

FREQUENTLY ASKED QUESTIONS ABOUT STRIKES

Why are we preparing to strike?

After 14 negotiations sessions and the power of our pickets, we know a number of nurses are sufficiently frustrated with Sharp's under-staffing, refusal to take wage equality in the San Diego market seriously, and overall disrespect that we are both preparing to strike as well as continuing to negotiate in the hope that we can come to an agreement that we deserve.

Ultimately, any strike would be about protecting our patients, our profession, and our licenses, and we don't see Sharp taking these issues seriously enough. We have been losing nurses to better-paying hospitals; at the same time, we've been negotiating to attract and retain nurses so that we can provide the quality of care we used to – and want to be able to provide again.

When would we strike and for how long?

It would depend on a few factors, including how many nurses sign the strike pledge, how the next two bargaining dates progress (on 10/24 and 10/29), and what the results of a possible future strike vote are. The bargaining team would make that decision. A strike could be for a limited duration of a few days, several days, or open-ended.

Who will take care of my patients if we strike? Will it be considered patient abandonment?

Absolutely not – by no means does participating in a strike constitute patient abandonment. To the contrary – by standing up for improved staffing, you are advocating for better care for your patients. We have already tried staffing objection forms, RNACs, grievances, petitions, bargaining proposals, and pickets in an effort to get management to pay attention to the issues that are obvious to bed-side nurses, but to which the C-Suite is oblivious or indifferent. Rather than endure progressively worse working conditions (which are patients' healing conditions), we would go out on strike to command a larger audience to hear our concerns as well as refuse to continue to endure Sharp's emotional manipulation.

Federal law requires that the Union give Sharp at least 10 days advance notice before a strike (just like we did for the picket), so that the system can make appropriate arrangements to divert patients, to reschedule elective surgeries, and/or to bring in replacement staff. That legal provision exists precisely so that a hospital has time to plan.

Often before a strike, a Union will have a disaster preparedness team of striking RNs ready so that, if a legitimate emergency (for example, a natural disaster, catastrophic event, etc.) arises, the emergency will be assessed and the decision to provide support through the disaster preparedness team will be made. While we will not abandon patients, the Hospital needs to understand that it cannot abuse or exploit us or our work and then claim we're abandoning patients when we strike to stand up for them and for ourselves.

What is a strike?

During a strike, nurses do not go to work even if scheduled – we withhold our labor. The power of a strike is in showing Sharp how critical our work is the functioning of the system – they can't run the Hospital without us but they're refusing to hear what we need to take care of our patients. In a strike, we do not go to work, we do not collect a paycheck, and the Hospital has to find alternate means of caring for patients.



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What are the steps we take before we go on strike?

The timeline for proceeding with a strike starts with:

1. Strike pledge. All bargaining members should take the pledge.
2. Members in good standing participate in a strike authorization vote.
3. The bargaining team decides whether we need to call for a strike based on what management has proposed at that moment. At this point, the bargaining team will decide when and for how long a strike would be.
4. The Union sends Sharp the federally required 10-day notice of our intent to strike.
5. We strike. The decision to go on strike is not taken lightly and will require all of us to engage in the preparation for a strike vote, to vote on a strike, and then to participate in and honor our strike.

Also, consider picking up extra shifts now if you're concerned about money

Who is eligible to vote in a strike authorization vote?

Only SPNN members in good standing (current in the payment of dues) can vote in a strike authorization vote. If you sign a membership card now, you will not have to pay back dues. You can call the MARC: Member Action Resource Center at 877-506 4554 to check on your membership status or sign an authorization card.

If I am not a SPNN member in good standing, do I strike with the bargaining unit? Am I protected to strike with the bargaining unit?

Yes—every nurse who is in the SPNN bargaining unit (that is, all nurses covered by the contract) can and should strike. Only SPNN members in good standing can vote for a strike (or at ratification). Of course, we encourage all nurses to be in good standing – contact the MARC if you have any questions about your dues status.

Will I get into trouble if I strike, or if I say I will strike?

It is illegal for Sharp (including any individual manager) to retaliate against nurses for participating in protected concerted activities including strike assessments or striking. Report instances of threats, intimidation, guilt, or retaliation to your union representative or officers.

Can my manager ask me if I plan to strike?

Your manager can and likely will ask you if you plan to strike. They legally cannot force you to answer (or punish you if you don't), but the best answer is, "I'm standing with my coworkers to strike for our patients and our profession."

Can my manager guilt or pressure me into voting against striking?

They may try but you do not have to accept it. If managers guilt or pressure you to vote against striking, you should tell them you are standing with your coworkers to strike for the strong contracts our profession and our patients deserve. Report instances of guilt, intimidation, pressure, or retaliation to your nurse representative.

Can a nurse go on strike during their new grad orientation or while on probation?

Absolutely, resident nurses and nurses on probation can go on strike and cannot be fired for participating in a strike because it is your right under federal law to strike; probationary status exists only because of the contract. If your manager is telling you otherwise or if Sharp were to discipline (or threaten to discipline) a probationary nurse for exercising their legally protected right to strike, that would constitute an unfair labor practice.



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What are the consequences of crossing the picket line?

Crossing a picket line – “scabbing” – will undermine our attempts as nurses to create a better work environment for our patients and us, and will certainly prevent us from getting the contract we deserve. Nurses who cross the picket line to work during a strike may think they’re doing what’s best for their patients, but ultimately, they’re telling management that they will accept substandard working conditions and wages – and it’s the patients who suffer long-term in addition to the nurses. Consider also that you may be the only Sharp employee working on your unit with outside scabs who don’t know your unit or policies or patients, you may be the most experienced person on your unit (regardless of how experienced you truly are), and that management may relocate you anywhere in the hospital regardless of whether you’ve been oriented. In addition to the many reasons why nurses shouldn’t scab, consider that your license will be on the line.

Can I return to my same job and shift after a strike?

At the end of a strike, the employer is legally required to reinstate strikers to their positions, in the same unit with the same hours, except that where the strike is caused solely by economic issues, the employer is required to place any strikers who have been permanently replaced on a preferential hiring list to be recalled back to work before any new nurses are hired.

A “return to work” agreement is usually negotiated prior to the conclusion of any strike. We will insist as part of the “return to work” agreement that each nurse is returned to their job, unit, and shift. If nurses stay unified in striking, we are more likely to prevail in negotiations for a “return to work” agreement.

What happens if I can’t afford to go on strike?

A strike will require sacrifice and it’s important that you take steps now to prepare financially for a strike, including picking up extra and premium shifts. Another question to ask is, can I afford to keep working under Sharp’s proposals?

If Sharp continues to offer disappointing proposals that provide no solutions or answers, is it more concerning to strike and fight for better for our patients and ourselves, or to accept the crumbs that management is offering for however long the contract lasts?

Will nurses be able to access PTO/ESI/Leave during a strike?

Nurses will not be able to access their accrued PTO benefits during a strike, unless the PTO was approved in advance of the strike. If a nurse has been approved to take leave that is described in the collective bargaining agreement or by law, and a strike is called during the period of the approved leave, the employer must honor the leave and pay the nurse for the approved time off according to the terms of the contract. If a strike continues beyond the period of approved leave, the nurse would be on strike and not get paid.

How are health insurance benefits affected during a strike?

If you are an employee for any day during the month a strike is called, you will maintain health insurance coverage for at least that month under law. Once the coverage period ends and if nurses are still on strike, the employer is not obligated to continue to pay health insurance premiums.

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What can each SPNN nurse do to bolster a strike's success?

- Make sure you're a dues paying member in good standing, and that your coworkers are, too.
- Sign the strike pledge and encourage your coworkers to sign the pledge.
- Vote to strike if the bargaining team calls for a strike vote.
- Do not cross the strike line and tell your nurse coworkers not to either!
- Become a strike captain—help organize your unit to make sure everyone has accurate information and knows what to do when.

How many "yes" votes are required for us to strike? How many nurses will it take for a strike to be effective?

A successful strike requires the participation of every nurse. A large active picket line is vital to a successful strike. Every nurse needs to participate – dues-paying members of SPNN-UNAC/UHCP or not – to show Sharp that we are vital to the Sharp Experience. Our power is in showing how it is our work and our expertise makes Sharp run. The more members we have out on the line, the harder it is for people to cross it. Being on the picket is also the best way to get the latest information on how the strike is going and to show the community that SPNN nurses are united in the strike.

Do I have to call out for my scheduled shifts while on strike?

No. The Union will give management a 10-day notice of any strike; this notice is required by federal labor law. This notice covers all nurses in the bargaining unit regardless of dues status and informs Sharp that SPNN nurses will be striking and not showing up to work.

Do I just not show up at work during the strike?

Correct. You will show up to the strike line instead.

What does Sharp mean that we are already paid market wages?

Sharp is comparing itself to Southern California broadly – critical access hospitals, rural hospitals, and acute care hospitals that are in more affordable areas than metro San Diego. We are looking at Sharp's true competitors – UCSD and Kaiser. Both pay significantly more than Sharp as early as Step 5, and pay double-digit percentages higher in the more advanced steps.

If we strike, will we win everything the Union proposed?

There is no guarantee that a strike will change management's last proposal at the table. We could win much more than what management last proposed, or we may not. One thing is certain – if we don't strike, we will end up accepting whatever management's last proposal is. The ability to strike is our right and our ability to show management that we will not be dictated to or bullied, and that we will fight for our patients and our profession.

What happens when the strike ends – do we keep bargaining?

Yes. We keep bargaining in good faith until we reach a contract. Our UNAC siblings at Kaiser concluded their 5-day strike this past Sunday and returned to the bargaining table this week.

SIGN THE STRIKE PLEDGE



ATTEND STRIKE SCHOOL

Monday 10/27 8 p.m.

Tuesday 10/28 8 a.m. or 8 p.m.

