



# One Day Longer, One Day Stronger: BBA Unfair Labor Practice Charges Update

1199NW Executive Board members, delegates, and leaders from across VMFH/CommonSpirit came together to hold our employer accountable to our rights to negotiate as union members. VMFH repeatedly refused to bargain and wanted us to give up our rights to receive the BBA in 2020 and 2021. Together, members at St. Clare, St. Elizabeth, St. Joseph and St. Anne have maintained our rights and filed charges with the National Labor Relations Board to hold VMFH/CommonSpirit accountable.

In 2020, VMFH/CommonSpirit decided to implement the Broad-Based Award bonus program (BBA). They did so without bargaining with us, despite our demand to bargain. Union leaders from each hospital gathered and made the decision to hold the hospitals accountable. Our union filed unfair labor practice charges with the Regional office of the National Labor Relations Board (NLRB) because VMFH refused to bargain (which means some of our members may have been denied the bonus without a reasonable opportunity to contest the denial). The Regional office said they thought the dispute should be addressed through the arbitration process in our contracts first. So, we filed grievances and advanced them to arbitration around August 2021.

In the fall of 2021, VMFH/CommonSpirit said they wanted to offer the BBA again, but when we again demanded to bargain about the BBA, VMFH refused to bargain and refused to give the BBA to any of our members. Union leadership from each hospital again made the decision to hold VMFH/CommonSpirit accountable. We filed new unfair labor practice charges with the Regional office of the NLRB. The Regional office dismissed the charges, but our union appealed

to the NLRB office in DC and won the appeal in June 2022, which meant the Regional office needed to continue processing the 2021 charges.

Finally, a year later, in June 2023, the Regional office issued their formal complaints on both the 2020 and 2021 charges and set a hearing on those complaints beginning on June 11, 2024. That hearing is before an Administrative Law Judge (ALJ) who listens to all the evidence and decides whether VMFH violated federal labor law by first implementing the BBA in 2020 without bargaining with our union and then rescinding the BBA and refusing to bargain with our union about it in 2021. If the ALJ issues a decision after hearing, the NLRB will review the decision and either fully adopt the decision or make modifications to the ruling as they deem appropriate.

VMFH attempted to delay the June 11, 2024 hearing by asking the NLRB to require the parties to put all the charges through the parties' arbitration process first. Our union opposed that action and we are waiting to hear the NLRB's decision on VMFH's request. Each step of the process can take months. Because we stand united to hold our employers accountable, we decided a long time ago to not let VMFH/CommonSpirit get away with taking our rights away. The right to bargain is foundational to workers' ability to have a say in their workplace. Sometimes these cases can take several years when the employer decides to do the wrong thing, but we are stronger together and we know that one day longer means one day stronger!



"Although it's frustrating that the process moves so slow, it's important that we never give up our rights to bargain and seek redress for our members. It's unfortunate that our bosses chose to fight us over this issue, but our union kept fighting for the money we deserve from our service during the pandemic and the Broad Based Award."

- **Chad Reilly, X-Ray Tech, St. Elizabeth Hospital**



"It is good that we never gave up as a union and we are fighting for the BBA. This is why we have a union, to fight for these things and our rights."

- **Adiam Gidey, RN, Cancer Center, St. Anne Hospital**

"As a unified bargaining team at St. Joe's, St. Elizabeth, St. Clare and St. Anne, we came together and called VMFH out for not being fair with the BBA. All members were not receiving the award. We decided to bargain the terms and make it equitable. VMFH refused to bargain and withhold the BBA from members. Trust the process."

- **Charney Chambers, Equipment Tech, Respiratory Therapy, SJMC**

