

Strike vote nears for nurses at BMC

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PITTSFIELD — A wave of labor actions at Massachusetts hospitals could soon reach the Berkshires.

Registered nurses at Berkshire Medical Center will decide this month whether to authorize a possible strike against the hospital. If one is called, it would be the third in the commonwealth by members of the Massachusetts Nurses Association this summer focusing on staffing levels and pay.

If the union votes to strike, hospital officials would be "disappointed," but would nevertheless be prepared with licensed replacement nurses, a member of BMC management said Friday.

The vote on a possible strike would come a month after nurses rejected a proposal the hospital termed its final offer. And it will take place even as the two sides, in talks since September, prepare to resume negotiations July 20 after nearly two dozen such sessions.

Amber Van Bramer, one of 15 RNs on the union's bargaining committee, said the vote will be held in two rounds, one before and one after the planned negotiation session. That timing is designed to ensure members on vacation can cast ballots. A locked ballot box will not be opened until after the second round of balloting, she said. At that point, the result will be announced.

"That doesn't mean we're actually going to take a strike," Van Bramer said of the vote.

But she noted that when the union's members rejected the hospital's last offer May 31, many indicated informally they were prepared to hit the picket lines.

"The overwhelming majority of people wanted to take a strike authorization vote," Van Bramer said. "If it goes in the same line, we'd get the same result."

Of the roughly 800 RNs at the hospital represented by the union, 616 are voting members.

Next week, 1,200 RNs represented by the MNA plan to strike against Tufts Medical Center in Boston. Nurses held a one-day strike and picket June 26 at Franklin Medical Center in Greenfield.

In all three locations, a central issue has been disagreement over what constitutes adequate staffing.

Diane P. Kelly, the chief operating officer at Berkshire Medical Center, said Friday she is disappointed about a possible strike by nurses at her institution. But Kelly said she and others stand ready to cover nursing shifts with replacement workers, all of them licensed to practice in Massachusetts.

"That's already set for the days we need them," Kelly said of replacement nurses. "We're disappointed if we get to a place where there is a strike authorization taken."

In Greenfield, a one-day strike resulted in nurses staying out for three days because the hospital, owned by Baystate Health Systems, said its replacement nurses had to work a minimum of three days.

In the Tufts strike called for July 12, the MNA says it expects nurses to be locked out for five days.

That would be the case as well in Pittsfield, according to Kelly. The agency supplying replacement nurses requires a five-day deployment.

When that might happen remains uncertain. The union must provide a 10-day notice of its plan to strike. If the strike authorization is reached in late July, the action would take place in early August at the earliest.

"If it does happen, we'll be ready from the first minute to supply patients with high-quality care," said Michael Leary, the hospital's spokesman.

Kelly said her primary concern is to assure continuity of coverage for the hospital's patients. She is holding out hope the July 20 negotiation session will resolve what's been a year-long effort to reach a new contract.

"Nothing would be better if that could be a successful day," she said.

Joe Markman, a spokesman for the union, said it is possible the meeting could produce an agreement. "It's a full-fledged negotiation session," he said.

But leading in, there is no evidence the sides are closer. Both are working with a federal mediator appointed to the case.

Leary declined to provide specifics on how the hospital's bargaining team will approach the next negotiations. But Kelly indicated that the offer rejected by nurses May 31 remains largely intact.

"We have a very good and final contract offer, and we're staying with it," she said.

That offer includes a 1 percent increase retroactive to last year with a 2 percent bonus for nurses at the top of the scale on their anniversary dates, then 1 percent increases in 2017 and 2 percent increases in 2018, with bonuses of 2 percent to nurses at the top of the scale in both years.

The union has been seeking a 3.5 percent increase in a one-year contract, 1.5 percent retroactive to when talks began in September.

Hospital letter

On Wednesday, Kelly and David E. Phelps, the president and CEO of Berkshire Health

Systems, circulated a letter about the possibility of a strike.

In the "Dear Colleagues" message, a copy of which was obtained by The Eagle, the two hospital leaders asked nurses to "carefully consider the implications of voting to give the MNA that authority, whether by voting to approve a strike or by not voting at all."

The letter opened with "disturbing news about an impending threat to the well-being of Berkshire Medical Center and to the local community."

It closed by asking nurses to take a "fresh look" at the hospital's offer.

According to the union, that offer was rejected by 405, or 82 percent, of the 495 members who voted.

Van Bramer, the nurse on the bargaining unit, said the hospital's last offer did not offer any concessions on the union's quest to secure contract language related to what it calls "safe staffing."

The hospital has said that overall, the nurses' contract demands would cost the hospital more than \$21 million over three years. In a March 24 letter to Berkshire Health System employees available on one of the institution's websites, an executive took aim at the MNA's staffing demands.

"We have made it clear to the MNA bargaining committee that we cannot agree to their unrealistic and unsustainable staffing demands," wrote Arthur D. Milano, vice president for human resources.

More information about Berkshire Medical's handling of negotiations is available at bmcnurses.com, a website maintained by the hospital.

"We care"

Van Bramer, who is 30 and works in the critical care unit, said she felt the letter signed by Phelps and Kelly this week did nurses a disservice by questioning their commitment to doing what's best for patients and the community. The letter reads in part, "We have always assumed that our nurses, like all of you, kept the needs of our patients and community as their very first priority and that they would do nothing to threaten the ability of the hospital — that is, the collective us — to protect those patients and community."

Van Bramer said she and her colleagues have the best interests of patients in mind. "We're talking a strike authorization vote because we care about patients," she said.

She also took issue with a reference in the letter to the MNA "asking our nurses to vote to give the union the right to call a strike at any time of its choosing."

"We the nurses are the MNA," she said. "From Day One, everything we've brought to the table has been brought by nurses at BMC — all 794 of us. I'm loyal to my patients and we're doing what we feel is right for patients and our community."

Markman, the MNA's associate director of communications, said that in a recent negotiation session, the union indicated it would be willing to move away from contract language related to "safe staffing," a move it thought would appeal to the hospital. But that agreement would only be for one year, retroactive to the beginning of the current talks.

He said the possibility of a one-year contract would allow the union to reopen the issue later. Markman said the timing is not meant to coincide with a possible state referendum question in 2018 on nurse staffing. The union has confirmed it is considering a ballot question on the staffing issue.

The hospital's proposal includes use of a staffing committee to review workload.