



April 27, 2010

Dear Borgess Staff Nurse Council member,

The BSNC negotiating team and the Borgess management will be meeting this Thursday, April 29. In connection with the upcoming session, rumors are generating in many areas of the hospital that their nursing practice proposal, which they have not changed in 12 different sessions, will be presented again as a final offer and that nurses will be locked out if they do not approve the proposal.

Understanding Lockouts

In this mailing is a handout with more information about the hard facts about lockouts but also some of the realities Borgess would face should they take that step. Understand that Borgess management wants to implement their proposed contract. There are less costly ways for them to pursue this than by locking you out. The financial implications of a lockout and the community mistrust that would take place are not worth the effort. By threatening a lockout, management is getting exactly what they want – frightening our members into making a decision based on fear rather than facts. Don't let vague threats hide the facts!

Understanding the Role of the National Labor Relations Board in the Borgess Negotiations

On March 16, 2010, the MNA acting for BSNC filed an Unfair Labor Practice charge against Borgess Medical Center (BMC) with the National Labor Relations Board (NLRB). **(Among the thirteen violations that were a part of the charge was that BMC has not been bargaining in good faith and has not submitted a legal contract proposal.)**

Currently an NLRB representative is hearing testimony and gathering evidence to see if the charges have merit, which MNA believes are well founded. An initial determination regarding the verdict is expected in May.

If the NLRB agrees with MNA, the following things would be true:

- Borgess must return to the bargaining table and negotiate a new contract;
- Any lockout or other adverse action imposed by Borgess would be illegal and Borgess would be required to provide compensation for any losses (such as back pay, etc.);
- Appropriate fines and actions would be applied to Borgess.

Because the legality of management's current proposal is seriously in doubt, BSNC should not hold a vote until that determination is made. It would be wrong for BSNC to take a package back to the membership that could be a violation of the law.

Understanding the Role of the Public Campaign

This past weekend, BSNC supporters walked and ran in the Borgess Run. Some wore the trade-mark teal BSNC t-shirts, some passed out the new community brochure (enclosed). An airplane towing a sign that said "Want Safe Care? Tell Borgess to Respects its RNs!" circled the Run.

Some nurses have wondered if "going public" like this is professional. The answer is yes. This is unknown territory for many nurses who usually only advocate for patients at the bedside. But make no mistake, this is still patient advocacy on a much more public level. The public has a right to know that your voice in their patient care is at risk.

The Next Step

MNA will be sending out an e-mail notice to everyone on our list whenever negotiations are finished on Thursday, April 29 and a mailing to all BSNC members on Friday, April 30. If you have not been receiving the daily e-mails, contact ann.sincox@minurses.org and you will be added to the list. Whatever happens on Thursday, we ask all of our members to not be swayed by threats or emotions or arbitrary deadlines. We know this process has not been easy for any of us, and we ask for your support as we weigh different options, look at timelines, etc.

Sincerely,

Shawn Shuler

Karen Mitchell

Becky Baldwin

Christopher Sherlock

Borgess Staff Nurse Council Executive Officers



<http://www.bmcrcn.com>