



**Engineers & Scientists
of California**
Local 20 IFPTE



Home Health Occupational, Physical, and Speech Therapists Negotiations
Union Update
November 21, 2018

Progress Continues, Bargaining Team Needs Help for a Final Push to Settlement

The fifteenth bargaining session was held November 20 and we are getting very close to a fair settlement but a few key issues remain. Our power at the bargaining table comes from you, the members, and we need your help to push Kaiser to resolve these last issues fairly:

- **Predictive Guidelines (AKA Productivity Standards):** While no formal tentative agreement was reached, we are extremely close. We are exploring agreeing to some minor concessions for the possibility of limiting weekend work days to 1 day per month. The Santa Clara office has successfully been doing 1 weekend work day per month for many years. Most offices require 2 weekend work days per month, so Management is having a hard time with this concept. After deep discussion, a Pilot Proposal is being developed to use Santa Clara's model in other areas.
- **Exempt vs. Non-Exempt (under the Fair Labor Standards Act):** We want to make sure that we are compensated for working more than 8 hours per day, while at the same time making sure that we do not have to clock in and out to achieve this. Kaiser Home Health Nurses and Kaiser Optometrists, already have this type of arrangement. Both groups are technically Exempt but still get paid extra if they work overtime. Despite this being a current practice for other healthcare professionals at Kaiser, Management outright rejected this concept for Home Health Therapists.
- **Wages and Benefits:** Our power comes from our unity and collective action as Home Health Therapists. From this power, we can achieve fair wages and benefits but we have to be ready to fight. As talks progress on these issues, we will let you know exactly what we need you to do.

At this point, it is imperative that all Home Health Therapists claim all the time worked so that we can present a true picture of work time at the table and reach a fair settlement on these issues.

Negotiations Process, Tentative Agreements, and Next Steps:

After nearly a year of negotiations, it is outrageous Kaiser is giving us the run around on these few final and important issues that will have dramatic impacts on patient care and on our livelihoods. When we began, we sought to use an "Interest Based Bargaining" approach that would allow us to reach agreements more swiftly but Kaiser refused and has unnecessarily dragged out the process.

In spite of that, we have reached tentative agreement on many issues: Grievance Process; Union Membership; Job Postings; Relationships; Management Rights; Non-Discrimination; Safety; Professional Standards; Probation; Evaluations; and Seniority.

Repeatedly, we have sought to work in a more partnership-like manner but Kaiser's actions have made it clear they are unwilling. At this point, we have to move forward with whatever it takes to get the contract we deserve.

We need all Home Health Therapists to stand united and be prepared to take whatever action is called for by the Committee (Buttons, Wearing Union Colors, Educational Leafleting, etc.). The work we do puts patients back on the road to recovery, and our work deserves the same respect as other healthcare professionals. We can and we will win, and we will not give up until we get the contract we deserve!

Next bargaining dates: December 7 and 19; January 11 and 24.

Michael Aidan, ESC Local 20 Chief Negotiator

Bargaining Committee:

Erelah Gafni, Oakland; Ken Rosenfeld, Santa Clara; Marianne Nicholson, Martinez; John Wickenburg, Santa Rosa; and Kathleen Doerr, Sacramento.