



## Message from the President



We are rapidly approaching negotiations for our new contract. If I have not said it before, this is a very important time for all of us. If you are one of the nurses who is unhappy with the benefits, staffing, or call, it is now time to come together. We think the employer is going to propose that we pay more for our health benefits. Let me just say that if you think that the few Negotiating Committee members will be able to convince them we are not taking it, **YOU'RE WRONG!!**

It will be very important that we all are there. You should have received a letter in the mail with the details of our contract campaign and how to become a member of the negotiating committee. The deadline for being considered to be on the Negotiating Committee is November 22<sup>nd</sup>.

Myself and the rest of the Executive Board met with the Executive Board for the Virtua nurses last week. We are coordinating joint activities as they are negotiating the same time as we are. We will be supporting each other throughout these negotiations.

I ask you all to see a Rep or someone on your unit who is active with the Union to let them know which day you will come to negotiations. The dates are March 12, 19, 26, April 2, 16, 23, 30, May 7, 14, 21, 28, and if needed May 29, 30, and 31. Also please check our Local Facebook page and request to join: HPAE Cooper Nurses for updates and information.

In closing I would like to take this opportunity to wish all of you **Happy Holidays!**

In Solidarity,  
Doris Bell RN, President Local 5118

## Holiday Time and LCPTO

This time of year we all wish we could be off and be with our families. While this is not possible, our union contract does set guidelines for being able to get LCPTO or being moved off the holiday and onto another day.

Most importantly, let your manager know in writing that you would like LCPTO for the holiday. Do not assume because you are the senior nurse that you will automatically be asked or given LCPTO.

If you are offered to move off the holiday to another day this does count as having a holiday off. Off is off. Please review Article 7.6 Holiday schedules / Pay for more detailed information and contact an officer or Union Rep ASAP if you have any questions or if the hospital makes a mistake.

## Lab Errors Lead to Discipline

We all know a lab error is a serious mistake. We also know that we are human and can make a mistake with the label or transmittal slip. Our union has continued to bring this topic up with the hospital and are trying to create safer procedures for us and our patients.

In the meantime here are a few things to remember.

1. Review the lab specimen, type and cross policy. It's always good to know what the policy states; REMEMBER, we need to take our label and transmittal slip to the bedside before we draw the lab.
2. Have a second nurse double check your lab label and transmittal form. This may seem strange at first but be assertive. This will soon become second nature. To avoid being disciplined, we are required to do this. Again mistakes happen especially when we are busy. Also if you are in a code or emergency you are STILL responsible if a coworker sends your labs and there is an error. You and that nurse will be disciplined. Have the nurse bring it to you for a double check. You will wish you had if there is a mistake and you are disciplined.
3. We are all working harder. We have to work smarter. SLOW down when sending labs.
4. The hospital is very strict with lab errors. The first error is a written warning, the second is a suspension and then termination.

Don't let this happen to you or a co- worker. Together we can have each other's backs and keep our patients safe.

## Union Victories

1. Respiratory Treatments. FIRST we were told we were going to do PRN and Emergent treatments ONLY. THEN, we were told we had to do ALL of the treatments except for vented and trach patients. Our Union leaders addressed the matter several times with nursing administration. So, NOW, we only have to do the PRN and Emergent treatments.

2. Huddle Charge Sheets. Thank you, Union! We do not have to discuss metrics and unit goals. Managers have to do this.

3. ICU/CCU Team Meetings and Performance Evaluations. FIRST, we were told these meetings are not mandatory, it is expected that staff attend or call into the meeting 75% of the time, BUT could only call in three times, if we didn't attend it would be used on our performance evaluation AND, Nurses calling in would not get paid. NOW, we can call in as many times as we want to, everyone gets paid AND on our evaluation it may be noted in the comments section - will not be punitive.

## The Importance of Our Union Meetings

The purpose of our Union meetings is to update you on issues that affect all of us, to address your concerns and together figure out how to move forward together. The meetings can help to develop group interests and it can be a means of developing new interests. Most importantly, the meetings can help establish common views and ideas on issues that are important to all of us by providing members the opportunity to meet as a group, learn about the union, exchange ideas, meet the leaders and fellow members, debate and make decisions, air gripes, make proposals and have input, get updated on events, socialize, etc. Yet, the most common refrain that is heard is "no one comes."

Our Union contract with Cooper expires on May 31, 2020. We begin negotiations on March 12, 2020. As a union, we have the opportunity to negotiate with Cooper with all of us in the room. This puts us in a much more powerful position than if you were not in the room.

We, the Local Executive Board, are asking you to be a part of these negotiations by attending some or all of the bargaining sessions. Please see your Union Rep to sign up to attend negotiations.

**WE ARE THE UNION. LET'S SHOW COOPER THAT WE STAND TOGETHER TO ACHIEVE WHAT WE DESERVE.**

## Know Your Union Rights



### Weingarten Rights

When we are asked to have a “talk” by our manager, the first question we should ask is, will this “talk” lead to disciplinary action? If the answer is yes, we have the right to stop the meeting and request to have a Union Rep present. It is our responsibility to find a Rep. This type of meeting is considered an “investigatory” meeting. As a Union member, under the Weingarten Rights we are entitled to have a rep present. If the manager violates our right to have a union Rep, they violated our right and we should file a grievance.

After the investigatory meeting is held, the hospital typically proceeds with an investigation into the matter. If the hospital determines they are going to render a discipline, we will be asked to meet again. This meeting is called a “discipline” meeting. During this meeting the manager should not discuss the matter, instead just give the discipline. Even though the Weingarten Rights do not allow us to have a Union Rep present, the hospital has allowed us to have a Rep be there.

### The Role of Our Union Reps

We as Union Reps, represent our members when our union contract is violated. We are responsible for providing information and news from our union leadership to our membership and to engage our co-workers to be active in their union. We represent our members during investigatory meetings. We are at the meeting to protect our members’ rights, to ensure that you are treated with respect and to take precise notes of the meeting. The Rep then contacts the Grievance Chair to discuss the meeting and provide the notes. At that point the grievance chair will contact the nurse. The notes are extremely important. If there is a grievance filed, these notes are part of building the Unions’ case against the employer.

It is extremely important to always have a Union Rep with you. If you are interested in being trained to become a Union Rep for our Local, contact our Grievance Chair at [jackiefranchetti@gmail.com](mailto:jackiefranchetti@gmail.com).



Coopers union officers met with the union officers from Virtua Mt Holly HPAE. Together we can work to make nursing better. Pictured are Beth Cohen Bonnie Terwilliger Kelli Zambetti Melody Schantz Sheryl Mount, Doris Bell, Patti Scharff and Bethann Piotrowski

## MISCONCEPTIONS ABOUT OFF - DUTY MISCONDUCT

### 1. Employees who are online at home

Based on recent cases, some employees feel that because they are online after-hours and off-site, their activity is of no consequence to the employer. This is wrong. The employer has a right to defend its business or an agency's mission. Understanding off-duty misconduct is a balancing test. The balance is between the employee's right to a private life AND the employer's legitimate interest in protecting its business / agency.

If past cases are any guide, too many employees think their right to participate on the internet is absolute - just because they are off-duty and off-premises. No, it's a balancing test.

### 2. Contract provisions can cover the conduct

Some Union contracts spell out the discipline which can be imposed for off-duty misconduct. We do not address off-duty misconduct in our Union contract. Example: 1) A Union contract that provides for a certain number of traffic infractions, while using their personal car, will affect their employment as a driver. 2) If the union agrees to marijuana test levels, consumed off-duty and off-premises, the off-duty misconduct contract provision would apply.

### 3. Off-duty, but quasi "on-the-premises"

The classic case is the employee who left their shift, went home, and decided to race car their car. After an

evening of race-car driving, he/she decided to tear up the parking lot next to his/her employer's place of business. A neighbor complained and asked for \$10,000 to repair the lot (remove the skid marks, etc.) The employer did two things: paid for the re-surfacing and disciplined the employee. The arbitrator upheld the discipline. The same is true for those who work for a private company and defraud the workers comp or unemployment compensation agency. The union argues that it was off-duty and off-premises which is true. But the employer has an interest in this "off-premises" case because it pays the premiums or affects their rating.

### 4. Drinking at the bar

Generally speaking, people who get into fights after work (and off-site) are not subject to discipline. However, this is not true in every instance. Arbitrators look at two questions: Did the altercation start at work? Did it involve employees who see each other regularly at work? People who don't work with each other on a regular basis might be successful in persuading the arbitrator that the employer does not have any interest to protect. Arbitrators are frequently called upon to measure the seriousness of the threats, including those made on social media. The question is: how closely do the threats relate to the job and how serious do they seem, given the context in which they took place?