



FAQ: About Strikes

SVMHS leadership has received a number of questions from employees regarding the intent to strike announced by NUHW. We will offer regular communication to keep you fully informed. To submit a question, email questions@svmh.com; or anonymously leave a message on the hotline set up for this purpose at extension 1763, or 831-775-0763; or use the suggestion boxes located throughout the hospital.

Q: Do I have to participate in a strike?

A: No. Every employee has a legal right to participate in union activities, and the right *not* to do so. The decision is an individual one. Nobody can interfere with that decision or make it for you. It is your decision.

Q: Can I cross a picket line and continue to work if there is a strike?

A: Yes. The Hospital will continue to operate and provide patient care and essential services. You can come to work during a strike.

Q: If I want to work, how can I get to the hospital without crossing the picket line?

A: We will have secure transportation for you. We have an offsite parking location and will bus you to the hospital with a secure drop off location so that you do not need to worry about any confrontation with employees who choose to strike.

Q: I voted in favor of a strike at a union meeting. Does that mean I'm required to strike?

A: No. Even if you voted to authorize a strike, you are not bound by that vote. You have the right to not strike and come to work.

Q: If I strike will I be able to come back to work the next day?

A: That depends. If you are scheduled to work on the day of the strike and you choose to strike instead of coming to work, *and* if your position was filled by a replacement worker, then we are contractually obligated to pay the replacement worker for three days. In that case, you would stay out of work through 5:59am Friday, May 20th, and could return to your job on your first scheduled day after that. Here are the conditions under which a striking employee you would not stay out of work for three days: a) you were not scheduled to work on strike day or b) your position was not filled by a replacement worker.

Q: Could NUHW fine me if I cross the picket line to work?

A: It is possible that NUHW could choose to fine its members who work during the strike. Please check with your NUHW representative.

Q: If I want to work, can I avoid being fined?

A: It depends on whether you have agreed to become a member of NUHW. Nothing in the contract requires you to be a member of NUHW. If you are not a member, the Hospital is not aware of any basis for NUHW to fine you.

SVMH and NUHW agreed to what is known as an "agency shop." When you started your job in one of the positions represented by NUHW, if you signed the "NUHW Membership Application / Dues & COPE Deduction Authorization" form, you are a member of NUHW.

If you signed only the document called Notice to New Employees Concerning Agency Shop (see Appendix E of the contract), then you have agreed to pay a so-called "fair share" service fee to NUHW but are not a member of the union.

It is possible that NUHW could fine its members who choose to work during the strike. While you must pay your "fair share" service fee, membership in NUHW is completely voluntary, under the law and Article 4 of the

contract. If you previously agreed to be a member of NUHW and you now want to become just a service fee payer, you should advise NUHW accordingly, in writing.

In any case, our understanding is that NUHW rarely, if ever, fines members who cross a picket line, but please check with your NUHW representative if you have membership-related questions or you wish to simply become a “fair share” service fee paying non-member.

Q. Is documentation required for absence during the strike?

A: If you are unable to work during a strike for reasons unrelated to the strike – such as illness – you will need to provide documentation. Similar to the holiday period, the strike period is a time in which the Hospital expects that staffing will be reduced. Thus, if you wish to be paid for an absence on the day of the strike (for example, an absence related to Paid Sick Leave (PSL)), you will need to submit documentation, including, but not limited to, a physician’s note for yourself or for a family member. The documentation must be dated for the missed shift(s) for which you request to be paid. Although the Hospital hopes that you will choose to come to work during the strike and help care for our patients, notes are not required if you are simply exercising your legal right to strike (and are not asking to be paid for the absence).

Q: If I have questions or need additional information, whom should I contact?

A: You can ask questions of Administration via email, voice mail, or the suggestion boxes as outlined above, or for general questions about your rights during a strike, you can contact the Oakland office of the Public Employment Relations Board at (510) 622-1016 and ask for the Information Officer.

To be clear, we are responding to employees’ questions and requests for information. Salinas Valley Memorial fully respects your rights under labor law. We are not encouraging you to make any particular decision on the issues, and we will not interfere with your choices on these issues. We urge you to get all the information you need to make the best decision for yourself.