

BMC Nurses Give Bargaining Committee Authority to Call Strike

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PITTSFIELD, Mass. — The registered nurses at Berkshire Medical Center are willing to strike over what they say is chronic understaffing.

By Wednesday, more than two-thirds of nurses eligible to vote had said "yes" to give the bargaining committee the authority to call a one-day strike should it feel one is necessary. The vote was taken over two days, this week and last week. Should a strike be called, the hospital would have a 10-day notice.

"Berkshire Medical Center nurses are standing up together for our patients, our colleagues, and our community because we care," reads a statement from Alex Neary, co-chair of the local bargaining committee for the local chapter of the Massachusetts Nurses Association.

"We have been working hard to negotiate a fair agreement with our hospital since last September. BMC has refused to be held accountable for safe nurse staffing levels that protect our patients, even as we have made numerous reasonable proposals and overwhelmingly rejected the hospital's 'best and final offer.' This strike authorization vote shows that BMC nurses are united for safe patient care."

Hospital officials said they are disappointed with the results but should a strike occur, the hospital will remain focused on providing uninterrupted care.

"We are naturally disappointed that the MNA has taken this action, but the results are not surprising given the union's record across Massachusetts in taking hospitals out on strike to support their statewide political agenda," BMC spokesman Michael Leary wrote in a statement Wednesday night.

"In the event of a strike, Berkshire Medical Center is fully prepared to provide all services, procedures, and programs, uninterrupted. We have two additional sessions with the MNA currently scheduled and are hopeful that they will result in a final contract."

Nurse Barbara Connor sits on the bargaining committee and called Wednesday's results a show of unity. She hopes the authorization will push the hospital closer to their position regarding staffing levels.

"It means the nurses of BMC are united on their work to get safe staffing. Every nurse wants to do her job just as she is trained to do," Connor said. "We're hoping this will bring management back to the table."

She believes the overwhelming yes vote is a sign that all of the nurses feel the same way about the issue. The vote set a record turnout, the union says, with 85 percent of the 627 eligible voters casting ballots; 83 percent of those voted yes.

"I'm very proud the nurses participated the way they did," Connor said.

The union has been without a contract since September and has been involved in testy negotiations with the hospital for months.

The union had been pushing for fixed ratios for the number of nurses based on situations and times. The nurses say they have documented hundreds of occasions when low staffing levels have jeopardized patient care and say they've brought their concerns to the administration to no avail.

"Our nurses are telling BMC loud and clear to return to the bargaining table and negotiate a fair agreement," reads a statement from Gerri Jakacky, co-chair of bargaining committee, issued Wednesday night.

"BMC nurses care deeply for our patients. Hospital administrators know this and have taken advantage, routinely pushing nurses beyond our ability to provide safe patient care. Without enough RNs and other team members available, corners get cut, communication gets lost, and key aspects of patient care get missed. Patient and family education is sidelined. Call lights go unanswered. This is why BMC nurses are fighting for safe staffing — because we care."

At the latest bargaining session, on July 20, the union said it presented a proposal that moves away from fixed ratios and instead calls for language and other staffing changes such as having charge nurses in each unit operate without patient care assignments — freeing them up to lend a hand to other nurses and manage the unit.

"Safe staffing that protects patient care remains our top issue during negotiations ... BMC management said they needed more time to review the proposal and did not offer a counter," reads a statement from the bargaining committee on July 20.

"We are planning to negotiate again on Aug. 1. In the meantime, BMC nurses will complete our second and final day of a strike authorization vote next week. We are standing up for each other and our patients."

The hospital says the union's calls for "safe staffing" isn't so much a local issue but rather part of a statewide agenda, and part of a push for a memorandum ballot question in 2018.

BMC has already given the nurses what it calls its "best and final offer," which the nurses rejected via a vote. The administration argues that by putting fixed ratios into the contract, it takes away the flexibility in staffing. Hospital officials say the staffing office currently takes into account other staff, including doctors and specialists, who attend to patients.

The hospital's offer was to create a staffing committee that includes union officials and nurses to review data and make recommendations. That plan replicated suggestions from the American Nurses Association and had been used in other hospitals in the country to tackle staffing issues.

"It brings the leadership and the staff together on a regular basis, looking at data, and making decisions based on work environment, the population on the unit, the experience of the nurse, the other resources they have," Chief Operating Officer Diane Kelly said last week.

"I welcome their input. I think the voice of the nurse at the bedside is important to us. We do want to have a formal process in which we can hear that and discuss the data together, and they can understand our rationale and we can understand their rationale. We don't think this should just be by the book, one number, and that's it. We need flexibility but it would be better to come to that in a shared way."

Going into July 20, hospital officials were asking the union to reconsider the offer. Meanwhile, the nurses had already taken one day worth of voting on the strike authorization. The negotiations have been difficult and has included an informational picket and accusations being hurled both ways.

The nurses filed a complaint with the National Labor Relations Board against the hospital and Vice President of Human Resources Arthur Milano. The complaint alleges that Milano sent a letter "misrepresenting" the consequences of a strike and threatening an additional four days of lockouts, halting health insurance coverage, and more, as well as "implying that the charging party [the union] would deliberately miscount the votes so that a strike could occur even though a majority of the nurses did not vote to do so."

Hospital officials say the letter followed the law and the current contract.

Should there be a strike, the hospital has a plan to bring in replacement nurses. That is similar to what happened with strikes at Tufts and Baystate hospitals, when nurses each held a strike.

The union says a hospital can't run without registered nurses and a strike is a piece of strength the workers have.