Nursing Negotiations Frequently Asked Questions – 7/7/15

What’s Happening Now

Q: EMMC and the nursing union are negotiating a new contract. What is the status of bargaining?
A: EMMC and the union that represents our bargaining unit nurses have been negotiating since April, but the parties haven’t been able to come to an agreement on several issues. The union has notified EMMC that the nurses will strike on July 13 and 14. Due to the four day commitment in the agreement EMMC has with the staffing agency that will provide temporary replacement nurses, EMMC nurses who choose to strike will be out of work from 7 am Monday, July 13, until 7 am Friday, July 17. (7/5/2015)

Q: MSNA/NNOC/NNU has issued a strike notice. Is it still possible to avoid a strike?
A: Yes. The union can call off the strike. The Medical Center has made clear that a loss of work can be avoided if the MSNA meets certain conditions communicated by EMMC on July 3. Those conditions are: the parties have a final tentative agreement by the end of the day, July 7, the union gives written notice of withdrawal of the strike notice, and the union conducts a ratification vote by July 12. EMMC has put forward a fair contract offer that maintains our very competitive compensation structure and addresses staffing concerns. We won’t improve our offer under the threat of a strike. Our goal is to reach a fair contract and to avoid a strike if we can; however, the union’s national organization has a history of striking, so we assume they intend to go through with it unless nurses tell them clearly they do not want to strike. (7/5/2015)

Q: What can EMMC do to prevent a strike?
A: MSNA/NNOC/NNU alone has called for a strike, and only they can cancel it. EMMC believes a contract can only be achieved if we focus on local issues, and not the national union agenda. This can only be done at the bargaining table, not on the sidewalks. (7/5/2015)

Patients are our First Priority

Q: Will the strike put our patients in jeopardy?
A: Our number one priority is, and always will be, our patients. As a result, we have made extensive preparations for a strike. This community and our patients can be confident patients will receive safe, quality care during the strike – care delivered by experienced, trained, and licensed RNs. (7/5/2015)

Q: Where is it appropriate to discuss the issues?
A: It’s OK to disagree on the issues and to talk about them in appropriate places, but discussions about bargaining or the issues being addressed in the negotiations should never take place in patient care areas at any EMMC facility. Patients and visitors who overhear information about negotiations or the strike may become anxious. Our focus should remain on providing excellent patient care. (7/5/2015)
**About the Strike**

**Q: What will happen during the strike?**
A: EMMC will continue to provide the same high quality care our patients have come to expect. Experienced, qualified temporary replacement nurses will work alongside EMMC nurses who choose to work and other EMMC caregivers. (7/5/2015)

**Q: Will nurses be able to use PEP during a strike?**
A: PEP time which has been approved prior to July 1, 2015 will be honored. Because of the operational challenges posed by the strike, however, PEP time will not be available if it has not been pre-approved. Prime time PEP has already been granted. (7/5/2015)

**Q: Will nurses receive their regular pay at the regular time?**
A: All nurses will receive their paychecks on the regular schedule. Paychecks will be based on the hours worked during the pay period and previously approved PEP. (7/5/2015)

**Q: Can nurses pick up extra time before the work stoppage?**
A: We are not prescheduling extra time over the next few days. Given the possible concerns of the community and our patients over the announced strike and the number of providers on vacation, we are expecting our census to decrease. We will be working on staffing on a day-by-day basis to avoid the need to down staff. (7/5/2015)

**Q: Can nurses swap shifts during the work stoppage?**
A: No. Swaps are always subject to the Medical Center’s determination of operational needs. Swaps will not be permitted during the four-day period in order to avoid any confusion and to maximize the number of nurses available to work. (7/5/2015)

**Q: Is there a chance EMMC will change its mind on not allowing nurses who strike on July 13 and 14 to work on July 15 and 16?**
A: No. The staffing agency required a four-day commitment because it was the only way it could secure the nurses we need to ensure safe staffing during the strike. Once we have received commitments to work from nurses willing to do so during the strike, we will be making binding commitments to the staffing agency for the number of replacement nurses we will need to provide proper patient care. (7/5/2015)

**Q: Do nurses have to notify EMMC about whether or not they intend to work or strike?**
A: Nurses are not obligated to tell anyone – EMMC, the union, or colleagues – what they plan to do. However, EMMC is asking nurses who commit to work to notify us so we can plan patient care assignments and the number of required replacement nurses. The deadline for the commitment is noon on July 8, 2015. EMMC respects our nurses’ privacy and will not share any nurse’s decision with anyone who does not need to know for scheduling purposes. (7/6/2015)

**Q: What if nurses are coerced to participate in the strike?**
A: We will not tolerate and nurses should not tolerate any form of harassment, coercion, or threat. Anyone who experiences or witnesses this behavior at work should report it to an immediate supervisor, Deb Sanford at...
Working During the Strike

Q: Should nurses work during the strike?
A: Nurses exercise independent judgment and have autonomy in much of what they do. The decision to strike should be no different. Nurses must decide based what’s right for themselves and their families. (7/5/2015)

Q: What should nurses do if they want to work during work stoppage?
A: Nurses should visit www.emmc.org/commitment and declare their commitment to work by noon on Wednesday, July 8, 2015. This site is available on Monday, July 6, 2015. Nurses who decide to work must be available to work on any of the days from July 13 through July 16 that they were previously scheduled to work; in other words, nurses who are out of work on July 13 and 14 will not be able to return to work on July 15 and 16. Crossing the picket line is a personal decision for each nurse. Know that EMMC respects whatever decision you make. (7/6/2015)

Q: If nurses are not comfortable putting their personal information into the website, can they just call their manager?
A: No, nurses can’t call in to report their intent to work. Our focus is on protecting our nurses’ confidentiality, and we can’t do that with a call-in process. If you have concerns about the site’s confidentiality you can complete the form and then print, sign, and hand deliver it to your nursing leader no later than noon on July 8. (7/5/2015)

Q: Will nurses who choose to work during the strike be assigned to work outside of their home departments or with patients for whom they are not comfortable caring?
A: Nurses who choose to work will work in their home departments. (7/6/2015)

Q: What if nurses commit to work, and then change their minds?
A: Nurses who committed to work their scheduled shifts and do not report will be considered as having elected to strike and will not be able to return to work until we have fulfilled our commitment to our nurse staffing agency at 7 am on July 17. No disciplinary action will be taken against nurses who choose not to work, even if they have committed to doing so. (7/7/2015)

Q: What if a nurse reports to work on July 13, but becomes ill and is unable to work a shift later in the week?
A: Nurses would need to follow the department call-out procedure, and each situation would be assessed on a case-by-case basis. Nurses could be required to produce a doctor’s note and be cleared to return through Employee Health, consistent with general practice. Depending on the facts, nurses could be given an unapproved absence. (7/5/2015)

Q: Will nurses who are working Monday morning run into the union stewards or strike captains as they are coming into work?
A: We have plans in place to secure the hospital at change of shift and throughout the strike period so that those nurses who choose to work won’t risk confrontation with union representatives or strikers. (7/5/2015)

Q: Where should nurses who commit to work park on July 13?
A: Nurses will park at an off-campus location and be taken to work via motor coach. Nurses will not need to cross through co-workers on the picket line. (7/5/2015)

Q: Does EMMC have the right to ask nurses if they plan to work during the strike?
A: EMMC’s “commitment to work” website at www.emmc.org/commitment is entirely lawful. We must plan staffing to assure we can care for our patients during a strike. If nurses choose not to notify us, we will respect their right to strike. Nurses can commit to work their scheduled shifts during the strike at the website and must let us know by noon on Wednesday, July 8, 2015. Nurses can declare their intent by checking in at the hospital that morning or by visiting the website (www.emmc.org/commitment). Remember, the website is only open until noon on Wednesday, July 8 (7/7/15)

Q: Can the union make nurses go out on strike?
A: No. Nurses have a legal right to decide whether to strike or take care of patients during a strike, even if they are members of the union. Nurses are not obligated to agree with every decision the union makes. Nurses cannot be forced to participate in a strike, even if they voted in support of the strike authorization. Federal labor law protects the right of all employees to decide whether or not to participate in a strike. (7/5/2015)

Returning to Work

Q: When can striking nurses return to work?
A: Nurses should return to work on their first scheduled shift on or after July 17, 2015. Nurses do not need to report to work on July 17, 2015 if they are not scheduled. For example, a nurse who isn’t scheduled to work until Monday, July 20, would not need to come to work until that day. (7/5/2015)

Q: What time should nurses who are scheduled to work on July 17 report to EMMC?
A: Nurses who start at 7 am can report to campus beginning at 6:30 am and then badge in at the start of the shift. (7/5/2015)

Q: Where should nurses report to work? Should nurses check in with Human Resources?
A: All nurses should report to work on their units. Badges will be reactivated and nurses can clock in electronically as they normally would. Nurses do not need to check in with Human Resources. (7/5/2015)

Q: Will nurses need new access codes for Cerner, Pyxis, or other work-related systems?
A: The access codes nurses used before July 13 will continue to work. If you experience any difficulty, please contact your manager or the house supervisor. (7/5/2015)

Q: What will happen after the strike? What should nurses do if they feel uncomfortable working with striking or nonstriking nurses after the strike?
A: Nursing leaders will be very accessible during the transition period for the specific purpose of facilitating a
smooth transition. It is our expectation that our nurses will continue to respect individual decisions and will focus on patient care at work. However, any nurse who experiences inappropriate behavior should contact Deb Sanford at x38721 or our compliance hotline at 1-866-621-2122. Nursing supervisors will have their cell numbers posted on the white boards on each unit, and will be rounding regularly to be available for any concerns. (7/5/2015)

The Issues

Q: Are these negotiations only about staffing ratios?
A: There are several proposals still on the table, but compensation (wages and benefits) and staffing ratios are the two primary issues. The union’s focus on staffing ratios is not a surprise as this is a national agenda item that comes up repeatedly around the country in negotiations between hospitals and the union. (7/5/2015)

Q: Does EMMC want to eliminate nurses’ health and retirement benefits.
A: The medical center offers highly competitive wages and benefits as a way of keeping great employees. That commitment doesn’t change because of contract talks with the nurses’ union, and there are no proposals to change our health plans or reduce our retirement benefits. (7/5/2015)

Q: Why is EMMC opposed to staffing ratios?
A: Each day, EMMC’s nurses do an extraordinary job caring for patients with a wide range of complexities. The concept of staffing ratios is an outdated idea that does not provide the flexibility to staff based on patient needs while considering the skills and experience of nursing and non-nursing staff, admissions and discharges, acuity, and other factors. EMMC believes local staffing decisions should remain flexible and be made by experienced nurse leaders with input from staff nurses, not by a national union and codified in one-size fits all language in a contract. EMMC proposes expanding the role of the existing Professional Practice Committee in providing input and feedback about staffing. (7/5/2015)

Q: Why can’t the hospital and nurses compromise and get back to business as usual?
A: EMMC wants to come to an agreement that is fair for our patients, the community, the nurses, and the hospital. Decisions we make now will affect the hospital and the community far into the future, and we must come to an agreement that is responsible for everyone involved. (7/5/2015)

Quality, Safety, and Staffing at EMMC

Q: Is the care provided at EMMC safe?
A: The care provided at EMMC is absolutely safe. Many outside organizations evaluate our quality and give us good marks on the care we provide. For example, the Leapfrog Group, a national nonprofit quality watchdog, recently gave EMMC an “A” rating in patient safety for the seventh consecutive time. EMMC is proud of the quality, safe care our employees deliver every day. Like all hospitals, EMMC can improve, and we continue to evaluate our performance and focus on ways to get better. (7/5/2015)
Q: Are there enough nurses at EMMC?
A: Yes. EMMC uses national standards to determine how many nurses we should have in each area, and then makes adjustments based on patient acuity and the experience and skills of the entire care team, which includes doctors, nurses, nurse techs, therapists, and many others. EMMC is creating additional flexibility by developing a supplemental staffing team of nurses and nurse techs who will be assigned to different units each day based on the needs of our patients. This team will help departments cover call outs and allow EMMC to more rapidly flex staff as patient volume and acuity change. We are also committed to adding a resource nurse from 1100 – 2330 for additional support. EMMC is also implementing a tool that will help nurse leaders improve their ability objectively assess patient acuity when making staffing decisions, with input from staff nurses on the units. (7/5/2015)

Staying Informed

Q: What’s the best way to stay up-to-date with what’s happening?
A: More information about negotiations and nursing at EMMC is available on The Hub. Nurses can stay up-to-date with what’s happening before and during the work stoppage by clicking the “for our nurses” link at the bottom of the www.emmc.org homepage. (7/5/2015)