

It's Our Work That Carries the Nursing Home Industry: WE DEMAND RESPECT!



YOU HAVE THE LEGAL RIGHT TO STRIKE FREQUENTLY ASKED QUESTIONS ABOUT STRIKING

Nursing Home workers who work at Guardian, Priority and Comprehensive nursing homes across Pennsylvania have stopped extending our contracts and have authorized our union bargaining committees to call for Unfair Labor Practice (ULP) strikes if it appears our employers negotiate in bad faith and refuse to meet our core demands.

We have 2 days of bargaining scheduled on August 8th and 9th; if our employers fail to address our core 5 demands, and refuse to provide the information we need to bargain over staffing and agency use, we will have to decide to either accept their offer or use our strength together and send notice of a potential ULP strike.

Below are answers to commonly asked questions about ULP strikes in nursing homes.

Q. If our employers do not move on our 5 core demands, what happens next?

The bargaining team leaders will meet with workers virtually (by phone or video) on Wednesday, August 10 to decide together what happens next. We will review the employers' offers at that time and decide if they are acceptable; if not, we will send legally-required notices to the employers of a potential ULP strike to begin in 10 days..

Q. Will I have a chance to vote on a Unfair Labor Practice (ULP) strike?

All members will have an opportunity to vote to approve a ULP strike to determine if we will strike.

Q. What is an Unfair Labor Practice (ULP) strike?

When employers violate any of our legally protected rights, they are committing what's called an "unfair labor practice". This includes employers refusing to provide information that we need to bargain. You have the right to strike to protest that violation when employers negotiate in bad faith. Such strikes are protected under law; it is illegal in such a strike for the employer to try and permanently replace workers.

Q. Would this be an Unfair Labor Practice strike?

Yes, when we strike in protest of illegal actions by an employer, it is a ULP strike. Here, the employers are refusing to provide the information you are legally entitled to that would allow us to negotiate over staffing and agency use, as an example.

Q. Will we get paid if we strike?

You will not be paid by your employer during the ULP strike. Those who participate in the ULP strike are eligible for strike benefits and could have access to a hardship fund.

Q. What if I cannot afford to strike?

Striking is difficult, even with the strike benefits. However, this is the chance of a generation to force our employers to respect - and invest - in us. We cannot afford to sleep on the chance of real progress!

Q. Can we lose our jobs if we go on strike?

No, you cannot legally be fired or disciplined for participating in a ULP strike. In fact, the days you strike cannot even count as absences on your record. When we decide to return to work at the end of a ULP strike, we will all go back to work together and leave no one behind. If the nursing home refuses to let us return to work when we decide to return, then we are “locked out” and we are eligible for unemployment benefits under Pennsylvania law.

Q. What will the administrators and supervisors say or do?

They will say or do anything to get you not to strike. They may illegally threaten you that you could lose your job. They will advertise for replacement workers to get paid double your pay. They are so scared that they will try anything they can think of to try to stop us. The truth is the managers know that if we stand together, we will win.

Q. What about our residents?

When we stand up for our contract goals, we are standing up for our residents as well as our families. We are striking to protest lack of respect for the work we have performed and illegal practices by the employer. You have a legal right to strike. After we vote to strike, the bargaining committee will issue a 10-day notice to the nursing home owners and the state so that a care plan can be put in place while we are on strike.. It is the employer’s responsibility to take care of the residents when we are on strike.

Q. Can we win?

If we stand together, we will win. In fact, thousands of healthcare workers in hospitals and nursing homes have won through collective action. All SEIU members, elected officials and community leaders support us.

Q. I am a probationary employee, can I strike?

Yes, probationary employees have the same legal right to strike as everyone else and your job is protected under Federal Labor Law.

Q. What our are 5 core demands?

- Substantial increases in wages for all employees. Getting people in the door means lifting the start rate for all workers (not just nursing staff but housekeeping, dietary and other important support staff), but keeping them there means significant across the board annual raises for all. Workers who don’t yet have the ability to participate in the union’s training and upgrade fund should be able to do so.
- Employer-paid health insurance and inclusion in the Union’s health and welfare fund.
- Protection of the existing contract in the event of a sale
- The ability to ensure the employers follow the new state regulations governing staffing in nursing homes.
- A written commitment not to interfere in any way with the rights of workers who choose to join the union, in keeping with the intention of labor law.

For more information or to learn how to help, contact Julie at
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