

Strike Q&A

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This year we began in February and have met with McLaren roughly 40 times to reach a fair contract. We remain committed to reaching an agreement and have bargaining scheduled with McLaren Monday, Wednesday, Thursday and Friday this week.

Q: Why might we go on strike this time?

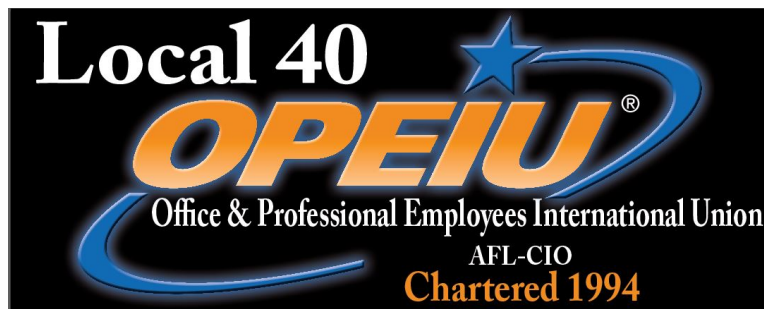
A: McLaren is breaking the law. Since negotiations started, they have committed multiple ULPs (Unfair Labor Practices) and are being investigated by the federal National Labor Relations Board, which has already issued numerous Complaints against McLaren. These violations of the National Labor Relations Act directly affect our ability to negotiate a fair contract for you, and your rights as employees. These violations involve the severe lack of staffing and inability to care for our patients as safely as we can. On July 28th our contract is expired and a strike is how we enforce our rights and protect our patients.

Q: Didn't we go on strike in 2004?

A: Yes. In 2004 we went on strike to win the staffing ratios now contained in Appendix D of our contract. For years now, including today in 2021, McLaren is not keeping to the staffing ratios and it is again time to stand up for ourselves and our patients.

Q: Do we have the legal right to strike and picket?

A: Yes. We gave the hospital the required 10-day notice so we can strike when our contract expires, beginning at 7am on Wednesday, July 28th.



Q: Can I be fired or disciplined for striking?

A: No. Health care employees who give a 10-day notice to strike under an expired contract have the legal right to engage in concerted activities (such as a strike) under the National Labor Relations Act.

Q: Can I strike if I'm still in my probationary period?

A: Yes. You have the same right to strike under law as any other employee.

Q: Am I paid by McLaren during a strike or lock-out, or can I use PTO?

A: No. You are not paid by McLaren and you cannot use PTO.

Q: Does the Union provide a strike benefit?

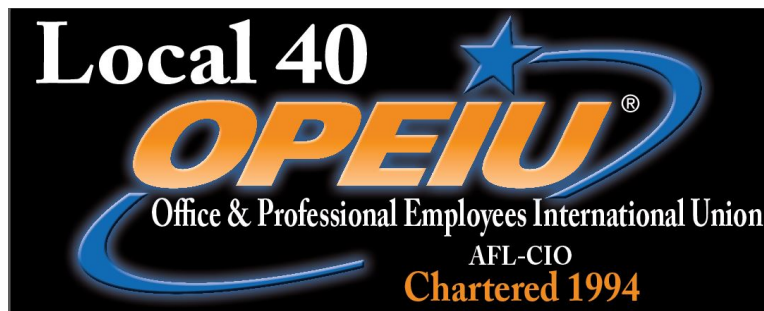
A: Yes. The Union will pay striking nurses \$64 per day / up to \$320 per week, only for Union members in good standing. (Part time and full time nurses would receive the same strike benefit)

Q: What happens to my health insurance if I'm on strike or locked-out?

A: Your health insurance continues, but after multiple requests for an answer, McLaren was ambiguous about who pays for the employer portion of the premium. We expect that McLaren will continue their premium contribution through the rest of July. You will then have choices: You will be offered COBRA continued coverage and have 60 days to decide whether to select it and pay the COBRA premium to continue your McLaren insurance for you and/or your beneficiaries. In the alternative, you may be able to enroll on a health care exchange for an ACA policy which in some circumstances may be less expensive. We will provide more information later in the event that McLaren forces a strike.

Q: If I drop out of the Union, am I exempt from the strike?

A: No. Previously McLaren notified you in writing that it intends to lock out all nurses (whether union members or not) and attempt to bring in replacement nurses to cover the positions. If the hospital decides to lock us out, all members and non-members are impacted.



Q: So what happens if I drop out of the Union and stop my dues?

A: If you drop out of the Union, McLaren has stated it will lock you out anyway, you will not receive any Union strike benefit and you will no longer vote in Union votes regarding the strike or any McLaren contract offer.

Q: Why is it important that I participate in the strike?

A: We don't want to strike, but we have to stop McLaren from disrespecting nurses and patients with Unfair Labor Practices in violation of the law and unacceptable bargaining positions. When we try to resolve your grievances with McLaren, they frequently respond that we have no rights under the contract language as written. So now, together, we are now demanding the information we need to bargain fair language to protect you and the patients. As a Union, we have to stay united so we can ultimately deliver safe, quality patient care by nurses who feel valued and want to stay at McLaren.

Q: What if I cross the picket line to work?

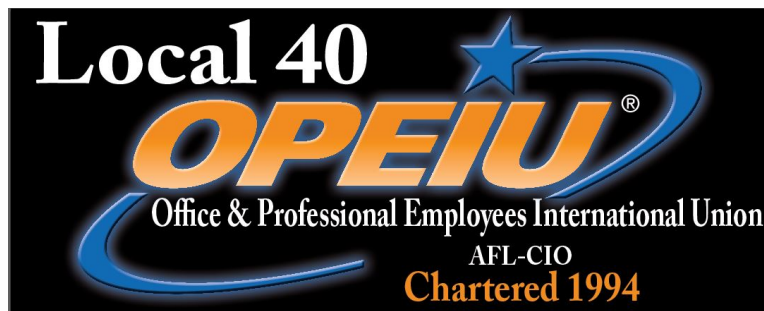
A: We all need income, but crossing the picket line undermines our unity and empowers McLaren. Regardless, McLaren has already told you in writing that all RNs in the bargaining unit will be locked out, that is, not permitted to work.

Q: How care we ensure our patients are cared for?

A: Management needs to figure out how to care for patients while we are on strike, as they did when we went on strike in 2004. That is why we have made clear to McLaren for months of our intention at the end of the contract if they do not agree to remedy the unfair labor practices and agree to a fair new contract and why the law requires the 10 day notice that we have now given. Ultimately, going on strike may be the best way to care for patients in the long run.

Q: What do I do during a strike or lock-out?

A: We will picket outside the hospital 24 hours a day in shifts. Stay tuned for picket shift sign ups and picketing training and instructions.



Q. Can I work other jobs during the strike?

A: Yes. While members will have obligations to picket for a number of hours each week to receive strike benefits, you may work per diem or other jobs at the other times. Local 40 leadership is assembling contact information for temporary jobs and will share this information with members if McLaren forces a strike.

Q: What if my manager asks me if I will be striking or working?

A: You do not have to answer. It is illegal for your manager to pressure you about the strike or to discourage you from participating. If you are asked, please note the date, time, who asked and what was said, and report this information to Local 40 leadership promptly. Nurses delivered a lawful 10-day notice to strike, you do not need to call in to work starting 7am on July 28.

Q: Can McLaren permanently replace us for striking?

A: It is illegal under federal law for employers to permanently replace workers engaged in a ULP (Unfair Labor Practice) Strike, such as this one. They can use agency nurses temporarily.

Q: How long would the strike last?

A: The strike lasts until Local 40 members in good standing vote to accept a contract offer or vote to end the strike. The Union will make itself available to continue to meet on an acceptable contract during the strike.

Q: How do I get other questions answered?

A: Contact a Union leader or negotiator. Stay tuned to updates via text, email, FaceBook and opeiulocal40.org and click on the MM-RN tab. Union organizers from other states and the McLaren Union coalition are also here to help coordinate the strike and will contact you about logistics.