRLEY WARE EDUCATION CENTER

Shirley Ware, one of the first African American women to lead a major labor organization, dedicated her life to the cause of helping workers and their ability to secure safe workplaces that included health care benefits. Shirley established a department for education and training at Local 250, as a part of her dream to offer opportunities to the members of Local 250 and our community. After her death in 1998, the department became a non-profit organization in her honor.

The Shirley Ware Education Center (SWEC) has provided training, Career Advancement/Counseling, Health & Safety Training. In conjunction with Local 250's Education Dept., also, provides CPR & C.E.U. classes, along with GED Assistance & Immigration classes for its members. All are based on grant funding and the interest of its membership.

The Sacramento Center currently offers Career Counseling, for all members and the community. We are awaiting grant funding for new career advancement programs. If interested contact Cheryl Holt at (916) 321-2334. If interested in other aspects of Local 250 Education department contact the Hot Line at 1-800-585-4598.

**JOB MATCH ARBITRATION: A REPORT FROM A UNION PARTICIPANT**

On January 14, 2003, members of our union and CHW management again met face to face to discuss the still-unresolved job matches. These were outstanding from last year's contract negotiations for the technical and service divisions. A third party arbitrator was present to hear views from both sides regarding job classifications for Special Procedure Radiology Techs, Diagnostic Ultrasonographers and numerous service positions.

It was an all-day meeting, beginning with the service positions and culminating with the disputed Imaging classifications. As a participant in the Radiology segment of our meeting, it brought back images of the original technical contract negotiations from last fall. Being a part of the original committee at those meetings, it seemed very similar to a bargaining session. This was due in part to the steadfast position held by CHW. Many of the original arguments were again brought up, much to our dismay. There had been absolutely no change in their position regarding our job matches.

The Imaging staff is arguing for a separate classification for those Special Procedure Techs performing MRI. We feel that the differences in the job duties of an MRI tech make the position qualified to be in its own classification. The Ultrasonographers

are asking for a distinction with regards to multiple modality capability and certification. Those ultrasonographers performing three or four specialties and registered in those specialties feel it is appropriate to ask for



Lorenza Clausen, Shop Steward and head of the newly formed Patient Care Committee.

their own classification. This is certainly justified due to the fact that the Kaiser model has MRI classified separately from the other Radiology Tech positions. The Kaiser system also separates those Ultrasound techs who are registered and performing at least three disciplines into a higher step. The Kaiser model was the basis for all of the other technical positions outside of Radiology.

The meeting extended well into the evening and this was in part due to the lengthy discussions that ensued. The arbitrator clarified the various points by asking questions to those technologists present.

Comments and suggestions were noted and recorded for future review. We are not sure what he may decide; however, he did ask why CHW hadn't tried to meet us half way. The suggestion was also made to also bring Special Procedure techs up in classification, along with the MRI techs. This was a possibility that we were open to bargaining for. As it is, the imaging staff in Special Procedures was never appropriately matched to begin with. Consequently, our department may not be competitive with other facilities in the area. One of our biggest concerns is losing current and potential staff to other hospitals in the area.

A possible meeting with CHW to resolve this prior to the arbitrator's decision is in the works. In the meantime, formal written statements of our position will go to him for final review. It is possible that within six weeks there may be a decision. We hope it will be a fair and just decision that will benefit all concerned.

Lorenza Clausen  
Sr. Special Procedures Tech  
Mercy General/Mercy Medical Plaza

**Woodland Healthcare Bargains Contract..... continued from pg 3**

For this reason, between now and Feb 10th, (our next scheduled negotiation meeting), Edna Hollins (field rep) and John Borsos (Union negotiator) will be meeting with key persons from each department and the department supervisor to match the jobs. We'll be depending on employees' help to match the jobs correctly,

so please participate in this! We have two meetings set for negotiations: Feb 10th at 4pm and Feb 19th at 4 pm. We ask that everybody band together as a team and get a contract signed by the end of Feb.

If we had a crowd of Woodland Healthcare employees supporting us

like the Kings do with their fans, that would be awesome! So, please show your support on Feb 10th and Feb 19th--It's for all of us!

--Celeste Gutierrez, Patient Reg  
Woodland Healthcare



## **ASK JOSIE:**

### **QUESTIONS FROM THE MEMBERSHIP**

**Q:** I am a new member of SEIU Local 250. Is it true that I have to pay a \$100.00 initiation fee?

**A:** New members of SEIU Local 250 must pay a one-time initiation fee. The initiation fee is usually paid in eight monthly installments of \$12.50. A program has been established that allows members who have paid their initiation to receive a refund of \$50.00 after attending a Local 250 new member orientation. (See shop steward or call Local 250 office for times/dates).

**Q:** I work at Mercy General Hospital and a Kaiser facility. Do I have to pay union dues at both facilities?

**A:** All members working at more than one facility pay the full dues rate set for each facility. If the combined hours worked in all facilities is less than 260 hours per month, the member is entitled to a refund of all but the highest dues paid. Any member entitled to a refund must be made in writing to the Membership Department within ninety (90) calendar days from the date the deduction was taken.

Write to them at: Membership Department: SEIU Local 250, 560 20th Street, Oakland CA 94612, or call (510) 251- 1250 or (800) 585-4250

**Q:** Do I have to pay union dues on overtime?

**A:** The answer is no. Dues are not charged on overtime, call-back pay, standby pay, differentials, and in-lieu-of benefits premiums.

**Q:** If injured on the job, can I choose the doctor who will treat me?

**A:** If you want to choose the doctor who will treat you for a job injury or illness, you must tell your employer the name and address of your personal physician before you are injured. It must be done in writing. This is called predesignating your personal physician. You can predesignate a doctor of medicine (M.D.) or doctor of osteopathy (D.O.) who treated you in the past and has your medical record. Or you can predesignate the office, clinic, or hospital where the doctor treated you. (If you give your employer the name of your personal chiropractor in writing before you are injured, you may switch to this chiropractor upon request during the first 30 days.)

- 1) Forms to predesignate are available from the Employee Health Nurse.
- 2) Check first with your personal physician to see if s/he takes workmen's compensation cases.

**Q:** How could I have my questions answered and also be in a prestigious Union newsletter?

**A:** You can fulfill both these dreams by contacting your shop steward or Josie (field rep). Your question will be answered by a qualified specialist and reported in this newsletter to the benefit of all.

## 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, BV TERR)  
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

## We met the Union and it was us...



## PATIENT CARE COMMITTEE HERE AT LAST!

Our Union contract mandates a Patient Care Committee, whose purpose is to monitor the quality of patient services and make recommendations for improvement in the context of work design and/or method of patient services delivery. What does that mean? Most employees would agree that the quickest way to improve patient care would be to improve staffing levels. Almost all of the problems described in the "Objection to Assignment" forms filled out by employees during the past year are caused by understaffing. The committee will be dealing with this and other issues brought to their attention by employees such as yourself.

How will you get your department's issues heard by the committee? Six employees have been selected by their co-workers to serve on the Patient Care Committee and the Employer will select six management persons to represent MGH. To suggest a subject for the committee, contact one of our six new committee members:

Sally Carroll ( RT ) , Bill Watson (Monitor Tech), Lorenza Clausen (Rad Tech), Martina Heese-Rogers (Care Assistant), Nancy Kislow (RT), and Stephanie Rhodus-Cortese (LVN).

Thanks to all of them for agreeing to serve!