County of Santa Clara
County Executive’s Message

As of March 1, 2019, the County officially took ownership of O’Connor Hospital, Saint Louise Regional Hospital, and De Paul Health Center. In doing so, the County warmly welcomed many former Verity Health System employees and community physicians to the County Health System. As we move forward and continue integrating Saint Louise and O’Connor Hospitals into our County health care operations, it is imperative that we continue to put the needs of the patients we serve first and foremost.

Our responsibility and intent is to improve the overall health of our community by enhancing the care we provide to all our patients and expanding access to health care for all. To that end, the County is making investments to upgrade equipment, facilities, and systems; to implement a state-of-the-art electronic health record; to expand physician call coverage; and to recruit and retain highly qualified staff. We remain steadfast in our commitment to empowering and fostering a dedicated and compassionate workforce, especially with our nurses. The County has always been, and will continue to be, supportive of protected labor activities and committed to collaborating with labor organizations to ensure the highest level of professionalism and opportunity in our robust new health care system.

On the same day the County took ownership of the hospitals, the California Nurses Association gave notice of its intent to strike on Tuesday, March 12, 2019, for a 24-hour period. Please take the time to read these Frequently Asked Questions about the potential strike and direct any questions you may have to your labor representatives.

Work Action at County of Santa Clara Health System Hospitals
FREQUENTLY ASKED QUESTIONS

Why is this work action occurring?
Before the County acquired O’Connor Hospital (OCH) and Saint Louise Regional Hospital (SLRH), when these hospitals were privately owned by Verity Health System, the California Nurses Association (CNA) was the union that represented the nurses at OCH and SLRH. Since then, most of the employees who previously worked at OCH and SLRH have applied to work for, and been provisionally hired by, the County. Fortunately, the County was able to provide opportunities for new County employment to those individuals who lost their jobs as a result of the Verity bankruptcy.

Employees working today at OCH and SLRH are now public employees of the County and receive all the benefits conferred on public employees, including participation in the California Public Employment Retirement System (CalPERS) and various other County benefits.

New County employees may join existing labor organizations that already represent County hospital workers, including the County Employees Management Association (CEMA) and the Registered Nurses Professional Association (RNPA). The County is bound by agreements with
these existing unions as the exclusive bargaining representative of certain County employees. Furthermore, the County has no legal authority to change which unions represent County employees. CNA wants to displace CEMA and RNPA as the union that represents these new County nursing employees.

**Is this work action lawful?**
No. State law and County ordinances provide clear processes to allow employees, free from County interference, to decide who will lawfully represent them, including the timing and process for a union that, like CNA, wants to displace an existing union by persuading workers to choose it. These same laws also allow the current unions, such as CEMA and RNPA, to make their case as to why they, as the existing union, should remain the workers’ representative. The difficulty here is that CNA has not complied with these laws in its attempt to represent some of the new County employees. CNA is not a County recognized employee organization; therefore, its call for a strike by employees represented by other unions is unlawful.

**How long will the work action be taking place?**
According to CNA’s notice to the County, the work action is currently scheduled to begin on March 12, 2019, at 7:00 a.m., and continue until 6:59 a.m. on March 13, 2019.

**Where will the work action be taking place?**
The Notice of Intent to Strike indicates that the work actions will take place at OCH and SLRH. It is also possible that picketing may take place at other locations. All picketers are expected to remain in public areas that do not physically interfere with patients, employees, or visitors who are trying to enter or leave the facilities, or with the County’s ability to care for its patients.

**Will patient care be affected by the work action?**
No. Necessary steps have been taken to ensure all medical services, patient care, and operations are unaffected by the strike. The County’s highest priority is ensuring safety and the maintenance of high-quality care. Any activity, including union-related activity, that disrupts patient care by causing distraction, impeding access, or otherwise interfering with the provision of medical services will not be permitted.

**What should I do if I see someone who shouldn’t be in a particular area of the hospital or otherwise seems out of place?**
Please contact your unit manager if you have any concerns about individuals in your work area or who otherwise seem out of place. The County has appropriate security on site to assist and ensure that all work actions, or any other activity, are not disruptive to operations and patient care. Please also note that you have no obligation to give your name or other information to, or to sign any documents from, any individuals who may confront you.

**Are surgeries being rescheduled?**
No. Appropriate steps have been taken by the County to prevent any interruptions to patient care during any unlawful work action.
What should I do if media or individuals with cameras approach me asking for a comment from the County?
No one should speak to a member of the media on behalf of the County unless specifically authorized to do so by the County Executive. Inquiries should generally be referred to the County Executive’s Office of Public Affairs at (408) 299-5119. (If you choose to speak with the media in your personal capacity, please expressly state that you are speaking in your personal capacity and not on behalf of the County.)

What should I do if work action participants are hostile or intimidating or are verbally abusive?
The County will remain vigilant and steadfast in ensuring your safety. Please contact security and your unit manager immediately if you are subjected to hostile, intimidating, or verbally abusive individuals. Any such individuals will be met with a swift and appropriate response. County policy prohibits retaliation against any employee by the County, supervisors and managers, or other employees—including co-workers—for reporting this type of conduct.

Does the County expect me to join or not join any particular labor organization?
No. County policy and applicable law prohibit discrimination or retaliation against any employee by the County, supervisors and managers, or other employees—including co-workers—for supporting or joining, or not supporting or refusing to join, any labor organization.

What if I have questions about my labor representation?
Please direct any labor questions you may have to your County union representative.