Mercy RN Negotiations Q&A - Volume 1: Basic Information

April 26, 2016

Q1: When did contract negotiations begin?
A1: Mercy Hospital and the Communications Workers of America (CWA) Local 1133 started negotiations for a new Registered Nurse contract on March 10, 2016.

Q2: Who are the negotiation team members?
A2: Mercy Hospital’s negotiation team members include representatives from Nursing and Human Resources. The team members are:

- Elisha Tomasello, Vice President, HR Services
- Carol LaTona, Director of Nursing Operations
- Joe Scrivo, Director of Human Resources
- Diane Pietraszewski, Director of Labor Relations
- Anna Marso, HR Associate Business Partner

The union’s negotiation team includes CWA-represented Mercy Hospital associates, who were appointed by the union to serve on the bargaining committee, as well as union leaders. The committee members are:

- Erin Bowie
- Deb Arnet
- Kathy Kelly
- Sharon Scime
- Carrie Dilbert

Q3: How does the negotiation process work?
A3: The law requires that employer and union negotiators bargain in “good faith” to reach agreement on contract proposals. This includes meeting regularly, bringing proposals to the bargaining table, responding to the other party’s proposals and working toward consensus.

The process is governed by federal labor law and sometimes assisted by a professional mediator whose job it is to keep the talks constructive.

Q4: How long will negotiations take?
A4: Mercy Hospital and the CWA are scheduled to meet for negotiations one time per week until the contract expires. The Hospital has requested additional bargaining dates, and offered to start earlier in the day as well as go later after 5 pm. The union has declined to
offer any additional dates, and has only agreed to bargain between 9 am and 5 pm. We are hopeful that we can reach an agreement by the expiration of the existing contract on June 3, 2016.

Q5: What happens if you don’t reach an agreement by the time the contract expires?  
A5: While we will work hard to reach an agreement before the current contract ends, there is the possibility it may not happen. In that case, one of the following things could happen:

- Both parties could agree to extend the contract and continue bargaining.
- Both parties could agree to continue bargaining without extending the contract.
- Mercy Hospital and the CWA could decide to bring in a federal mediator to help facilitate bargaining.
- CWA could call a strike with a ten (10) day notice.

Again, we are optimistic we can reach a fair contract that balances the needs of all parties prior to the contract expiration.

Q6: Who is covered by the contract?  
A6: This negotiation involves approximately 875 registered nurses represented by CWA Local 1133.

Q7: What is Mercy Hospital asking for in negotiations?  
A7: We want a fair contract agreement that balances the needs of all parties at a time when hospitals are facing increased financial pressure. Mercy Hospital needs a new contract that positions our hospital for success in a difficult environment that has seen shrinking revenue and rising costs due to healthcare reform. Year after year, we receive less reimbursement to treat patients, whether they are eligible for Medicare, Medicaid or have private insurance. Sometimes, the amount we are reimbursed covers only a fraction of the actual cost of providing care. Under healthcare reform, reimbursement is projected to reduce for Catholic Health by $38 million per year or $380 million over the next ten (10) years. $150 million if this reduction is expected to impact Mercy Hospital.

The next 10 years will bring great change as Mercy Hospital implements the components of federal health reform that we are required to phase in over the coming years. We will need the cooperation of our associates and their union to manage the financial implications of these initiatives.

There are no guarantees in bargaining. We will be working with the union to reach a fair agreement. Both parties have a stake in our mutual success.

Q8: What is the CWA asking for in negotiations?  
A8: We can’t speak for the union on what they intend to propose. We do know in other contract negotiations in Catholic Health, the union has asked for improvements well beyond the System’s ability to provide them, including increased payments to the union for conducting business that your dues should cover. Questions concerning the union’s proposals may be directed to your union stewards or the union office at (716) 828-1133.
Q9: How will Mercy Hospital associates know how negotiations are going?
A9: Mercy Hospital managers will provide periodic updates during staff meetings. We have also created a negotiations website, www.chsbuffalo.org/mercyRN which will offer negotiation updates and information about key issues.

Q10: When negotiations are finished, will all associates vote on the same contract?
A10: All associates within the RN bargaining unit will vote on the same contract.

Q11: What is a tentative agreement?
A11: A tentative agreement is a proposed contract reached through negotiations between the union and management negotiating committees. If the negotiating committees reach a tentative agreement, the union then brings the agreement before its membership for a ratification vote. Sometimes, the union will make a recommendation to its membership to vote for or against the tentative agreement. The union controls the terms of the vote and the vote count. A simple majority of voting members is required to ratify the agreement.

Q12: What happens if union members ratify the contract?
A12: If the agreement is ratified by the union membership, the new contract is printed, signed and distributed. The implementation dates of any changes will be included in the contract.

Q13: If a tentative agreement is ratified, how soon will the new contract take effect?
A13: That’s open for negotiation. Often, a new contract begins on the expiration date of the previous contract, even if the previous contract has expired. Sometimes the start date of the new contract or certain provisions of the contract are effective after the agreement is ratified or some later date.