

OSEA - Hospital Bargaining Conflict Resolved

A tentative agreement has been reached between OSEA and the Oregon State Hospital on its planned reorganization, but not before considerable conflict developed.

It took a meeting among representatives of OSEA, the governor's office, the attorney general's office and the hospital administration to resolve the issue.

The trouble arose when the agency attempted to negotiate a reorganization agreement with OSEA's advisory Collective Bargaining Council at the hospital in violation of the bargaining contract.

OSEA's basic collective bar-

gaining contract has been in force at the institution for over a year. A supplemental agreement, dealing with seniority, was made a part of that contract last October.

The seniority agreement contains the following provision:

"6. When unusual staffing circumstances arise caused by major changes of program or financing, assignments of personnel shall be made based upon procedures established by mutual agreement of the parties at that time."

Some time ago OSEA's representative at the hospital, Donald A. Beninger, was told by Richard French, OSH personnel

officer, that the agency was planning to recognize several of its units.

He said it would involve a considerable amount of personnel reassignment.

French further told Beninger that he intended to ask the members of the council to meet with him concerning the reorganization.

Beninger told French that the contract says the council is merely advisory. It cannot enter into a formal agreement.

He further stated that the contract requires any agreements to be negotiated between the state association and the administration.

It specifically states that local units or committees of OSEA shall not be parties to agreements.

Despite this warning, French and Dr. Dean K. Brooks, OSH superintendent, met with the council and discussed a reorganization assignment plan. The agency did not inform Beninger of the meeting.

After the meeting, French sent Beninger a letter which read in part:

"This is to confirm the informal discussions and agreement between the hospital and the employees Collective Bargaining Council on procedures for handling transfer of Psychiatric Aides at the time of our impending reorganization." The letter went on to describe the procedure to be followed in the reorganization.

Beninger told French that there was no agreement because the hospital had failed to negotiate with authorized OSEA representatives.

Executive Secretary Thomas C. Enright contacted Gov. Tom McCall and the other two members of the Board of Control.

"If the course of action taken by Mr. French and the hospital administration is allowed to proceed unchallenged, collective bargaining, not only at the hospital but also in all other state agencies, will be

meaningless," Enright charged.

"We simply cannot allow this contract to be breached so flagrantly....," he declared.

A meeting among representatives of OSEA, the governor's office, the attorney general's office and the hospital administration was arranged.

Among the items agreed upon during the meeting were the following:

(1) Employees will be re-

assigned on the basis of seniority and request.

(2) Seniority will include aides, practical nurses and unit clerks.

(3) Procedures for reassigning social workers will be negotiated at a later date.

(4) Conflicts in vacations and days off will be resolved on the basis of seniority (under the terms of the existing agreement between OSEA and the hospital).

OSEA-Pen Adopt Working Conditions

A supplemental agreement covering a multitude of working conditions has been negotiated between OSEA and the Penitentiary.

Among the provisions of the agreement is one that requires the Penitentiary to give four hours pay to employees reporting for work at their regularly scheduled time.

Field Representative Donald A. Beninger, who negotiated the document, said this should solve many problems.

"In past years, employees would report for work only to be told they were not needed. They were told to go home and report for work on a day they had been scheduled to have off."

Employees called in to work on a day off, other than in emergencies, will be paid for at least four hours, unless otherwise mutually agreed.

The agreement establishes the work week at the Penitentiary as Sunday through Saturday. "Employees shall normally work 40 hours during this weekly period, consisting of five consecutive working days," it says.

It calls for all employees to get 104 days off each year. Those who get fewer shall be compensated.

Other provisions in the agreement are as follows:

*"Compensatory time off shall be scheduled at a time mutually agreeable to the employer and the employee."

*"Normally an opportunity to eat will be provided employees not more than five or less than three hours after reporting for work."

*"The duties and responsibilities of employees on each post shall be published in written form and available to employees."

*"Special examinations may be given and used as one of the factors in considering salary increases."

*"Employees shall receive copies of memorandums to be placed in their personnel file submitted by other employees concerning their competency or activities."

*"A grievance may be filed whenever a disagreement exists between an employee or a supervisor."

Hospital Adopts Seniority Pact

Selection of employees to fill newly established positions at Eastern Oregon State Hospital will now be made on the basis of seniority.

The new policy is the result of a supplemental agreement to the basic collective bargaining contract recently negotiated with the institution by OSEA.

"No new employee will be hired to a specific department, ward, or shift if an in-service employee is qualified and desires that particular position," the document states.

The new policy will apply in all cases "except in those situations where its application would adversely affect capability as required by management."

In such cases the hospital will give due consideration to the personal desires of new employees in regard to their assignments.

The agreement gives the hospital the right to place new employees on selected wards, departments, or shifts for limited periods of training and orientation.

Brooks Denies Unit; Union Plans Appeal

An AFL-CIO union's request for a separate collective bargaining unit of psychiatric aides at the Oregon State Hospital has been turned down by the hospital administration.

The union, however, has filed notice it will appeal the decision to the Civil Service Commission.

The request was made by the American Federation of State, County and Municipal Employees Union Local 1722.

Local 1722 submitted petitions bearing the signatures of about 118 aides supporting its request for the separate unit.

OSEA, which is the exclusive bargaining representative for the unit, submitted petitions containing the signatures of some 250 aides who opposed the unit.

The association has been the representative for the unit since April 5, 1966, when it defeated the AFSC&ME union in a representation election.

The union request was turned down by Dr. Dean K. Brooks, OSH superintendent.

"It is my decision that such designation not be made. This is based upon the existence of a bargaining unit which appears

to be adequately representing the affected employees," he said.

"Less than half of the affected employees have petitioned for the unit," Brooks said, "while nearly double the number petitioned against such a unit."

"Further, it appears if a separate unit were established the employees would select the same representative they now have in the broader unit," he concluded.

The unit is composed of all classified employees at the hospital with the exception of registered nurses.

OSEA has negotiated a basic bargaining contract and a supplemental agreement on seniority with the institution.

The union's appeal before the commission has been scheduled for June 21 in Salem.

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