

Local Unit Officer Handbook

“We are WSNA!”

Contents

Introduction	1
Officers: Local Unit Chair, Co-Chair and Vice-Chair	2
Responsibilities of the Local Unit Chair/Co-Chair/Vice-Chair	3
Team Building	5
Holding Meetings	6
Conference Committee/Labor-Management Committee:	8
Member Recognition	11
Conflict Management	12
Partnership with WSNA Nurse Representative	13
Officers: Local Unit Secretary.....	14
Responsibilities of the Local Unit Secretary.....	14
Officers: Local Unit Treasurer	15
Local Unit Funds.....	15
Local Unit Treasurer’s Duties and Responsibilities	16
Establishing Your Local Unit Budget	17
How to Access and Process Requests for Local Unit Funds	18
Negotiations Stipend per E&GW Cabinet Policy.....	19
Deposits to your Local Unit Funds	20
Record Keeping	20
Local Unit Reports.....	21
Staff	21
Use of Local Unit Funds to Purchase Equipment.....	22
Officers: Local Unit Grievance Officer.....	23
Introduction	23
Contract Enforcement/Grievance Handling.....	24
Representing Members at Investigatory Meetings or Interviews	25
The Grievance Process - How Does It Work?.....	27
Are There Different Kinds of Grievances?.....	28
Role of Grievance Officer in Grievance Handling.....	31
WSNA Staff Role in Grievance Handling	32
What is “Just Cause?” - The Seven Tests	33
Due Process.....	34

General Principles in Discipline/Discharge Cases	35
Officers: Membership Officer, Coordinator or Member At Large	38
Maintenance of Membership Information	39
Change in Membership Status	39
Attending New Hire Orientation	40
Multiple Membership Officers, or Member At Large – Shared Duties.....	41
Local Unit Officer Handbook Summary	42
Appendix	43

Introduction

This handbook is intended to help you to be an effective leader in your Washington State Nurses Association Local Unit.

The Local Unit is the organized body of nurses who have selected WSNA as their collective bargaining representative in dealing with your employer. The Local Unit is part of WSNA. It is not a separate entity. The voting members of the Local Unit are the dues paying WSNA members at your facility.

The function and objectives of the Local Unit are to participate with WSNA in its dealings with your employer concerning collective bargaining, contract administration and other labor relations matters, and to serve as an advocate for the Local Unit members in relation to the issues affecting members of the Local Unit in a manner consistent with the WSNA Bylaws and the policies and positions of WSNA.

Your leadership is essential to help the Local Unit be an effective advocate for you and your co-workers and to make WSNA an effective representative in collective bargaining with our employer concerning wages, hours, and other terms and conditions of employment. The WSNA staff is here to help and support you in your work as Local Unit leader and your assigned Nurse Representative is your point of contact for advice, guidance and assistance.

It is our hope that this handbook will be a helpful instructional guide for the important work you do.

Officers: Local Unit Chair, Co-Chair and Vice-Chair

Congratulations!

You have been elected or appointed by your peers and colleagues to the position of Local Unit Chair, Co-Chair or Vice-Chair because you are recognized as a leader in your Local Unit. As a leader, you will be challenged to inspire member activism and mobilize members in support of the Local Unit goals. This volunteer leadership position offers opportunities to impact nursing, your workplace and your colleagues in concrete and significant ways. You will have opportunities to problem-solve with your peers, sit across the table from the highest-level administration at your facility as equals and mobilize your unit membership to take action that will improve their profession and working conditions. Through your efforts you will see changes that positively impact nurses, patients and your facility.

The Local Unit Chair or Co-Chair(s) is the leader and coordinator of the Local Unit. Together with the other officers and with assistance from WSNA staff, you will establish a compelling vision for your Local Unit and develop action plans that encourage activism among members and builds the power needed to accomplish your goals. You ensure the goals and business of the Local Unit are accomplished. Your work will focus around keeping members informed and involved, ensuring that the Local Unit Rules are followed and that committees are functioning and accountable. Sounds like a big job—it is! Don't worry—you do not have to do this alone.

The Local Unit Vice-Chair works in collaboration with the Chair on assigned duties and helps to support the Chair/Co-Chair in their work should they need it. In accordance with the Local Unit Rules, the Vice Chair may be appointed or assume the role of Chair if there is a mid-term vacancy. If a facility has two Co-Chairs, they are considered equals and handle all business in a collaborative manner. In this situation, there is no Vice Chair.

Your other officers are there to help, and your WSNA Nurse Representative is your partner, mentor and expert in labor relations. Another important resource available to support you in building a powerful Local Unit is the WSNA Organizer. Organizers can work with you to prepare a plan and course of action to strengthen the Local Unit by organizing new members and mobilizing them to action. These partnerships between the Local Unit Officers and WSNA staff are essential to building a successful Local Unit.

Responsibilities of the Local Unit Chair/Co-Chair/Vice-Chair

The responsibilities of the Chair (also Co-Chair and Vice-Chair) are described in the Local Unit Rules under “Duties of Officers” and in this handbook. The Chair sets the tone for the Local Unit and ensures transparency in the business of the Local Unit.

The Chair makes sure that the operation of the Local Unit fosters a strong and cohesive membership, with maximum engagement of the other Local Unit leaders and nurses in the bargaining unit. The Chair mentors and encourages members of the unit to carry out assigned responsibilities and to promote the work of the Local Unit and WSNA.

Along with the other officers and the Nurse Representative, the Chair is responsible for developing an overall plan at the beginning of each year. This plan is meant to maintain the business of the local unit, and it should include ongoing organizing aimed to build unity throughout the year. Establishing and implementing specific Local Unit plan goals provides focus for the work that need to be done in the Unit. It is helpful to identify target dates to ensure completion and evaluation of the established plan. Scheduling required meetings for the Local Unit Officers, (who together act as the Executive Committee) and the Local Unit membership provide important check points to evaluate and report on plan progress including making and announcing any necessary course corrections. The agreed upon short-term and long-range plan should be developed with the needs of the Local Unit membership in mind and include frequent meaningful communications with the membership. WSNA Organizing staff and Nurse Representative are here to help provide any training to help facilitate the planning process.

Throughout the term, the Chair shall periodically assess the climate of the Local Unit:

1. Are members engaged in the activities of the bargaining unit?
2. Are members provided opportunities and encouraged to participate in activities of the Local Unit?
3. Are members’ contributions valued and accepted?
4. Are members included in discussions and given a chance to be heard?
5. Are members supportive of the decisions of the Officers?

The Chair delegates responsibilities for the Local Unit to other Local Unit Officers, Unit Reps (or Liaisons), and members ensuring that each delegated responsibility is completed. Building confidence and recognizing members’ contributions is very important.

The Chair evaluates how Local Unit Officers make decisions and solve problems. A starting point to address Local Unit Officer effectiveness is:

1. Are resources used efficiently and effectively?
2. Is there an effort to coordinate ideas and activities?
3. Do members seek and give information and opinions?
4. Is action initiated and do members act enthusiastically?

5. Is there a plan in place, or mechanism, to receive feedback on organizing efforts made by the officers from the local unit?
6. Is there a follow up structure in place to resolve issues that arise, to maintain unity?

The contract and the Local Unit Rules may define who sits on various committees. The Chair (or Co-Chairs) and Local Unit Officers, serve as the Executive Committee. They shall refer to the Local Unit Rules, or the WSNA contract, for guidance on elections or appointments to various committees. The Chair (or Co-Chairs) serves as a member on most committees (refer to Local Unit Rules for specific guidance). They have the responsibility and right to monitor committee work and require/request reports or minutes.

If there are Co-Chairs in your Local Unit, communication between the Co-Chairs and the Nurse Representative becomes even more critical. Decisions shall be made as a team. One Co-Chair does not have any more authority than the other. Careful clarification of responsibilities and expectations at the time officers get seated will ensure a smooth and productive relationship. The Local Unit Co-Chairs generally decide who will assume responsibility for what activities.

Allocation of duties for Co-Chairs include but are not limited to:

1. Leading the meetings.
2. Determining employer contact person.
3. Determining who will communicate with the officer team.
4. Schedule meetings and keep a running list of tasks.
5. Delegate tasks to the rest of the officers.

The Chair or Co-Chairs are the spokesperson(s) for the Local Unit. From time to time, they may be asked to speak to the media. All media inquiries, or statements, should be directed to your Nurse Rep in order to work collaboratively with the WSNA communications department in formulating a response. The Chair or Co-Chairs will be involved in and part of the decision-making regarding the messaging.

Because WSNA is frequently contacted by the media to comment on broader nursing issues, you may be asked by WSNA to speak on national, state or local issues. In all cases, WSNA staff will help you prepare with tools such as media training, talking points, press releases, letters to the editor, etc.

The Chair or Co-Chairs will represent your Local Unit at the E&GW (Economic and General Welfare) Local Unit Council meeting held twice a year. This Council meeting provides an opportunity for you to share events, activities, successes and challenges you face in your Local Unit with other WSNA Local Unit leaders representing members from across the state of Washington.

The Nurse Representative is your partner and mentor and is there to help you maintain the integrity of your Local Unit and collective bargaining agreement. They can help you identify, plan, prioritize, strategize and research issues and how to best respond. When presenting issues to management or the Local Unit, be objective and present facts to support your position. Never speculate, and always refer to your Nurse Rep for guidance on how to tackle issues. **Your credibility as the leader of the Local Unit is important.**

Team Building

- Team building is an essential duty of the Chair (or Co-Chairs). Your effectiveness is enhanced by your team's skills and performance.
- Team building is another way to foster a sense of ownership within the bargaining unit. It is a way to bring out the best in members and to achieve dynamic results for the bargaining unit and WSNA.
- An effective team is described as an energetic group of people who display commitment to common goals; who interact well with one another; who enjoy working together; and who achieve results.
- It is important to pay close attention to whether the bargaining unit is maximizing its "team potential," and if issues are found, they are responded to and resolved immediately.

Local Unit leaders can model delegation techniques every day. To maximize the effectiveness of this process, the following guidelines should be followed. A starting point is to address **task effectiveness**:

1. Delegate the entire task or responsibility whenever possible.
2. Select the appropriate person, making sure that person has time, skill and the knowledge necessary to handle the delegated task.
3. Give clear instructions and delegate to achieve specific results.
4. Provide necessary guidance.
5. Agree on a time schedule and follow-up as deadlines arrive.
6. Identify information or feedback required from the person to whom you delegated.
7. If and when potential problems arise, ask or offer information on how they might be resolved.
8. Measure how well the results were achieved and evaluate how well the boundaries of delegated authority were honored.
9. Acknowledge accomplishments and give praise for a job well done.
10. Resist the temptation to "redo the work" that was delegated. Do not make perfection the enemy of the good.
11. Never miss an opportunity to be thankful, and praise volunteers for helping. Positive feedback from leadership colleagues is an important aspect to continue building unity and maintaining a strong unit structure.

Holding Meetings

Local Unit Meetings

Presiding at Local Unit meetings is an important duty of the Chair or Co-Chairs who will always be viewed as the voice of the nurses in your Local Unit. Attendance of the Chair or Co-Chairs is expected. Meetings shall be governed by “Robert’s Rules of Order”. Each Local Unit meeting should be guided by an agenda. Meetings can focus on a specific issue, they can be called to address an urgent matter or crisis situation, provide a contract negotiation update, or to unite the nurses and continue to build solidarity around a particular issue or theme.

The WSNA Chair or Co-Chair is a role model for members and sets the tone for the Local Unit as well as the approach taken with management of the facility. If the Chair or Co-Chairs are professional, prepared, assertive, not intimidated, courteous, on time and ready to work to solve problems, that will likely be mirrored by the members and potential new members.

Executive Committee Meetings

The Chair (or Co-Chairs) are the leaders in scheduling and carrying out the Executive Committee meetings with the goal of ensuring all the officers are apprised of the current events within the Local Unit, and to continue to delegate ongoing tasks.

Keys to success - Good meetings require thought, preparation, and planning. It is important as a leader to share your prep work with the rest of the officers, and to solicit or obtain feedback prior to any meetings.

Defining objectives, planning an agenda, and setting time limits are the basics of good meetings. Even the best planned meetings, however, can end with a less than optimal outcome. The most effective way to guard against a less than optimal outcome is adequate advanced preparation. **Things to consider:**

1. What is the best time for the meeting? Every effort should be made to ensure that all the stakeholders you need at the meeting are available at the date, time and location that will best serve the group.
2. Who is your target group? Is it nurses in a specific unit or the membership as a whole?
3. How many meetings and at what times should you schedule meetings to accommodate different shifts?
4. If the meeting requires attendance from the Local Unit membership, should you meet at the facility or off campus?

5. What are your goals for the meeting? Are you trying to share information; trying to escalate the issue for strategic reasons; providing a forum for discussion; or are you wanting to engage and organize your members? Once you answer these questions, you'll know the most effective venue and agenda.

Prepare an agenda ahead of time but leave room for agenda items from members. Sending out a prepared agenda to the rest of the officers a couple of days in advance will ensure effective communication and participation. Ask for feedback on agenda items as it's being drafted so all officers have input. Setting time limits for each agenda topic focuses attention on the issues being discussed and keeps individual presenters and members on task. In addition, it makes the meeting flow smoothly, and improves morale.

Your Nurse Representative can assist you in writing effective agendas. The goal is that you and your entire Local Unit officer team will be fully prepared to write your own agendas, with minimal oversight and involvement with your Nurse Representative. Remember, **you**, your officer team and the bargaining unit are moving toward being accountable and empowered to run your own Local Unit business. To begin formulating the agenda, **listen** to your officers and your nurses. What is foremost on their minds? Touch base with your Nurse Representative. Are there issues happening that need to be raised with the Local Unit? If there are previous meeting minutes, the minutes will need to be approved at the beginning of the next meeting.

Planning the Agenda for either a Local Unit Meeting or Executive Committee meeting

Agendas for Local Unit meetings, or Executive Committee meetings, should be modeled on the standard order of business described in "Robert's Rules of Order". Executive Committee meetings embody the same meeting agenda but are tailored to the audience of the officers, versus the membership.

Agenda:

1. Call to order.
2. Approval of previous meeting minutes.
3. Report of Officers (Treasurer, Grievance Officer, etc.)
4. If applicable, reports from Unit Reps (or Liaisons).
 - (Stay focused on what they are bringing forward (example: items they are hearing from members)).
5. Updates on old or current business, information from officers.
6. New business. Solicit information for issues that require immediate action.
7. (Input from membership). Assign members to be responsible for certain "tasks". Utilize and grow your team and power.
 - Never end a meeting without an "**ask**". Be sure to send your members away with an action to have them work on and complete. This will continue member engagement and

allow them something to contribute. They will also be able to bring back information to be followed up on for the next Local Unit meeting.

8. Adjourn (Chair ends meeting at the agreed time unless there is agreement to modify from all.)

Conference Committee/Labor-Management Committee:

Attending, participating and chairing the Conference Committee or Labor-Management Committee (LMC) is similar to Local Unit meetings or Executive Committee meetings with the exception of the make-up of meeting attendees. The Committee's purpose and composition will likely be defined in the contract. Usually it consists of:

- Nursing Administration
- HR Administration
- Local Unit Officers
- WSNA Nurse Representative
- Local Unit Members

Refer to your Local Unit Rules and the collective bargaining agreement for language on Conference Committee or LMCs. Some Local Unit Rules and/or contracts may have language that specifies roles and responsibilities. Some contracts may stipulate that a charter be created. The Chair (or Co-Chair) should assume the role of leader.

As a facilitator, the Chair (or Co-Chair):

1. Clarifies the objectives at the outset of the meeting and draws attention to them, as needed, throughout the meeting.
2. Suggests strategies rather than answers. (This approach encourages group involvement and makes participants responsible for all decisions).
3. Minimizes repetition.
4. Stays focused on one issue at a time.
5. Maintains open communication among all group members.
6. Gives feedback to the group – keeps members informed of the progress they are making.
7. It's helpful to set the date of the next Conference Committee meeting, or Labor Management meeting prior to leaving the room.

As the WSNA Chair (or Co-Chairs), be mindful of the following:

1. Similar to the meetings described in the previous section, an agenda is prepared and finalized that takes into consideration issues and feedback from your Nurse Representative and the officers.
2. Commit to distributing the agenda to administration and the officers at least one week prior to the meeting to allow time for any last-minute changes, and as a professional courtesy to management.

3. Assign in advance, who will speak to the issue that is being brought forward during the meeting.
4. Exhibit solidarity as an officer team at all times.
5. When listening to management issues:
 - a. Question and clarify. It is okay if you don't agree with their position. Take good notes and seek as much information as you can.
 - b. Seek to understand, then to be understood.
 - c. If an answer is required, either have an already prepared response, or caucus before responding. Be sure your entire team is fully informed about your plan for the meeting. Do adequate preparation with your team prior to going into the meeting. This can be done one hour before or at an alternative time that works for your team.

Productive joint labor-management meetings have certain fundamental qualities:

- An agenda that was distributed before the meeting and is adhered to. This is your professional obligation and indication of respect. Expect management to also adhere to this process. In the event new items arise, work to schedule an alternative time to meet, or park them for the next committee meeting. This will ensure adequate time for preparation before speaking to the issue.
- A purpose that is understood by all (e.g. bringing new issues or problems from nurses to administration, areas of mutual concern, collaborative efforts to resolve issues, update on events, discussion of contract issues, etc.)
- The right people are at the meeting (again, you must have appropriate stakeholders present).
- Participants are prepared to contribute. Be sure you prep any invited guests appropriately. Tell them what to expect and answer any questions they may have. Give clear instructions about how they should participate.
- Items that require follow up are made known prior to the meeting as well.

Planning the Agenda for Conference Committee/Labor Management

No meeting should be conducted without an agenda. An agenda is the framework upon which a meeting is built. When composing an agenda, an effort should be made to set realistic time frames for any item that is to be followed up on by management or input expected from the other officers. Ask for feedback on agenda items as it is being drafted so all officers have input. It is important that a meeting start and end on time. Setting time limits for each topic on the agenda focuses attention on the issues being discussed and keeps individual presenters and members on task.

Agendas should be distributed to all parties attending the meeting. Oftentimes, we will have specific agenda items and other participants (nurses or administration depending on the meeting) may want to add agenda items. Submitting the agenda at least one week in advance, via email or hard copy, to the parties allows an opportunity for you to be made aware of any request and allows you adequate time to prepare to address issues.

Simply handing out agendas at the meeting room door does not allow members or other participants time to prepare for specific items of business and may hinder getting answers from Administration if the right people are not present.

Items to consider in preparation:

1. Assign a WSNA member (Local Unit Secretary, for example) who will take minutes of the meeting, even if administration is providing an “impartial” note taker.
2. Assign a timekeeper to keep the meeting on track.
3. Work in collaboration with your Nurse Representative when planning agenda items. Issues that are brought forward at this level may head off potential grievances. Individual issues are not discussed, such as specific personnel problems. Active grievances are not appropriate topics for Conference Committee or LMC and should not be discussed. Your Nurse Representative can help you to determine what platform is best for handling specific issues.
4. Do not raise any issues in Conference Committee that pertain to bargaining without speaking with your Nurse Representative first. Issues that pertain to negotiations (unless outlined in the contract) are not suitable for Conference Committee and similarly, issues that pertain to grievances should be managed in the realm of the grievance process.

A standard agenda includes the following basic elements:

1. Call to order: Chair or designated Co-Chair, starts the meeting on time
2. Welcome and Introductions
3. Roll call (introduction of Officers, statement of purpose of meeting)
4. Read and approve minutes of preceding meeting.
5. Prioritize agenda items and allocate time for each topic.
 - Items include issues that required follow up from a previous meeting, as well as new issues.
 - If someone other than the Chair or Co Chairs are speaking to a particular issue, this is identified on the agenda and determined ahead of time.
6. Adjourn and end the meeting on time, unless there is an agreement to modify by all. Prior to leaving, set date and time for next meeting.

By relying on parliamentary procedure (Robert’s Rules of Order), a meeting can be conducted in an orderly and democratic fashion. It also assures the most constructive use of limited time. Not only officers, but all Local Unit members should be familiar with the basic rules of parliamentary procedure.

Member Recognition

When someone is given a job to do, they need to be assured that it is meaningful, worth their time and something that will contribute to the organization's success. Bargaining unit members are no exception. Steps should be taken to continually reinforce the importance of their roles to the overall effectiveness of the unit and the Association. It is equally important to recognize and reward members for their contributions.

If specific goals have been set and allowances made for periodic review and assessment of work, recognition is a natural outgrowth. It should not, however, be taken for granted.

Thoughtful attention should be given to the nature and extent of recognition. Recognition must be appropriate for the effort and the situation. There will be times when a private acknowledgment will suffice and other times when public praise is warranted. Local Unit leaders should draw from a broad range of options, including, but not limited to:

- Handshake and sincere 'thank you'.
- Personal written note of appreciation.
- Recognition in the unit's newsletter.
- Certificate of appreciation.
- Special items with the Association logo name, e.g., cup, folder, pen, or T-shirt.
- Gift of an ANA publication.
- Recognition Pin.
- Plaque.

The ultimate goal is to recognize the contributions members make and acknowledge in a public way that they are valued and vital to the operation of the Local Unit and WSNA.

Conflict Management

From time to time, conflicts or disagreements will occur among Officers or members of the Local Unit. The Officers are key in the resolution of conflicts. If they are open to constructive feedback, debate and suggestions, members will see that it is safe and healthy to debate and find solutions. The Chair (or Co-Chairs) sets the “climate” and “tone” of the team.

If members feel that the Chair (or Co-Chairs) values their contributions and the meetings have purpose, they will participate more actively in Local Unit activities. If Officers do not allow discussion or dissent in meetings, the conversation will move out to the hallways among members.

Disagreement can create opportunities for individual as well as Local Unit growth but left unaddressed they can become destructive and corrosive. WSNA has an expectation that behavior in meetings shall be professional and respectful. You may need to set limits on the amount of time people can speak or use Robert’s Rules in a more formal way to keep order.

There are many methods of **conflict resolution**. One approach which has proven highly successful involves the **following basic steps**:

1. Maintain poise, stay focused on the issue at hand and convey the importance of your commitment to try to resolve the issue.
2. Describe the conflict as a mutual problem to be solved, not a win/lose struggle.
3. Define the conflict as specifically and to the point as possible. Speculating is not helpful and sticking to the facts will help you stay on track.
4. Identify differences between concerned parties before attempting to resolve the conflict.
5. See the conflict from the other person’s viewpoint. Typically, issues arise when expectations are not met. Revisit this need and seek to mend gaps in communication.
6. Seek to understand, then to be understood.
7. Reach an agreement about how to end the conflict and avoid recurrence.
8. Create a path forward as a remedy to the conflict.
9. Determine a framework to address conflict resolution should it arise again.

Partnership with WSNA Nurse Representative

The Nurse Representative is your partner, mentor, expert in Labor Relations and your best resource. This partnership is key to the success in your role as the Chair/Co-Chair/Vice Chair, and to the Local Unit as a whole. As the bargaining agent for the WSNA, the Nurse Representative maintains the integrity of the contract, and ensures that contractual rights are extended to every bargaining unit member through workplace organizing, the grievance process, and legal action when necessary.

The Nurse Representative is there to help you sort out issues and to help you determine if an issue is a grievance or not. The Nurse Representative educates and trains Local Unit Leaders and represents nurses as your contract outlines. The Nurse Representative participates in Conference Committee/Labor-Management Committee, Local Unit meetings and other meetings.

Your Nurse Representative is your expert and has the knowledge and experience to help support you in building a cohesive team within WSNA. If your Local Unit requires additional resources, your Nurse Representative is your guide and partner in evaluating the need and working to secure those resources and any additional support.

Officers: Local Unit Secretary

Responsibilities of the Local Unit Secretary

The Local Unit Secretary, as an officer and member of the Local Unit Executive Committee is responsible for ensuring that all officers and committees of the Local Unit are notified of upcoming meetings and events. The Local Unit Secretary assists with gathering information for the Local Unit Newsletters and works with the Local Unit Chair (or Co-Chairs) in sending newsletter ideas or articles to the WSNA Nurse Representative.

- The Local Unit Secretary (or designee) records minutes of the Local Unit meetings, Local Unit committees' meetings (if present) and its Executive Committee meetings. Some examples of committees may include Conference Committee/Labor Management Committee, Patient Care Committee, Safety Committee, Safe Patient Handling Committee, and the Nurse Staffing Committee. The specific committees are defined by the contract, and the Local Unit Rules. The Secretary will forward copies of the minutes to the Chair (or Co-Chairs) and WSNA Nurse Representative.
- In the event the Local Unit Secretary is not a part of one or more of the previously listed committees, they should delegate their responsibilities of meeting minutes to a consistently trusted committee member.
- The Local Unit Secretary may have the responsibility of helping to maintain the current contact list for the Local Unit Officers, Unit Reps (or Liaisons) and Committee Members. An assigned WSNA Organizer may be available to assist you and your team in developing processes to assure accurate and efficient lists and contact information. Any changes to contact information must be forwarded to the WSNA Membership Department or the WSNA Nurse Representative to update members' records.
- In the event the Executive Committee composition includes a Member at Large position, the duties of maintaining a current contact list should be assumed by the officer in this role.
- The Local Unit Secretary may be responsible to keeping a supply of the following, which can be obtained from your WSNA Nurse Representative or Membership Coordinator:
 1. Current year Membership Applications.
 2. Change of Information forms.
 3. Local Unit Funds Vouchers.
- The Secretary will coordinate with the Local Unit Membership Coordinator (Or Member at Large) in ensuring the unit has an adequate supply of New Hire Orientation Packets. The Secretary will notify the WSNA Nurse Representative if additional packets are needed.
- The Secretary may also be responsible for posting notices on the Local Unit bulletin boards by utilizing Unit Reps or Liaisons and activating members to assist. Remember, success is more likely if members are engaged and taking full ownership in activities and processes. Our goal is to build union strength by having active member participation.

Officers: Local Unit Treasurer

Local Unit Funds

The membership of the Washington State Nurses Association voted to allocate 4% of dues paid by each member of a bargaining unit to a Local Unit Fund to be used to support activities of each Local Unit. The Local Unit Funds have been used to assist the Local Unit in carrying out important tasks in representing the membership and maintaining the financial interests of the Local Unit.

Uses of Local Unit Funds

The Cabinet on Economic and General Welfare (E&GW) recognizes the Local Unit's need for financial flexibility. Further, the Cabinet recognizes the need of Local Units to use their funds to promote membership, educational activities, contract administration, internal communications, engage in public relations activities, support their officers and negotiating team, as well as other purposes permitted by Cabinet Policy and WSNA Bylaws. Local Unit funds should also be used to affiliate with the AFL-CIO Central Labor Council (CLC) in your community. Joining the CLC creates alliances with other union members that are important in winning fair contracts and supporting the rights of all working people in your community.

WSNA's Finance Department tracks deposits and withdrawals separately for each Local Unit. It's important to note that this money has been allocated directly from the base dues amount. So, the greater the number of members, the greater your Local Unit funds to support your efforts.

The Local Unit Fund is property of WSNA that is allocated to be used to support the activities of the Local Unit. All monies in the Local Unit Fund are held by WSNA. The Local Unit is not authorized to maintain any separate bank account or hold funds on its own. Any funds received by the Local Unit must be forwarded to WSNA for deposit. Any expenditures from the Local Unit Fund must be reviewed and approved in accordance with the WSNA Bylaws and the policies and procedures established by the WSNA Cabinet on Economic & General Welfare.

Copies of E&GW policies on the use of Local Unit funds and instructions for submitting a voucher for reimbursement can be found in the appendix of this handbook.

Local Unit Treasurer's Duties and Responsibilities

The Treasurer's duties include authorizing and signing for payment of bills that have been approved by the Chairperson (or Co-Chair); keeping an itemized account of all receipts and disbursements. The Treasurer provides a financial report at each meeting of the Executive Committee. The report will include:

- Status of the Local Unit Funds account
- Incoming dues
- Paid and anticipated expenses
- Any other withdrawals.

It is important for the Local Unit Executive Committee to know the amount of dues expected to accrue over a period of time in order to plan a budget. The Committee members will look to you to supply this information as well as a history of funds spent. This may include the number of members paying dues to the Local Unit funds.

Some Local Units may combine the duties of Secretary and Treasurer if permitted by their Local Unit Rules.

Establishing Your Local Unit Budget

Income

- What was the average monthly dues amount for your unit last year?
- Do you expect a substantial increase or decrease of membership this coming year?
- Will you have income from other sources such as negotiating team donations?

Expenses

Look at your expenses for the last year. This is your best source of estimating your expenses for the coming year.

- Will the Local Unit incur extra expenses for mailings and postage this year?
- Should you adjust for contract negotiation expenses this year?
- Are there other special activities you should consider for inclusion in your budget this year like Local Unit meetings, Leadership Conference, Nurses Week, membership promotional activities or events, and WSNA Convention?
- What are the current dues for the local AFL-CIO Central Labor Council and is there an expected increase during the budget year?

After you gather your budget information, you can follow the format of the Local Unit Income/Expense statement, or otherwise known as the Local Unit Funds Transactions; Fiscal Year To Date. Your budget can be as detailed as you wish but, in most cases, a simple quarterly budget will do.

How to Access and Process Requests for Local Unit Funds

In order to withdraw funds, Local Unit Officers must submit a **Local Unit Voucher** filled out with the correct information and signed by two officers. The form must be signed by the Local Unit Chair and the Treasurer or other designated Local Unit Officer. It requires signature of two different officers. **Vouchers must be submitted to WSNA within 30 days of the incurred expense in order to be reimbursed.**

All areas of the voucher need to be completed legibly and in detail. Receipts submitted for reimbursement must include the name of the meeting for which the funds were used and the individuals attending the meeting must be listed. If applicable, a sign in sheet is acceptable. The white copy of the Local Unit Voucher must be sent to WSNA along with the itemized original receipts and the yellow copy is to be kept by the Treasurer; the Treasurer should make copies of the itemized original receipts and attach these to the yellow copy.

Information on other expenses that can be reimbursed is outlined on the back of the Local Unit Voucher. An example of a Local Unit Voucher can be found in the appendix of this officer handbook.

The person receiving payment should not be one of the authorizing signers, if possible.

A supply of Local Unit Fund Vouchers will be sent to you upon request. Coordinate with your Local Unit Secretary and WSNA Nurse Representative to ensure an adequate supply.

Negotiations Stipend per E&GW Cabinet Policy

Upon ratification of the contract, a Local Unit may pay a stipend to members of the negotiating team which may include payment for time spent in preparation meetings and negotiation sessions. A Local Unit may request for approval for stipends exceeding 50% of total available Local Unit funds with a written request to the Cabinet. The request must include the proposed amount of the stipend to negotiation team members and the specific reasons the stipend should be paid prior to ratification of the contract. The Cabinet's decision with respect to such a request shall be based on the specific circumstances involved and shall be non-precedent setting.

Prior to ratification of the contract, a Local Unit may submit a written request for authorization from the Cabinet to use up to 35% of the total available Local Unit funds to pay a stipend to members of the negotiating team, provided that negotiations have lasted more than one year from the first session and more than 10 sessions have been held. The written request must include the proposed amount of the stipend to negotiation team members and the specific reasons the stipend should be paid prior to ratification of the contract. The Cabinet's decision with respect to such a request shall be based on the specific circumstances involved and shall be non-precedent setting. The total amount of all stipends shall not exceed 50% of the total available Local Unit funds for each cycle of contract negotiations.

Local units are required to submit Local Unit Fund Vouchers for each negotiation team stipend as part of one comprehensive submission in order to accurately assess compliance with this policy.

Each member receiving a stipend must complete a W-9 form. All stipends over \$600 a year are reported to the IRS on form 1099. WSNA does not withhold any taxes from the payments. Any tax liability is the member's individual responsibility.

Deposits to your Local Unit Funds

Occasionally, money will be collected by the Local Unit for deposit to the Local Unit Fund. Most often, these deposits come from money donated by the bargaining unit members for negotiating team reimbursements/stipend.

When you collect cash or checks to deposit to your Local Unit fund, the funds should be payable to WSNA/(Local Unit Name). When cash is collected, the money should be counted and verified by two (2) people and converted to check or money order and sent to WSNA. **No cash should be mailed to the WSNA office!**

The Local Unit Treasurer shall keep a record of individual donors. Local Unit deposits are recorded in total at WSNA and **no record** is kept of individual donors *or* amount. Checks not honored by the bank will be deducted from the Local Unit's fund and returned to the Local Unit for collection. **All collections should be forwarded to the WSNA Director of Finance as soon as possible.**

Record Keeping

As Local Unit Treasurer, you will keep a record of all transactions affecting the Local Unit fund. Local Unit fund transaction records are available from the Director of Finance, or you may use your own forms.

All deposit and withdrawal transactions are recorded by WSNA and a running balance is kept.

Local Unit Reports

When to Expect Your Reports

Quarterly, you will receive a report showing the financial activities of your Local Unit. WSNA's fiscal year begins October 1 of each year and ends on September 30 of the following year. Following is the schedule of Local Unit reports:

Quarter	Months Reported	Reports
1st Qtr	Nov/Dec/Jan	February 15
2nd Qtr	Feb/Mar/Apr	May 15
3rd Qtr	May/June/July	August 15
4th Qtr	Aug/Sept/Oct	November 15

If you do not receive your Local Unit reports by the end of the month following quarter end, please call the WSNA Director of Finance.

As Treasurer, it is an important task to monitor your Local Unit fund reports and keep up to date on expenses and deposits. You will make your report on the status of the local unit funds balances at each Local Unit Meeting and Executive Committee meetings.

Staff

Local Unit funds may not be used to compensate WSNA staff in any way including gifts, except for paying for a meal in conjunction with a Local Unit meeting or event.

Use of Local Unit Funds to Purchase Equipment

In the event a Local Unit, or its officers, elects to purchase equipment using local unit funds to conduct WSNA business (e.g. computer, modems, answering services, software, printer) the “owner” must be identified as WSNA unless the equipment is purchased by a member and leased to the Local Unit for its work. Equipment “owned” by WSNA must be approved by WSNA prior to purchasing, and the warrantee (if applicable) must be retained in the office. Maintenance and insurance will be maintained by the identified owner. Upon changes in the officers, possession of the equipment will also change, and must be turned over to the current officers of the unit to keep track of any storage and locations.

Officers: Local Unit Grievance Officer

Introduction

The Grievance Officer oversees contract enforcement using the grievance procedure found in the contract. By doing so, they advocate for all nurses within the unit.

The nurses in the bargaining unit (both members and non-members) will look to the Grievance Officer or designated representative for guidance in the resolution of conflicts between them and management. In fact, from an individual nurse's point of view, grievance handling may well be the most important aspect of collective bargaining, since grievances usually revolve around issues that affect the nurses in very personal ways.

The presence of the Grievance Officer or designated representative assures the nurse a fair hearing and assists in obtaining a satisfactory resolution to the problem or issue. Thus, the grievance procedure becomes a very significant provision to afford workplace justice in the contractual agreement.

It is extremely important that the Grievance Officer has a working knowledge of the contract and understands the grievance process. You have a legal obligation to represent fairly any and all members of the WSNA bargaining unit, regardless of whether an individual is a WSNA member. Your conduct as the Local Unit Grievance Officer must not be arbitrary, discriminatory or in bad faith. This duty of fair representation is explained in greater detail below.

Contract provisions can sometimes be worded in ways that may be confusing, or don't fully explain the parties' intent when the contract was negotiated. Don't assume that your interpretation of the contract language is necessarily correct. Ask questions of your Local Unit Officers, past and present, and your WSNA Nurse Representative. They may have a different understanding or interpretation of the article, know the history of past practice, or historical knowledge of the contract article that is in dispute. They may also have a better understanding of the intent of the language, the legal ramifications and why it is worded the way it is in the contract.

Contract Enforcement/Grievance Handling

Signing a new contract does not mean collective bargaining is suspended until it is time to negotiate a new contract. There remains the need for agreement on everyday matters.

Even with the most carefully written contracts and in the best run facilities, contract enforcement is needed.

The grievance procedure, which is a formal process identified in the contract, is an effective problem-solving approach which establishes a different relationship between management and staff nurses. The power shifts from the employer to an equal relationship between staff and management. There are legal requirements for the employer to meet. These include the obligation to provide information when requested, and to respond within specified time frames.

The goal of all grievance procedures is the resolution of disputes or differences between employees and employers regarding the application or interpretation of provisions of the contract. In very basic terms, the purpose of the grievance procedure is to provide a systematic way to settle disputes, provide a nurse with an opportunity to tell their story, ensure nurses' rights are protected and respected as required by the contract. The process is a formal one which includes fact-finding, interpretation, clarification, and potentially a mutually agreed-upon decision by the parties involved. In the event that the employer and employee, with his or her representative (usually the Grievance Officer and WSNA Nurse Representative), cannot agree on a resolution at the final step of the grievance process, the grievance may proceed to arbitration, as determined by WSNA.

The grievance procedure assures that a nurse's complaint (grievance) is handled fairly, promptly and without fear of reprisal. It provides the means for the Local Unit and WSNA to enforce the provisions of the written agreement, the hospital's policies, and sometimes state and/or federal law. It encourages the raising of real issues and creates resolution if possible.

Representing Members at Investigatory Meetings or Interviews

As the Grievance Officer, you may be asked to assist and help in investigatory meetings should they arise, and when a nurse invokes their Weingarten Rights. Weingarten Rights affords the nurse the right to union representation if the meeting may or will result in disciplinary action. Below is a helpful overview of representing nurses during investigatory meetings, and how to navigate this process.

Try to meet with your member ahead of the meeting and away from the conference/meeting room. Be sure to walk in together. The Grievance Officer or designee is on the same level as management while acting in the representative role.

What to Tell Your Member:

1. Tell the truth and stick to the facts (management doesn't care how you feel).
2. If there is a pause in the conversation, you do not need to fill in moments of silence.
3. Give direct, truthful answers to management's questions, without adding extraneous, irrelevant or tangential comments. Answer questions with yes, no, I don't know, or I can't recall, whenever possible.
4. Elaborate only where necessary but do not second-guess yourself out loud.
5. Do not answer speculative questions such as "If you were in this situation, how would you handle...?" The Grievance officer or designee can object that it is a speculative question and request that they can ask the question in a different way.
6. Tell the nurse that they are to be professional, courteous, and that it is OK to cry.
7. Tell the nurse that you are there to support them and they are there to exemplify their professional RN role.
8. If management asks, "Is there anything else you want to tell us?", don't answer unless you take time to caucus before you answer.
9. You will keep their information as confidential as possible, but this information will go to the Union for case conferencing and safekeeping. If you are required to interview other witnesses, you will let the nurse know what information you will need to share.
10. Your notes are not to be shared with the nurse or management, only WSNA.

Before the Interview Begins:

At the interview, ask what is being discussed. The employer must reply. If they do not, instruct the employee not to answer any questions.

Once you are aware of the reason for the investigation, ask to take a quick break or caucus away from the interview room. The employer has to allow time for you to learn what happened so that you can best advise the employee about their rights.

Your Role:

Sit next to the nurse, between management and the nurse. Across the table is best.

Take careful, detailed notes on paper or laptop, identifying date, time, who is present and who says what. You may not record investigatory interviews without everyone's permission.

Management often tries to tell the Grievance officer or designee they are not allowed to talk and can only take notes. That is not true. You have the right to ask clarifying questions during the interview. You may offer information about the employee's viewpoint about the matter, particularly if the nurse has forgotten to say something, they previously told you. You have the right to bring up justifications, explanations and any extenuating circumstances.

You may ask management to repeat questions and to slow down if they are talking very quickly. You may ask management to re-phrase a question if it's not clear what information they are asking for.

Call for a break/caucus, particularly if the questions begin to upset the nurse or management is being overly aggressive and demanding answers.

If you want the nurse to stop talking, have some type of signal with the nurse, such as a tap on their knee, stepping on their foot under the table, or grabbing their elbow. When anxious, people tend to overshare and restate things over and over. Tell them that when you signal them, they are to wrap it up (Don't make it obvious that you were kicked under the table)

If management asks if the nurse understands something that may require a complex answer, such as "Do you understand HIPAA?" ask the employer to restate the question so that you can help the nurse narrow down what the employer is seeking to learn.

If a question has been asked and answered but the employer persists in asking the same question over and over, you have a right to object. Examples are "Are you sure that you...(did X) and that you didn't do (Y)". You can step in at this point by stating "The nurse has already answered that satisfactorily."

If management asks the nurse for a written statement, check with the WSNA Nurse Rep and don't make any promises. Written statements should not be required unless you believe it would be helpful to the nurse. Ask the nurse to write it and review it with you and your Nurse Rep before it is submitted to management. Always keep a copy for your files.

Anti-retaliation: Most facilities have policies against retaliation.

If the employer requests that the nurse keep this information confidential and not discuss this in the workplace, ask for the rationale. The employer must show that the investigation can be corrupted, for example, evidence could be destroyed, or others that are interviewed may change their answers or cover up the truth.

The Grievance Process - How Does It Work?

A key element in a fair grievance procedure is the orderly series of steps, progressing upward through successively higher levels of administration and ending in binding arbitration if appropriate. You'll want to be as specific as you can without limiting the scope of the grievance unnecessarily (you sometimes discover through the grievance process that additional contract sections may be relevant), so when listing the contract provisions that may have been violated you should generally use the phrase, "including but not limited to" the listed articles and sections of the contract. When describing the remedy you are requesting, use broad language such as "To be made whole." It is always preferable that an issue is resolved at the lowest level possible. Always speak with your Nurse Representative prior to bringing any issues forward during Conference Committee. If an issue is a grievance, and depending on the circumstances, it may or may not be wise to use this platform as methods for discussion. Trust your Nurse Representative for guidance.

When submitting a written grievance alleging a contract violation, it is most important to precisely state all provisions of the contract which may have been violated, how the employer has violated them, and what remedy or relief is being sought. It is important to review the written grievance with your Nurse Representative before filing, if at all possible.

Usually there are four steps to the grievance procedure, however this can vary depending on your contract language. Some contracts have up to five steps; and some public facilities have additional hearings you must be aware of. Please keep in mind that each contract is unique and must be reviewed prior to filing any grievance. Note that the contract sets strict deadlines for filing the grievance and advancing it to each successive step of the grievance process; make sure you don't miss any of those deadlines.

Once a nurse has contacted the Grievance Officer and it is decided there is reason to file a grievance, the process begins. The Grievance Officer should be in communication with the WSNA Nurse Representative about all issues brought forward by a nurse in the bargaining unit as a potential grievance; however not all issues are grievances. The decision not to file a grievance on behalf of a nurse is not the decision of the Grievance officer alone.

Unfair Labor Practices

One of the many ways an Unfair Labor Practice violation can occur is if matters involving hours, wages or working conditions are not brought to the attention of WSNA prior to implementation by management. It is important to be in tune when these types of issues occur and to let your Nurse Rep know immediately.

Arbitration

WSNA policy stipulates that the decision to advance a grievance to arbitration is made by the Director of Labor Strategies with input from the WSNA Nurse Representative and WSNA legal counsel. If the grievance is advanced to Arbitration, WSNA legal counsel assumes primary responsibility of the grievance with assistance from the local unit Grievance officer and WSNA Nurse Representative.

Arbitration is a legal, final and binding, proceeding that is detailed and complex. If a grievance is advanced to Arbitration, be aware that Arbitration is a long process and it can take more than a year for a decision.

Once it is determined that a grievance should be filed, check with your Nurse Representative, and follow the grievance procedure in the collective bargaining agreement. The contract will indicate with whom to file it.

Timelines

Please remember that monitoring **timelines** is essential!

The grievance procedure outlines a systematic procedure of “steps” to be followed as well as “timelines” to follow. Timelines may be extended in writing by mutual agreement with management. If you are unsure if the issues are a grievance and the timeline is running out – **file it** anyway!

Timelines and filling out the grievance form correctly are both critically important and must be adhered to. Your Nurse Representative is your specialist in this area and will provide training for you to be successful. It is important to keep your eye on the grievance process in your contract and make note or set reminders for timelines.

Missing a timeline can nullify a grievance. If questions of timeliness are raised, contact your Nurse Representative immediately for assistance.

Are There Different Kinds of Grievances?

Grievances generally fall into five categories; contract violations, federal and state law violations, past practice violations, management responsibility violations, and violations of the facility’s own rules/policies. Remember, all grievances are complaints, but not all complaints are grievances.

Contract Violations – Examples of contract violation grievances based on specific provisions of a contract might include:

- Job posting language is not followed.
- Schedules are not posted in accordance with the contract language.
- A nurse is disciplined or discharged without just cause.

- Sick leave pay is denied.
- Management treating a nurse unfairly in a manner which violates a specific provision of the contract.
- Wages not paid correctly.

Law Violations - Although an employment contract is binding on both parties, it cannot be in violation of law. Therefore, any action by management which violates a law may be the basis for a grievance, provided that the contract contains a provision stating that all federal and state laws which regulate the relationship between employer, employee, and the employee representative are incorporated by reference in the agreement.

While the parties may incorporate such references in their contract, it should also be noted that some state or federal laws may have jurisdiction over resolution of such questions to government agencies.

Examples of federal and state law violations might be:

- The Family Medical Leave Act (FMLA) is not followed.
- A nurse receives straight time for overtime work.
- Violation of the Americans With Disabilities Act (ADA).
- A nurse is being discriminated against due to race, age or religious background.
- The employer is in violation of OSHA standard.

The agency overseeing these issues may be a better avenue to address this issue. Discuss these issues with your Nurse Representative.

Past Practice Violations - The legal definition of past practice is all of the following:

- A practice which has been knowingly repeated over an extended period.
- Consistently applied.
- No clear language regarding the practice in the contract.

IMPORTANT! These past practice grievances are **complex** and often have implications for the entire bargaining unit. Please contact and consult with your WSNA Nurse Representative prior to the initiation of any action related to a past practice issue.

Violations of the Facility's Own Rules/Policies - Policies in the facility should be established through consultation with WSNA if they involve matters of hours, wages or working conditions, however most of the time they occur by administrative action. However, management cannot violate its own policies. Where provisions of the contract and an administrative rule or policy differ, the contract controls

Examples of policy violation grievances might be:

- Performance evaluations are seldom done until termination, although the facility's employee handbook states that such evaluations will be done annually.
- Mandating a nurse to find transportation when it is snowing, even though the policy states the hospital will provide transportation.
- Harassment Policy (sexual, physical, verbal).

To determine whether a nurse's complaint regarding a policy violation is a legitimate grievance, the following basic questions should be considered:

- Did management violate the contract agreement or hospital policies which have been incorporated into the contract by reference?
- Did management violate an established past practice related to the express provisions of the contract?

Categories of Grievances - There are specific categories of grievances:

- Interpretive – For example, interpretation of a section of the contract.
- Factual – For example, a nurse did not receive weekend premium while working on a Saturday and should have received it.
- Equity – For example, disciplining a nurse when others have not been disciplined for a similar behavior or act.

Role of Grievance Officer in Grievance Handling

Contract enforcement is the primary responsibility of the Grievance Officer and/or designated representative. Effective investigation, preparation and presentation of a grievance are essential to the enforcement of a collective bargaining agreement. As a result, a major portion of the Local Unit Grievance Officer's role is spent in handling grievances.

In processing a grievance, the Grievance Officer plays a key role in:

- Determining (with consultation with WSNA Nursing Representative) if there is a valid grievance – what article of the contract has been violated? What policy has been violated?
- Notifying WSNA representative of the grievance;
- Working with the Nurse Representative to put the complaint in writing;
- Gathering all possible information about the complaint;
- Scheduling the Step 1 and Step 2 grievance meetings;
- Pursuing the steps of the grievance procedure until the grievance is resolved;
- Maintaining the grievance file and ensuring that the WSNA staff is given all written materials after each step;
- WSNA notes are not shared with management or the grievant;
- Tracking of timelines to ensure compliance;
- Ensuring resolution of the grievance is in writing;
- Assisting WSNA counsel and representative as needed with arbitration of grievance.

WSNA Staff Role in Grievance Handling

Duty of Fair Representation - Under this duty, WSNA cannot act in an arbitrarily discriminatory or capricious manner in decisions about grievances. Non-members of WSNA must be represented in the same manner (without discrimination) as dues-paying members. Neither can WSNA treat bargaining unit members it represents in a perfunctory manner. WSNA does have the discretion in determining:

- Whether a complaint is in fact a grievance and will be grieved.
- The terms of settlement or adjustment.
- Whether or not a grievance will be submitted to arbitration (by the Director of Labor Strategies).

WSNA can make decisions as to the merits of particular grievances and refuse to process those which lack merit. Such refusal must be made in good faith and in a non-arbitrary and non-discriminatory manner. In other words, WSNA need not arbitrate every grievance, nor file a grievance for every complaint. Again, all grievances are complaints but not all complaints are grievances.

In the event a nurse was disciplined or discharged and is seeking your help in filing a grievance, it is important to always pay attention. Do not dismiss these cases, even if you have inside knowledge of the circumstances. The obligations to represent individuals in these situations are much greater; thus, it's recommended to consult your Nurse Representative prior to responding to any nurse about the merits of filing a grievance.

Specific WSNA Nurse Representative responsibilities in grievance processing are to:

- Act as a resource to the Local Unit Officers/Grievance Officer;
- Represent employees at meetings as defined in the contract;
- Educate and train Local Unit Officers/Grievance Officer;
- Provide expertise and assistance in arbitration preparation as needed;
- Enforce settlement terms if necessary;
- Provide legal and strategy advice and experience to the officers.

What is “Just Cause?” - The Seven Tests

In a case involving the propriety of a discipline or discharge, Arbitrator Carroll R. Daugherty outlined a series of questions as guides to testing whether “just cause” existed. Contracts usually do not define “just cause” because there is a large body of arbitration decisions defining what it is under particular circumstances. These decisions are not all inclusive; however, their usage can be helpful in determining the worth of a grievance and affording clues as to the best way to win a grievance involving discipline. The searching nature of the seven questions and the sequence in which they have been set forth invite usage.

Arbitrators are not bound by these tests, but they provide a groundwork for you.

1. Did the hospital (employer) give to the nurse forewarning or foreknowledge of the possible or probably disciplinary consequences of the nurse’s conduct?
2. Was the hospital’s (employer) rule of managerial order reasonably related to the orderly, efficient and safe operations of the hospital?
3. Did the hospital (employer) before administering discipline to a nurse, make an effort to discover whether the nurse did, in fact, violate or disobey a rule or order of management?
4. Was the hospital’s (employer) investigation conducted fairly and objectively?
5. During the investigation, did the “judge” obtain substantial evidence or proof that the nurse was guilty as charged?
6. Has the hospital (employer) applied its rules, orders, and penalties evenly without discrimination to all employees?
7. Was the degree of discipline administered by the hospital (employer) in a particular case reasonably related to:
 - a. the seriousness of the nurse’s proven offense; and
 - b. the record of the nurse in his/her service with the hospital (employer)?

According to Arbitrator Daugherty, a “no” answer to any one or more of the above questions normally signifies that just and proper cause may not exist.

In other words, the employer’s disciplinary decision contained one or more elements of an abuse of managerial discretion so that the disciplinary action may be overruled by an arbitrator.

Due Process

Due process is a system designed to protect the individual's rights and for which management has responsibility. WSNA responsibility is to ensure that due process has been followed.

Procedural requirements are essential safeguards for the due process system of protection for the individual. They include the following considerations:

- The formal charge must include the nature of the misconduct.
- Reasons should be provided at the time charges are made. Subsequent reasons may be irrelevant.
- The penalized person must be given the opportunity to tell his or her side of the story.
- WSNA must be given a full opportunity to prepare the defense.
- The primary burden of proof rests on the hospital in discipline and discharge.
- Nurses, with few exceptions, must demonstrate good faith compliance with reasonable rules which do not conflict with their professional and legal responsibilities to patients.
- The rules of protocol must be framed to meet the need for safe and efficient operation of the hospital, consistent with the nurse's professional and legal responsibilities.

General Principles in Discipline/Discharge Cases

- The employer is entitled to prescribe reasonable rules of conduct. What rules are necessary will vary from one facility to another, and the employer enjoys considerable discretion in making this determination.
- The nurse has a right to know what is expected of them. Therefore, the hospital has an obligation to give adequate notice of reasonable rules, unless they are so self-evident as not to require notice. This requirement gives rise to a number of chronic issues, such as whether:
 1. A particular rule has been promulgated with sufficient notice;
 2. Violations have been condoned to such an extent as to make the rule invalid
 3. It is a mandatory subject of bargaining. (Hours, wages or working conditions).
- The hospital has no jurisdiction over the nurse's private life, and no right to impose discipline for behavior off hospital time and property, this being a task for the civil authorities. The exception occurs when the nurse's actions away from the job have the effect of damaging or seriously jeopardizing the hospital's interests. The problem in cases of this type is to decide whether the hospital's interests were sufficiently involved as to justify intervention.
- The nurse must conform with valid rules in good faith and with serious purpose. He/she must behave as a responsible individual; otherwise, services cannot be provided with any degree of efficiency.
- The hospital must avoid arbitrary, hasty or capricious action when confronted with unsatisfactory conduct. The tendency for supervisors to "overreact" against what they regard as a challenge to their authority is one of the persistent problems of discipline.
- Disciplinary suspension policies should be applied consistently and evenly. It does not mean, however, that a mechanical uniformity of treatment must be achieved, regardless of differences in the background or circumstances of particular cases.
- Proper discipline is corrective rather than punitive. The purpose is to assure that the nurse carries out her/his duties in a responsible and professional way. Both hospital and nurse lose when the nurse is terminated. The hospital must recruit and train a replacement and must often reckon with ill will on the part of the discharged nurse's fellow workers, while the nurse loses his/her seniority and all the valuable rights associated with it. Therefore, discharge should be invoked only as a last resort, after it has become clear that corrective measures will not succeed.

This overview is not a substitute for grievance training. Grievances are complex and require time, experience and training. Your Nurse Representative is here to help you!

GRIEVANCE INVESTIGATION WORKSHEET

DATE _____

Grievant _____ **Department** _____

Home Phone: _____ **Cell Phone:** _____

Home Email: _____

Date of Hire _____ **Current FTE** _____ **Shift Worked** _____

What happened? (Also include incidents which gave rise to this grievance)

When did it occur? (Day, date, and time) (Is the violation still within grievance timelines?)

Who was involved? (Names, titles and contact information is possible of all that were present)

Were there any witnesses? (Names and titles, contact information)

Where did it occur? (Be specific)

Why is this a grievance? (What is management violating? Contract, rules and regulations, unfair treatment, existing policy, past practice, local, state, and federal laws (if applicable), etc.)

What is the remedy to correct this problem?

Additional Comments:

Local Unit Representative_____

Grievant's Name_____

Date_____

A copy of this form is to be shared ***only*** with the WSNA Nurse Representative.

Officers: Membership Officer, Coordinator or Member At Large

Whether negotiating contracts for members of the Local Unit, advocating for policies that advance and support the profession of nursing or speaking out in support of other workers in our communities, our success at the local, state and national level is dependent on having a strong and active membership. As the Membership Officer (or Coordinator/Member at Large) you play an important role in building a strong and effective Local Unit by promoting membership and inviting nurses to become members of WSNA and getting involved in their union.

If your unit is large, a co-membership (additional Member at Large) officer position may be warranted. Your Local Unit Executive Committee may establish a Membership Committee if permitted by the Local Unit Rules. The make-up of this committee can include Unit Reps (or Liaisons). In the event one is established, it is important that all departments and shifts are represented on this committee, so that every RN in the unit is known to someone on the committee and can, therefore, be easily and repeatedly contacted as necessary.

In the event there is more than one Member at Large officer position, there shall be dual responsibilities for this important work. As addressed previously, some Executive Committees may establish a Membership Committee, or alternatively, one Membership at Large position, “Chair of Membership” will help to maintain current contact information for nurses within the bargaining unit. These duties include keeping WSNA membership informed of changes of information for the members. In addition, further important tasks include taking on the large responsibility in maintaining the Local Unit Rep (or Liaison) list, keeping these members active and ensuring there is a Local Unit Rep (or Liaison) for each unit and each shift. This structure will strengthen membership engagement within your Local Unit and create a framework for strong campaigns.

WSNA Organizers are a great resource available to you. Together with your Nurse Representative, Organizers can assist you and your Local Unit in preparing an organizing plan that can include outreach potential members at new employee orientation, “First Friend Best Friend” strategies to stay in touch with new bargaining unit members, Unit Rep (Liaison) structure building and issue organizing campaigns.

Maintenance of Membership Information

Most contracts have language that obligates administration to send full Local Unit rosters to WSNA throughout the year, with the frequency specified in the contract. Your specific contract will contain the exact information to be included in the roster. Some contracts may stipulate that you can request HR to send a list of all members including their dates of seniority. WSNA is responsible for updating membership information.

However, if you have knowledge of changes or updates to any member's demographic data, please email that to your Nurse Representative or the WSNA Membership Department at membership@wsna.org.

Change in Membership Status

As an officer in this role, it's important to help RNs be aware that the WSNA Membership Department must be notified if they are going on an unpaid leave of absence, because dues obligations change when on an unpaid LOA. If the nurse reduces or increases their FTE, or changes to or from per diem status. Notification can be done through the WSNA Change of Information form that is available in hard copy from your Local Unit Secretary, WSNA Nurse Representative or can be found on the WSNA web page at www.wsna.org.

Attending New Hire Orientation

Most contracts allow WSNA officer representatives to attend new hire orientation to introduce the contract and promote WSNA membership. It is important to attend new hire orientation, even if membership numbers are high, as this is your first opportunity to create value of the Local Unit for these new nurses at your facility. The Membership Officer (Coordinator or Member at Large) is the first WSNA face of the Local Unit.

If your contract does not allow the Membership Officer (Coordinator or Member at Large) or other Local Unit members time during orientation to meet with and speak to newly hired RNs, one of the most important jobs is making contact with all of the newly hired nurses.

If time is not allotted during general orientation, you can also make an appointment to meet with the new RN within the first two weeks of their employment to reinforce the value of membership in WSNA and the Local Unit. This is an opportunity to provide them with the WSNA new hire packet if not received at the orientation, and information on how they can find a copy of the current contract.

As an officer in this role, it's imperative to have a routine and an effective way of contacting newly employed nurses in order to make them feel welcome; inform them about the existing contract and the Local Unit; motivate their participation in the unit and other WSNA activities; and recruit potential members into WSNA.

For questions related to a union security clause (membership obligation) in the existing contract, the Membership Officer (Coordinator or Member at Large) should refer the member to WSNA Membership Department.

A packet with information about your Local Unit, along with the membership application and standardized WSNA information, should be given to the new hire, and instructions of how to access the contract on-line on the WSNA website. These packets will be provided by the WSNA Office upon request. Coordinate with your Local Unit Secretary and WSNA Nurse Representative in obtaining adequate packets for your orientations. Once the nurse joins WSNA, more information will be provided to them via mail about WSNA affiliations our state and national association and union as well as their assigned local district association.

Don't fret, you are not alone in this important work! Unit Reps (or Liaisons) are key leaders in helping to follow-up with the new nurse in their specific workplace area and to introduce themselves, assist in finding the location of the WSNA bulletin board, and reinforce the value of membership. If your facility does not require mandatory membership, this will assist in recruiting new members. Your Unit Reps (or Liaisons) are valuable resources in connecting with the new nurses and reinforcing why they are members and why the new nurse should seriously become an active member of the bargaining unit. In addition, the Membership Coordinator works with the Local Unit Reps (or Liaisons) to maintain WSNA bulletin boards keeping them current with accurate information and removing the old.

Multiple Membership Officers, or Member At Large – Shared Duties

If your Local Unit has more than one Membership Officer (or Member at Large), designating one Officer to take leadership role in communications can support the work of the Executive Committee.

The second Member at Large, acting in the role of “Chair of Communications”, (if permitted by the Local Unit Rules) can help build the unit by implementing some or all of the following examples and suggestions:

1. Formulating and maintaining an external contact list of supportive community allies including other unions, social and economic justice organizations, small business owners, religious and civic leaders to include phone numbers and email addresses.
2. Help to keep social media resources (if applicable) up to date and can work to formulate communications for the bargaining unit in partnership with the Nurse Representative and the elected Officers.
3. Record robo calls when needed or provide instruction on the process to designated members.
4. In the event text messaging (“Hustle”) is used, the Chair of Communications is responsible for assembling and maintaining an active body of trained members to participate in messaging. Training on texting is provided by WSNA. In the event texting is necessary, the Chair of Communications will verify with trained members their availability to participate. Collaboration with the Nurse Representative on messaging to be used is an imperative and important aspect for the task to be carried out.

Local Unit Officer Handbook Summary

In the event any questions should arise, or you find information that is not addressed in this handbook, your Nurse Representative is your key source for further guidance to help you achieve success. We invite you to lean on them if you need help or encouragement. Your hard work and leadership is vital to maintaining a strong membership in the workplace. More policies that were not described in this handbook that pertain to the officer role can be found in the appendix.

You are a nurse advocate! A nurse leader! Time to get started on building unity and power!

Appendix

- Local Unit Voucher

LOCAL UNIT FUND VOUCHER

Washington State Nurses Association, 575 Andover Park West, Suite 101, Seattle, WA 98188
Bookkeeping Extension 3021 @ 206-575-7979 or 800-231-8482

WITHDRAWAL

Please issue a check for \$ _____ Payable to (name) _____
and mail payment to (address) _____

Charge to (facility) _____ Local Unit fund.

Funds were used for: (check one and briefly describe): **Attach receipts.**

- Membership Promotion _____

- Educational Activities _____

- Negotiations _____

- Contract Administration _____

- Communications _____

DEPOSIT

Please deposit _____ \$ _____
to the _____ Local Unit fund.

Funds were received for _____

Local Unit Chairperson

Date

E&GW Program Director

Date

Local Unit Treasurer

Date

E&GW Cabinet Chairperson

Date

LOCAL UNIT FUNDS VOUCHER

The purpose of Local Unit Funds is to provide a financial base for individual Local Units.

In order to withdraw funds, Local Unit Officers must submit a Local Unit Voucher filled out with the correct information and signed by two officers.

- The form must be accompanied by ORIGINAL ITEMIZED RECEIPTS
- On the back of each receipt, the name of the meeting for which the funds were used and the individuals attending the meeting must be listed. Sign-in sheets are acceptable.
- The form must be signed by the Local Unit Chair and the Treasurer or other designated local Unit officer. It requires signatures of two different officers.
- The person receiving the payment may not be one of the authorizing signers.
- Vouchers must be submitted to WSNA within 30 days in order to be reimbursed.

Uses for Local Unit funds may include:

- **Membership Promotion:** Could include cost of buying lunch for new hires or dinner for Unit Rep dinners; food and supplies for Local Unit meetings or activities; mailing costs; or promotional items (Nurse Day recognition or membership drives).
- **Educational Activities:** Training costs and materials; scholarships for union or association- related educational offerings; reimbursement for costs associated with attending WSNA events such as Leadership Conference, WSNA Hall of Fame, WSNA convention, ANA Convention, WSNA Legislative Day, AFT events, and AFL/CIO activities. Local Unit funds are not intended to be used for clinical educational purposes.
- **Negotiations Related Expenses:** The Local Unit may reimburse members for costs associated with negotiations including transportation and parking, meals, or child/elder care costs when attending negotiation sessions with the employer, including preparation sessions.
- **Negotiations Stipend:** Upon ratification of the contract, a Local Unit may pay a stipend to members of the negotiating team which may include payment for time spent in preparation meetings and negotiation sessions.
- **Contract Administration:** May include transportation, parking, and/or child/elder care costs when attending grievance hearings, arbitrations or non-routine meetings of the Local Unit; costs of room rental for a Local Unit function (not space for negotiations sessions).
- **Communications:** May include printing and mailing costs of correspondence to the Local Unit; voice messaging systems, e-mail or other means of communications as well as community outreach including paid ads.

Any request greater than \$1000.00 will be reviewed for approval by the Chair of the Cabinet on Economic and General Welfare or the Director of Labor and Organizing Strategies.

Local Unit funds may not be used to compensate WSNA staff in any way including gifts, except for paying for a meal in conjunction with a Local Unit meeting or event.