

CNA Vindicated—Again

Judge rules CNA's 2005 postponed 1-day strike lawful

Our 2005 bargaining

- In 2005, UC nurses voted overwhelmingly to strike for one day on July 21 to protest UC's bad faith bargaining and to confirm the nurses' rejection of UC's final offer.
- Twelve hours before the strike was to have begun, the California Superior Court temporarily postponed the strike. Thousands of UC nurses and supporters held protest rallies outside the UC Med Centers statewide instead on that day. As you may recall, 2005 was also the year that Governor Schwarzenegger tried to overturn our staffing ratios as well as undermine our UC pensions.
- Bargaining subsequently resumed, and the contract was settled in November 2005 without a strike. We won first-time-ever pension and retiree health protection, binding arbitration to resolve chronic staffing issues, and good salary increases.
- In October 2005, PERB issued a bad faith bargaining complaint against UC based on UC's refusal earlier in the year to bargain in good faith over staffing ratios and on how UC's acuity systems determine staffing levels. This initial PERB complaint validated CNA's reasons for calling the one-day strike in the first place: that UC had not been bargaining in good faith. UC continued to maintain the position that CNA's planned one-day strike in 2005 was illegal.

UC's actions ruled illegal; CNA's actions ruled lawful

- PERB Administrative Law Judge Donn Ginoza just issued his 62-page ruling this week on all the legal issues surrounding our 2005 bargaining with UC. Judge Ginoza presided over many days of hearings, sworn testimony, subpoenaed documents and legal briefs in the years between 2005 and now.
- Judge Ginoza concluded that UC violated HEERA (the labor law for UC and CSU employees) by refusing to bargain in good faith over CNA's staffing ratios proposal, and by refusing to bargain over disclosure of the acuity system information requested by CNA.
- He also concluded that CNA pursued the 2005 one-day strike for the lawful purpose of protesting the University's unfair practices. Judge Ginoza dismissed the charge and complaint against CNA.

Victory for all UC staff and all public employees

- The PERB ruling is a victory, not only for UC nurses, but for all public employees in California
- Judge Ginoza in his decision affirmed the right of UC nurses and other public employees to strike before the exhaustion of all impasse procedures over an employer's unfair labor practices.
- UC has 20 days to appeal Judge Ginoza's ruling.

CNA bargaining update

- UC nurses just ratified an excellent new contract that includes good salary increases, continued pension and retiree health protection, NO to PTO, many benefit protections and other RN and staffing protections.
- Bargaining begins August 1 to negotiate additional raises and other salary issues, pension/retiree health and health insurance issues, and staffing.

10,000 UC RNs Will Be Heard

For more information, contact your CNA rep or labor rep, or email CNA at ucdivision@calnurses.org.

CNA Hotline: 1-800-284-4518 www.calnurses.org