



UNAC/UHCP STRIKE Q&A

United for our Patients and our Professions

The Basics

Why go on strike?

To protest Maui Health/Kaiser's unfair labor practices and ultimately **to stand up for our patients and our community**. Among other violations of federal labor law, Maui Health/Kaiser has refused to negotiate a fair contract by failing to address our concerns about staffing, recruitment and retention, our basic rights. Management's lack of meaningful conversation across the bargaining table hampers our efforts to boost recruitment and retention of experienced RNs and healthcare employees so that we can provide the best possible patient care to our community.

Why is it important that I participate in the strike?

To protest Maui Health/Kaiser's unfair labor practices both at the bargaining table and in the workplace, we need the **active participation of all members** covered by the contract. This means being willing to strike and join your co-workers on the picket line. Solid participation shows Maui Health/Kaiser, the media, and the public that we are united to achieve our goals. Staying home or crossing the picket line sends the message that Maui Health/Kaiser can continue with its unfair labor practices to the detriment of our fellow healthcare workers, our patients, and our community.

When is the strike scheduled to start and end?

The 3-day Unfair Labor Practice (ULP) strike is scheduled to begin on Monday, 11/4/24 at 0700. We will return to work on Thursday, 11/7/24 at 0700.

Has Maui Health/Kaiser been notified?

Yes. Maui Health/Kaiser management and the appropriate government agency were notified and formally provided the 10-day notice to strike by your union's bargaining team on Thursday, 10/24/24.

What if I am scheduled to work the night shift before the ULP strike begins (PM shift of 11/3)?

Go to work as scheduled. At 0700 give report, stop working, and clock-out. Then join your coworkers on the picket line.

I am a day shift healthcare worker, do I need to come to work on Monday, November 4?

No – if your shift normally starts on or after 0700.

Our Rights

Do we have the right to strike and picket?

The First Amendment of the U.S. Constitution and Hawaii state law both **protect our right to peacefully picket**. In addition, our contract clearly allows it.

Can I be fired or disciplined for striking?

No. Employees have the right to engage in concerted, protected activities under the National Labor Relations Act. Strikes and pickets are protected activities.

Can I strike if I'm per diem, or still in my probationary period?

Yes. You have the same rights and protections under federal law as any other employee.

I am a new grad, and I plan on striking with my colleagues – am I legally protected?

Yes.

I'm an intern, a traveler/registry/agency worker, or not in a unit represented by UNHCEH-UNAC/UHCP, but I do not want to cross picket lines. Can I honor the strike?

Federal law, upheld by the United States Supreme Court, gives all employees the right, as a matter of conscience, to honor a picket line. However, you should also look at your union contract, if you are in a union job.

Do I have the right to distribute information to patients and members of the public on Maui Health/Kaiser property?

Yes. Section 7 of the National Labor Relations Act states, "Employees shall have the right to self-organization to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." Distributing information to patients or members of the public is protected concerted activity. You must make sure not to interfere with patient care or conduct these activities in patient care areas. Maui Health/Kaiser knows this is the law.

The Basics (Continued)

What do I do if I am striking, and my shift starts before 0700 on Monday 11/4/24?

Again, go to work as scheduled. At 0700 give report, stop working, and clock-out. Then join your coworkers on one of the picket lines. For example, the shift starts at 0500. Go to work as you normally would and inform your manager that you are striking. Find out who you will be giving report to prior to 0700. Give report to the designated individual, clock out, and leave the facility.

Can we be “locked out” for striking?

It is illegal for the employer to lock out workers in support of a bargaining position that amounts to an unfair labor practice, though some employers will do it anyway. Management may lock us out but replacement RNs, pharmacists, therapists, social workers, CT techs, etc for nearly 1,000 of us would be extremely costly to management, so they would likely only lock us out for the duration of any contract with the company that provides the replacements. Our goal is to reverse Maui Health/Kaiser’s unfair labor practices so that we can negotiate a fair contract with management and not have to strike. But we must be prepared in case Maui Health/Kaiser management continues to bargain in bad faith in an effort to deny us a fair contract.

Do I get paid, or can I use PTO during a strike or lockout?

Unfortunately, not – this is part of the reason a strike is a tool of last resort.

Will our union continue to negotiate with management?

Yes. We remain open, willing, and have offered to meet with Maui Health/Kaiser. Our hope and goal is to resolve our differences and reach a fair agreement without the need for a strike. Even during a strike, our union is willing to negotiate with Maui Health/Kaiser.

When are we making our picket signs and getting shirts?

We will put together our picket signs on Sunday, November 3, 2024 at the union office (140 Hoohana Street, Suite 208/209, Kahului, HI 96732), starting at 10 AM. Spread the word! T-shirts will be distributed at picket lines.

Sign up for picket line shifts and spread the word!



Sign Up for a Picket Shift

Patients and Scheduling

How can we ensure our patients are cared for?

Ultimately, going on strike may be the best way to take care of patients in the long term. We are required by law to give Maui Health/Kaiser 10 days’ notice of a strike so that they have time to make arrangements. A strike is a protected union activity and does not constitute abandonment of our patients due to the notice that was given.

Do I have to personally notify my manager that I won’t be coming to work on the day of the strike?

No. Our delivery of the legal 10-day notice document will inform Maui Health/Kaiser that all UNHCEH-UNAC/UHCP members will not be reporting to work. There is no need to call in.

What if my manager asks me “for scheduling purposes” if I’m coming to work?

You do not have to answer, although the best answer is, “No, I am standing with my co-workers.” It is unlawful for your manager to ask you further questions about your plans or to try to discourage you from participating. If they do so, please notify your steward or union representative ASAP.

Can my family and friends join me on the picket line?

Absolutely. This is the best time for the community to show their support for Maui Health/Kaiser nurses and healthcare employees.

Should I discuss the strike with my patients?

At your discretion, within a limited scope, provided no pressure whatsoever is imposed on any patient to support the strike. You may inform your patients, but you should not lobby them. You may provide factual answers or materials in response to patient questions regarding the strike, the issues, and how patients can help, but with no pressure, request, or expectation that they participate in or support the strike.

Important Things to Remember

Do not feel guilty about striking!

You are standing up for your patients, your community, and your co-workers. Maui Health/Kaiser management is the party responsible for placing us in the position where we have to protect our patients, our values, our credibility, and our colleagues. Maui Health/Kaiser refuses to engage with us in good faith bargaining to seriously address chronic understaffing and the current retention and recruitment crisis.