



COMMUNICATIONS WORKERS OF AMERICA
LOCAL 1168, AFL-CIO



DATE: March 29, 2010

TO: All CWA Local 1168 Employees at Kaleida Health

FROM: John E. Klein, President
Cori A. Gambini, Executive Vice President
Bob Andruszko, Area Vice President
Kathy Boyd, Area Vice President
Ron Hosinski, Multi Site Area Vice President
Mary Janice Keller, Area Vice President
Linda Sheehan, Area Vice President
CWA Local 1168

RE: **The Saga of Management's Mismanagement**

We have bargained language with the employer that addresses Multisite On call for GI cases, Kaleida wide. It was negotiated and placed in the 2008 contract.

After negotiations, 5 RNs volunteered to cover this call. It quickly became clear, that 1 RN was insufficient to deal with the severity of the emergent cases. With patient safety in mind, the GI on call nurse would call one of her co-workers to join her, knowing that the case was going to require 2 qualified and competent GI nurses. This 2nd nurse was paid call in pay, but no call pay (as per the article). Again, their main concern was patient safety!

The nurses remained very concerned about patient safety and protection of their license. Multiple communications, meetings and grievances occurred with no movement from management's side. They continued to insist that the ED or ICU nurse would be the mandatory second pair of hands in these cases. Any nurse working in these areas could tell you, there is no way to guarantee that they could stay in a room during an entire emergent Gi case and deliver/monitor the conscious sedation. In general, the staff feels that patient care is being compromised to preserve the "ALMIGHTY KALEIDA DOLLAR".

Fast forward to February 2010. All 5 nurses who had been volunteering for the call made a unanimous decision to STOP volunteering. They felt the job had spun out of control. The patients and nurses were being put in jeopardy because Kaleida refused to bring the appropriate people in on call. Surginet computer documentation was also added to their responsibilities during the case, making things even more difficult.

2/11/2010: An e-mail notification was sent to administration stating that, as of March 28th, the 5 nurses were not going to continue volunteering. **No response from management.** (over)

2/24/2010: A follow up e-mail was sent asking for a reply and stating that “CWA remains willing to meet and resolve the issue...”. **Again, no response.**

3/5/2010: Another e-mail was sent to administration in hope that we could still sit down and negotiate. **Response; we are trying to figure out how to cover the call, internally...in other words, without input from CWA membership and leadership input.**

The contract language in article MOU# 12 Multi-site On-Call Program/GI Lab states the following: “In the event that there are not sufficient volunteers to cover On-Call, it will be assigned to fully trained GI nurses in reverse seniority order. A meeting will be convened with union representatives **prior to** implementing the assignments of non-volunteers to discuss implementation”.

3/15/2010: CWA filed a labor charge for disregard of contract language and failing to bargain over the issue.

We made every attempt and more to negotiate with Kaleida over this issue. Management was overheard speaking on the issue and saying, “the Union is standing in the way and unwilling to work with us.” This is absolutely untrue!

This entire situation was severely mishandled by Kaleida with negative consequences to the GI lab RNs. They are now being mandated to do call, on short notice, and without training, again compromising patient safety.....both further contractual violations, that could have easily been avoided. If any party’s integrity is in question....**IT IS NOT CWA!!!**

Going forward, if your manager tells you something and you are unsure if they are correct...**Call the Office!!! Many more contractual violations are going on, but we can only deal with them if we are aware.**

MJK:az