

Attention: Kaiser workers in SEIU-UHW READ THE FINE PRINT AND VOTE NO

By voting no to reject the union-management Tentative Agreement (TA), we can help to break the long-standing pattern of labor union concessions to management, the weakening of unions, the pervasive racism, immigrant bashing and divisiveness that have left our nation a barely recognizable shadow for what it once was and what we want it to be. This strike allows us to free ourselves from the debilitating illusion that a “partnership” with management can do anything except disarm us in the face of an arrogant disrespectful bully. WE have the power now with our no votes to raise the collective voice of our co-workers and fellow union sisters and brothers. We can send a loud and clear message that we will not be railroaded into a TA that in reality gives management all the power into the future, gives us crumbs as compensation, ties the hands of union members to assert our rights on the job, and ratifies the elimination of at least 200 pharmacy warehouse jobs among other unacceptable provisions.

The significance of a NO vote now

By voting no and exercising our right to strike, SEIU-UHW workers can place

ON THE TA!

We can't settle for too little, too soon

ourselves in the middle of the national debate on health care and advance the standards that are necessary to win quality health care for every American, including immigrants who, with and without papers, constitute the fabric of our nation. The issues of understaffing, worker-patient ratios, job loss, subcontracting and outsourcing, and the daily struggle of health care workers to care for our patients can be clarifying to a national discussion that, amongst politicians, often times seems to boil down to arguments over financial minutiae that doesn't clarify much.

Historically, Kaiser has been the health care institution for poor and working class, majority minority, immigrant, and union people. A national no vote and potential strike from Kaiser workers would be a tremendously popular force in our

country; it would be a pole for mass anger and dissatisfaction with the direction of our country, and would have the power to counter the authoritarian and bigoted aspirations of Donald Trump.

A tentative agreement ought to secure the interests of workers in our various disputes with management over the conditions of our employment. This TA instead outlines various means and rationale for management to violate the rights of Kaiser employees, including boldly asserting union agreement with management interests in a way that, if ratified, will have a negative impact on health care employees across the country.

The betrayal begins on page 2 (Subcommittee: Economics)

The first way that the union leadership has helped to protect management's interests is on the issue of salary, and differences in salary between regions. The way this issue is handled by the union leadership raises broader questions about what exactly a union is supposed to be, and how should a union protect the interests of its members.

It is well-documented that Kaiser has been making sky high profits. Today they have \$36 billion in reserve. The UHW bargaining team went into negotiations demanding a 4% raise and pay equity between the various regions. They said they thought they could win that, given Kaiser's tremendous profits, and they were right to think that, even though it would have been even better to demand more.

MEMBERSHIP ACTION COMMITTEE

The Membership Action Committee (MAC) is a caucus of workers at Kaiser fighting for a new militant leadership for our unions. Join us!

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Instead, they came out with less! Agreed to was a 3% raise each year for California for the life of the TA. For regions outside California they agreed to 3% the first year, and 2% raises for years 2,3, and 4. UHW leadership should stop selling this as a victory. In kindergarten all of us already learned that 2 is less than 3. That is not equity between regions.

Equality and fairness is a fundamental organizing principle of any union. By agreeing to unequal raises across the country, the UHW leadership has accepted the prerogative of management that it is they who get to determine wages – not the union. In the long term this agreement will mean a growth in inequality between the regions, because the organizing principle of this wage agreement gives management the upper-hand.

Just in California, for 20 years a large pay gap has persisted between Northern and Southern California. The same job in Northern California can make as much as \$8-10 more per hour than Southern California. If wage scales were equal across our national union, we would all be in a much stronger position to secure higher raises for our ourselves and our families. We could better fight the downward pull to the bottom of the wage scales of our members across the country. The bargaining team had an opportunity to assert its power over management. They did not. But WE can. The Labor Management “Partnership” means the union helps facilitate more inequality. We should vote no and make use of our right to strike to make clear we are serious. We can win the raises we all deserve.

Lies about sub-contracting and outsourcing – Overturn the pharmacy workers and call center job eliminations

The union has been touting a ban on sub-contracting and outsourcing in the TA. This is a lie. The section on subcontracting (Side Letter re Subcontracting Sec. 2a p. 17), states that if management is already subcontracting the job, then they can keep using outside vendors to do our work. The “ban” only applies to certain job categories. The Union Labor Partnership cannot have it both ways. They cannot tell us they are banning subcontracting to get our votes and then continue the subcontracting management has been doing.

The lie about subcontracting continues with regards to gardeners who are a part of UHW. TA language clearly states that “for the duration of this agreement, where the landscaping function is currently being done by a third-party vendor exclusively at a Kaiser Permanente facility,

Kaiser Permanente will continue using a vendor at such a facility.” (September 26, 2019 Memorandum of Understanding). In other words, if Kaiser has already been subcontracting gardeners at certain facilities in Northern California, they can continue to. The ban only applies to facilities in 15 Northern California cities.

At some point Kaiser violated our contract by signing an agreement with UPS to outsource 200 pharmacy warehouse jobs in Downey and Oakland. These workers will be losing their jobs in four years. During negotiations the subject was brought up, and the Labor Management Partnership (LMP) went into action. In an attempt to save Kaiser management the embarrassment, the union signed onto another (Memorandum of Understanding” p. 15), which created paperwork to stipulate these workers would continue to get full pay, hours, and benefits for the next four years of the TA. The problem is these jobs will not exist in four years, they will be UPS jobs. The “understanding” releases management from responsibility, and the union leadership treacherously agrees to drop any complaints regarding it.

Management is using the “Memorandum of Understanding” as a means of getting around the contract. They are attempting to use the TA as a way to ratify a previous agreement between management and our union leadership which undercuts our unions. A yes vote would ratify the elimination of these jobs. We must vote no and save the jobs of our sisters and brothers. We can reverse this – they are still Kaiser employees. If we vote no and reject the TA, either the threat of a strike or a strike itself can overturn this betrayal. GM workers right now are fighting to stop the closures of four plants and have held out for over two weeks now to do this. We can save these 200 jobs if we take a stand.

The section on outsourcing in (Side Letter re Subcontracting section 3) reads like the pages out of the most prominent business magazines or dialogue in Fortune 500 company boardrooms. Instead of stating what has been claimed, that outsourcing is banned, it states boldly, “Kaiser may choose to pursue outsourcing”...and continues in the same section Point 1, “The market, consumer demand, or Kaiser Permanente’s ability to compete require that it gain access to a level of capabilities that cannot be developed or maintained in house”, Point 4, “Outsourcing would enable Kaiser Permanente to improve its focus on its core business.” Point 6 says flatly, “Outsourcing would strengthen the company as a whole.” This kind of profit-first patient/employee-sec-

ond, is a constant theme of the TA and seems to be a motivating principle to the entire document.

Fight for quality patient care – patients over profits

The TA makes the profit margin of Kaiser the determining factor for whether or not regions outside of California can actually get a 3% per year raise. While President Regan said in his Facebook live presentation of the TA, staffing ratio’s and work conditions was a “tough nut to crack” and so they did not address it in bargaining, he had no problem admonishing Kaiser workers for their overuse of sick time! The TA stipulates that 25% of our PSP bonus will now be tied to attendance, with 15% being directly tied to our individual usage of benefit time. In four years it is the goal of the Labor Management “Partnership” to decrease sick time by 8%.

The TA even blames workers for understaffing when it asks workers to recognize “that current staffing arrangements are thrown off by attendance issues...” This aspect of the TA is one of the more condescending and dangerous parts. Workers do not make staffing decisions. Workers aren’t to blame for understaffing. No nurse assistant decides, “hey, for today I’d like to be the only person on staff for a floor of 28 patients!” We don’t have direct control over those things. But it is certain we would do a better job at resolving the basic day to day issues of the operation of our units than management does. The TA and the Labor Management “Partnership” want to police our attendance in the same way teachers did in elementary school. We are not children.

Rejecting this TA will be the first step in lifting ourselves out from under an overbearing management and Kaiser Executive Leadership that has believed for too long that they can dictate every unreasonable policy that degrades the quality of care for our patients and burdens us with overwork and the knowledge we are not doing what we could for our patients.

Vote NO! We can win!

2019.10.14

Endorsed by:

BAMN

Coalition to Defend Affirmative Action, Integration & Immigrant Rights, and Fight for Equality By Any Means Necessary

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