



# ULP STRIKE Q&A

## **Why go on strike?**

To protest Sharp's unfair labor practices. And ultimately, to stand up for our patients. Among other violations of federal labor law, Sharp has refused to negotiate a fair contract by prematurely abandoning negotiations and unilaterally implementing proposals that inadequately address our concerns and hamper our efforts to boost recruitment and retention of quality RNs so that we can provide the best possible patient care.

## **Why is it important that I participate in the strike?**

To stop and reverse Sharp's unfair labor practices both at the bargaining table and in the workplace, we need the active participation of all the RNs covered by the contract. This means being willing to strike and join your co-workers on the picket line. Solid participation shows Sharp, the media, and the public that we are united to achieve our goals. Staying home or crossing the picket line sends the message that Sharp can continue with its unfair labor practices to the detriment of our nurses and our patients.

## **When is the strike scheduled to start?**

The strike is scheduled to begin on Monday, November 28, 2016 at 0700.

## **Has Sharp been notified?**

Yes. Sharp and the appropriate government agency were notified on November 17.

## **What if I am scheduled to work the night shift before the ULP strike begins, (PM shift of 11/27)?**

Go to work as scheduled. At 0700 give report, stop working, and clock-out. Then join your coworkers on one of the picket lines.

## **Can we be "locked out" for striking?**

It is illegal for the employer to lock out workers in support of a bargaining position that amounts to an unfair labor practice, though some employers will do it anyway. Management may lock us out but replacement RNs are extremely costly to management so they would likely only lock us out for the duration of any contract with the company that provides the replacement RNs. Our goal is to reverse Sharp's unfair labor practices so that we can negotiate a fair contract with management and not have to strike. But we must be prepared in case management continues to bargain in bad faith in an effort to deny us a fair contract.

## **Do I get paid or can I use PTO during a strike or lockout?**

Unfortunately not – this is part of the reason a strike is a tool of last resort.

## **Will our Union continue to negotiate with management?**

Yes. We remain open, willing, and have offered to meet with Sharp. Our hope and goal is to resolve our differences and reach a fair agreement without the need for a strike. Even during a strike, our Union is willing to negotiate with Sharp.

## **How can we ensure our patients are cared for?**

Ultimately, going on strike may be the best way to take care of patients in the long term. We are required by law to give Sharp 10 days' notice of a strike so that they have time to arrange proper care for patients. A strike is a protected Union activity and does not constitute abandonment of our patients due to the notice that was given.

**SEE REVERSE SIDE**

### **What if my manager asks me, “for scheduling purposes,” if I’m coming to work?**

You do not have to answer, although the best answer is, “No, I am standing with my co-workers.” It is unlawful for your manager to ask you further questions about your plans or to try to discourage you from participating. If they do so, please notify your steward or union representative.

### **Do I have to personally notify my manager that I won’t be coming to work on the day of the strike?**

No. Our delivery of the legal 10-day notice document will inform Sharp that all UNAC/UHCP bargaining unit members will not be reporting to work. There is no need to call in.

### **Will management cancel my health insurance coverage if I go on strike? Is this legal?**

The NLRB allows employers to stop paying pre-paid premiums in preparation of and/or during a strike. (Although – premiums are often paid in advance, so insurance may be in place several weeks into a strike.) After this point, COBRA kicks in. Due to the anticipated length of our ULP strike, we do not expect that you would experience any change or disruption to your health insurance benefit coverage. If you have health expense claims during the short strike, you will have the option after 60 days to elect to pay the COBRA premium to cover that period.

**Can my family and friends join me on the picket line?** Absolutely. This is the best time for the community to show their support for Sharp RNs.

### **Will night shift workers be walking the picket line at night?**

Due to safety concerns, night shift RNs will not picket at night. Night shift will, however, be expected to be on the picket line during daytime, (0700 – 2000).

### **Can I strike if I’m per diem, or still in my probationary period?**

Yes.

### **Should I discuss the strike with my patients?**

At your discretion, within a limited scope, provided no pressure whatsoever is imposed on any patient to support the strike. You may inform your patients, but you should not lobby them. You may provide factual answers or materials in response to patient questions regarding the strike, the issues, and how patients can help, but with no pressure, request, or expectation that they participate in or support the strike.

### **I’m an intern, a Traveler/Registry/Agency worker, or in another position outside UNAC/UHCP, SPNN, but I do not want to cross picket lines. Can I honor the strike?**

Federal law, upheld by the United States Supreme Court, gives all employees the right, as a matter of conscience, to honor a picket line. However, you should also look at your union contract, if you are in a union job.

### **Do I have the right to distribute information to patients and members of the public on Sharp property?**

Yes. Section 7 of the National Labor Relations Act states, “Employees shall have the right to self-organization to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.” Distributing information to patients or members of the public is protected concerted activity. You must make sure not to interfere with patient care or conduct these activities in patient care areas. Sharp knows this is the law.

## **IMPORTANT THING TO REMEMBER**

### **Do not feel guilty about striking!**

You are standing up for your patients, your community, and your co-workers. Sharp management is the party responsible for placing us in the position where we have to protect our patients, our values, our credibility, and our colleagues. Sharp refuses to engage with us in good faith bargaining to seriously address chronic understaffing and the current retention and recruitment crisis.