



**Berkshire
Medical Center, Inc.**
BERKSHIRE HEALTH SYSTEMS, INC.

725 North Street
Pittsfield, MA 01201
(413) 447-2000

March 6, 2018

Dear Colleague,

Early in the morning of March 5th, we received an e-mail message from your bargaining committee informing us that they intended to cancel the bargaining sessions scheduled for March 6th and 7th.

The committee told us that the reason they were suddenly cancelling both sessions was that they did not have their outside consultant's analysis of the BHS Health Plan and that, without that analysis, it would not make sense to meet and bring these contract negotiations closer to resolution.

The committee has claimed that, for reasons that are not clear to us, its consultant needs to analyze the structure and operation of the entire BHS Health Plan and cannot complete that task without a substantial amount of information from the BHS Health Plan, its outside advisors and actuaries. Many months ago, the committee demanded that the Medical Center obtain from the BHS Health Plan, and turn over to the committee, detailed claims information about how the 6000 participants in the plan used their health insurance over the past several years. Although the union said that the BHS Health Plan could mask the participants' names, we believed that the request was still more than federal privacy law would allow the BHS Health Plan to turn over and that, besides, the amount and kind of private information asked for was unnecessary to the analysis the MNA consultants were going to do. In order to protect the privacy of the BHS employees and family members participating in the BHS Health Plan, we refused to turn over individual data but provided volumes of information about how we, as an entire group, use the plan.

The union insisted that, regardless of privacy laws or other confidentiality concerns, it had a right to require the BHS Health Plan to turn over detailed health information about all plan participants whether or not they were nurses and members of the bargaining unit. Finally, the Medical Center and the union agreed to get their insurance consultants together to discuss what information the MNA consultants actually needed and whether that information could be limited to information that did not invade the privacy of our employees and their families. In early February, a telephone conference occurred and we agreed about the information the MNA consultants actually needed for their work. The final information requests did not include any of the detailed, private information that the union had been insisting upon all along.

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The BHS Health Plan gathered the requested information from various outside sources—insurers, claims administrators and consultants and turned it over to the Medical Center and the union as quickly as possible.

Although we are uncertain how the union intends to use the health plan information we have turned over, we believe that it somehow has to do with the Medical Center's proposal that the registered nurses pay the same 20% premium amount for individual health insurance coverage that all other employees electing that coverage pay. If that is the case, the issue is only one of several that need to be finally resolved. We believe that the scheduled sessions on March 6th and 7th could have been put to good, productive use, even if final resolution of the health insurance issue needed to be postponed for a few days. We urged the bargaining committee not to cancel but that request was flatly rejected.

Over the past ten days, we believed that great progress had been made and that settlement of the contract was truly possible in the near term. We believed that many of you shared that optimism and relief. The bargaining committee's sudden decision to cancel the only scheduled negotiating sessions is deeply disappointing and a troubling sign. We are hopeful that the prospects for reaching contract agreement will recover from this blow and improve over the next weeks or months. As I write this note there are no new bargaining dates set, however our offer remains on the table for the next scheduled sessions.

We will continue to keep you informed of the events as they occur.

Respectfully,

A handwritten signature in black ink, appearing to read "Brenda Cadorette", with a long horizontal line extending to the right.

Brenda Cadorette MSN, RN NEA-BC