

## President's Message

By HealthCare-PSEA President Sandi Zubek, RN

**A**round us, we can take inspiration to rise up and build upon our union's strength to create an even better future.

I want to talk about member engagement as the means to doing so. Member engagement is key to increasing our membership numbers and our power. I encourage all our members to actively participate and get involved (at any level one is comfortable with) in their local union.

All members are valued members. We want to know what's important to you and what you'd like to work to change as a member of HealthCare-PSEA. We can only address, work on, and fix things if you let us know what you value and what you'd like to change. Let us know what you love about your work and about your frustrations – things that you'd like to change.

I can't emphasize enough the importance of having a voice in our workplaces, and that voice can

only be heard through our unions. Very few employers have their employees' best interests in mind. Our union is only as strong as the members who belong. We need everyone to belong in order to effectively negotiate our salaries, benefits, and working conditions.

So please, renew your commitment to belonging to your local association and HealthCare-PSEA, and contact your local leaders to find out about ways you can get more involved!

[www.healthcarepsea.org](http://www.healthcarepsea.org)

## News from HealthCare-PSEA Locals

### Bucks County Nurses Association

Two members working at Neshaminy Manor Nursing Home, Donna Seamans and Margie Watters, share their experiences working during snow storms.

### Snow storm memories

By Donna Seamans

I recall an enormous blizzard that came to our region a couple years ago. Many would say the timing was superb, as the storm started Friday night and continued well into Saturday evening, bringing heavy snow – more than 20 inches – with high winds causing snow drifts of unimaginable heights. However, at a health care facility, time does not stop on weekends, holidays, or



snow days, and it was my weekend to supervise Neshaminy Manor Nursing Home. Nurses are like postmen. Just like "the mail must be delivered," so must care be rendered to our residents. So, my bags were packed, and I traveled to Neshaminy Friday night, on the cusp of the

storm, and spent Friday night, sleeping on a mattress on the floor, so I would be assured to be there safely at 6:45 a.m. for the beginning of my shift. After a 16-hour stint of working, I again, took to my mattress on the floor for more shut-eye, as the roads were impassable,

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and going home was out of the question. We utilized every nook and cranny in the building, and staff established their “nesting spots” in unused offices and conference rooms, most staff working 16 hours, resting for eight hours, and then working an additional 16 hours.

What is remarkable is the camaraderie that develops during a storm, as staff pull together to ensure safety for our residents during these trying weather events. All televisions are running constant coverage of the storm, our dietary department provides free hot meals to all staff, mattresses are provided for times of rest and recovery, and our residents are calm and relaxed in the safe cocoon that occurs within the building as the blizzard rages outside. The cars in the parking lot were buried. The sights from the windows were of swirling snow – no roads were visible, no travelers, no visitors. The nursing home becomes like a self-sufficient island.

Sunday brought the day of digging out, and again, teamwork was paramount. Little by little, cars were etched out again. Snow plows brought cheers, snow blowers were put to the test, snow shovels were enlisted, and life began to return to normal. After spending two nights on a mattress on the floor, it was with great relief that I made it home Sunday evening, to my shower, and then my bed, which felt like “heaven on earth.” The life of a nurse during a snow storm...

## Camping out at The Manor by Margie Watter

On snow days, teachers may view snow with trepidation. Yes, they get the day off, but there’s the dreaded make-up day in June. For nurses it’s

a different story. We are 24/7 and taking the day off in a snow storm is not optional. So, what a few of us do is pack up and stay over.

The Manor is a great place and provides free meals on snow days. We also get bonus pay if the courthouse closes. So, the path of least resistance is to pack a bag and stay over. If the oncoming shift does not relieve you, at least you have a fresh change of clothes. Some of us opt to stay over preceding the snow to avoid the ice and those dreaded four-wheel drive cowboys, who drive like it’s mid-July on snow- and ice-covered roads.

The nights preceding the storm, while we await the onslaught, we watch the weather and eat snacks we bring in and have a nice relaxing evening prior to the storm.

The Manor provides sleeping quarters for staff. I prefer the clinic, where it is quiet, and there is a degree of privacy. The door gets unlocked to avoid the sound of the number pad, signs go up stating staff is there sleeping, and cell phones provide alarm clocks.

The facility is ensured staff will be present. Staff avoids the hazardous driving conditions and we get a good night’s sleep.

## Highlands Hospital Nurses Association and Lab Technicians

### Your Union Working for YOU at Highlands Hospital

By Stephanie Cramer, PSEA  
UniServ Representative

On January 28, 2018, an arbitrator rendered a very favorable decision to HHNALT/PSEA reinstating a registered nurse who had been wrongfully discharged

under the contract violation of just cause. According to an online dictionary, the term “just cause” means a real cause or basis for dismissal as distinguished from an arbitrary whim or caprice; that is, some cause or ground that a reasonable employer, acting in good faith in similar circumstances, would regard as a good and sufficient basis for terminating the services of an employee.

In each collective bargaining agreement, or contract, there is an article that states that an employee cannot be disciplined or terminated without just cause. If the union believes that an employee has been disciplined unfairly, the union can file a grievance following the grievance procedure in the contract.

Through the arbitration process, much like going to court, the grievance or case is presented before a neutral third-party (arbitrator) who rules on the case awarding a decision to the parties.

Here are the **Seven Tests of Just Cause** (Enterprise Wire, landmark arbitration case, 1966) that are considered by an arbitrator to determine if an employee should have been disciplined or terminated by the employer:

**1. Notice:** Did the employer give the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee’s conduct?

**2. Reasonable Rule or Order:** Was the employer’s rule or managerial order reasonably related to (a) the orderly, efficient, and safe operation of the employer’s business, and (b) the performance that the employer might properly expect of the employee?

**3. Investigation:** Did the

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employer, before administering the discipline to an employee, make an effort to discover whether the employee did, in fact, violate or disobey a rule or order of management?

**4. Fair Investigation:** Was the employer's investigation conducted fairly and objectively?

**5. Proof:** At the investigation, did the "judge" obtain substantial evidence or proof that the employee was guilty as charged?

**6. Equal Treatment:** Has the employer applied its rules, orders, and penalties evenhandedly and without discrimination to all employees?

**7. Penalty:** Was the degree of discipline administered by the employer in a particular case reasonably related to (a) the seriousness of the employee's proven offense, and (b) the record of the employee in his or her service with the employer?

These tests, in the form of questions, represent the most specifically articulated analysis of the just cause standard as an extremely practical approach. A "no" answer to one or more of the questions means that just cause either was not satisfied or at least was seriously weakened.

In this case, the arbitrator found that Highlands Hospital did not have just cause to terminate the said employee and ordered Highlands Hospital to return the nurse to work. While PSEA believes that all arbitration decisions are binding, unfortunately, the employer often does not in termination cases. Highlands Hospital has issued a motion to sue HHNALT/PSEA to have the decision revoked. PSEA will see this challenge through

continuing to advocate for the member who was wrongfully terminated.

### Indiana Registered Nurses Association

By Tim Tuinstra, PSEA UniServ Representative

As elsewhere in the state and nation, health care continues to be both a wonderful calling, and a thorny challenge, for Indiana Registered Nurses Association members at the Indiana Regional Medical Center.

Of particular concern is a continued decline in patient census at the center in recent months. Rolling department closings have led to reduced work hours, less take-home pay, and patient intra-hospital transfers. Leaders continue to monitor the situation and work with their UniServ representative and HealthCare-PSEA attorney as events unfold.

This reflects overall trends in many hospitals, especially in rural areas, unfortunately. Members and leaders alike stand ready to work with their HealthCare-PSEA colleagues to come up with potential ideas and strategies to help turn around these patient census declines.

Nurses are also aware that in recent months, some administrators have been quietly let go by the hospital, and their work redistributed among remaining management, rather than new hires. This too reflects the financial realities impacting rural health care in Pennsylvania and throughout the country generally.

On the grievance side of things, recently the local successfully walked back an excess discipline

given to a member. The member's suspension was repealed, the member was paid for the time off, and the discipline was reduced to a written warning.

Separately, a grievance succeeded in getting the hospital to more consistently enforce with management the need to follow the contractual obligation to notify members of their right to a union rep if a meeting could lead to discipline. (This is one of the best features of the IRNA contract, going beyond the Weingarten rights enshrined in law.)

Finally, the members and leaders are working to put together the IRNA bargaining team for upcoming negotiations. The contract with the IRMC expires in the latter part of October 2018.

### Somerset Professional Nurses Association

By Tim Tuinstra, PSEA UniServ Representative

President Bill Carnell and his fellow officers eagerly welcome the return of spring, green grass, lack of snow and ice, and much more!

In particular, they are eager to celebrate the lifesaving, health affirming work that nurses do in Somerset Hospital and the surrounding communities in the region. During National Nurses Week (May 6-12), members will receive HealthCare-PSEA swag as recognition for their commitment and dedication as vital players in the nursing and overall health care profession.

Members received highly effective representation on some sensitive incidents at the hospital over the winter. One case is headed to arbitration. Others received

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satisfactory outcomes that worked for both the members and the hospital.

On a system-wide level, nurses await the hospital board's decisions on upcoming executive position hires. Some upper level management executives have departed from the hospital in the past several months, including the human resources director. The local's leaders and UniServ representative are working with some management individuals who are filling in on various

responsibilities until final decisions are made regarding which administrators will handle particular duties going forward.

On another matter, the nurses continue to support the hospital's ongoing efforts to hire new nurses to work at Somerset Hospital, with bonuses and widespread searches/advertising ongoing across the region. They remain confident that this will bring in still more new members in the weeks and months to come.

### SAVE THE DATE

### HealthCare-PSEA Annual Meeting

**Wednesday, July 25, 2018  
2 p.m.  
Gettysburg College**