

VIA ELECTRONIC MAIL ONLY

December 11<sup>th</sup>, 2023

Jeffrey Collins, President  
Kaiser Foundation Health Plan and Hospitals of the Northwest  
500 NE Multnomah  
Portland, OR 97232  
Jeff.A.Collins@kp.org

Re: Abuse of OFNHP Members During Coalition Strike

Dear Mr. Collins,

In the wake of the October Coalition strike, I write to address the impact of Kaiser's actions on OFNHP units. While our SEIU brothers and sisters were on the picket line in protest of the employer's immoral and illegal unfair labor practices, our members were subjected to unacceptable work conditions. To be clear, this was not the fault of our union siblings, but of the employer's failure and refusal to plan properly and fairly. Whether it was a "strategic" choice to deliberately make the three-day strike chaotic in hopes of somehow causing other union members to resent their colleagues, or a genuine neglect of the needs of Kaiser employees and patients alike, I do not know. The former is laughable; our members will always stand by our fellow workers. The latter is embarrassing; Kaiser had more than ample notice of the limited duration strike. Either scenario is inexcusable.

There were myriad violations of our CBAs, SEIU's CBAs, Kaiser internal policies, and the NLRA rights of OFNHP workers. Our members were forced to perform as unwilling and sometimes unwitting scabs, being transferred last minute to different facilities and departments to do unfamiliar work to fill the lack of coverage for their SEIU counterparts. This happened across all bargaining units. For example, registered dental hygienists were pushed into taking on duties of dental assistants. Had they been scheduled for dental assistant shifts, they would have refused. They were not afforded that respect, instead being brought in for their regular shifts and having additional work - work that is outside their scope and training - dumped on them.

Many members either were not told or were told the day of their scheduled shifts that their departments or facilities were closed. This is a dereliction of Kaiser's most fundamental duties to its employees and patients. Kaiser had the temerity to claim this was unforeseeable and that

they would not pay members who had their scheduled shifts abruptly cancelled, citing the internal Inclement Weather and Adverse Events Policy (NW.HR.ELR.022). This is a gross misapplication of this policy as, again, *Kaiser had more than enough time to prepare for these three days*. There is no legitimate reason Kaiser would not have known sooner than the same day that they would need to close these worksites, no legitimate reason not to communicate these anticipated closures, and no legitimate reason not to pay workers for the cancelled shifts. Indeed, at least one director and one manager told our members that they were expressly not allowed to inform the unit of the planned closure sooner. Perhaps more disturbing, this means Kaiser made the choice to needlessly delay providing notice to patients as well.

The employer put OFNHP members in the painful position of having to defend Kaiser management's poor decisions. Our members are at the bedside, not Kaiser's managers. Our members had to apologize to patients who were served incomplete or medically inappropriate meals – because Kaiser did not have a plan for feeding them for three days. Our members had to explain to patients that they could not get their one bath provided in that entire week – because Kaiser did not have a plan for their basic hygiene needs for three days. Our members had to turn away patients arriving for scheduled appointments at clinics that were closed without notice, or were told to complete those appointments despite not having the staffing to operate the clinic safely – because Kaiser did not have a plan.

Healthcare unions are required to provide ten days' notice of any work stoppage for a reason: so that healthcare facilities can adequately plan and prepare. Kaiser apparently chose not to utilize them, to the detriment of our members and patients. OFNHP expects and demands better from Kaiser Permanente in the future.

Respectfully,



Jonathon Baker, OFNHP President

cc: Jordan Barbeau, OFNHP General Counsel  
David Stylianou, OFNHP Interim Organizing Director, AFT National Representative  
Robert Sokol, Interim Vice President, Human Resources, Kaiser Permanente