

EIB vs STD St. Joe's Bellingham

We heard your questions!

As most of you know, the WSNA collective bargaining agreement contains guarantees of both PTO (Paid Time Off) and EIB (Extended Illness Benefits). Extended Illness benefits have been protecting PeaceHealth nurses for many years, as attested to by nurses who have been through extended periods of personal illness, major surgery, illness of a family member, childbirth and a host of other events which most of us will face sooner or later in our working careers. Extended illness benefits accrue at the rate of 4 days per 1.0 FTE per year, and on a prorated basis for part-time employees. Nurses may bank up to 600 hours. EIB is available for immediate use following completion of thirty-two (32) consecutive scheduled hours of absence due to illness or injury, upon the first day of hospitalization or upon the day of any outpatient procedure that requires two (2) days off from work. It is also available to care for family members. In our last round of negotiations, in which management was demanding an end to EIB accrual in negotiations, a host of nurses stepped forward to speak out about how EIB saved them and their families from financial ruin while facing an extended absence from work.

Since our last negotiations, Washington passed a new law providing paid family leave medical benefits of up to between 12-16 weeks for eligible employees working in the state. It is funded by taxes paid by employees and employers and will go into effect in 2020 for almost all employees in the state. The brand-new law includes new complex eligibility requirements based on hours worked, lengthy definitions of the personal, family, parenting and military related events which will trigger benefits, and regulations under which most employees in the state will submit claims for benefits directly to the state's Employment Security Department. For the first year, the law is set to pay benefits of from \$100 to \$1000 per week prorated to FTE, subject to change in future years depending on whether the estimated costs and claims experience are correct. This is a benefit on top of your contractual PTO and EIB as a result of state law. It is funded by taxes which will be collected 1/3 from the employer, and 2/3 from you.

PeaceHealth has exercised an option under the law to self-insure the portion of the state benefit for medical issues of the employee. It thereby avoids paying its share of the tax. As a self-insured plan, PeaceHealth was required to agree to cover all its eligible employees, including all WSNA represented nurses at St. Joe's. Its plan directly mirrors state law. It will directly pay (presumably through a third-party administrator) benefits for injury or illness to the employee. Application for benefits for other family or military related reasons will still be through the state. PeaceHealth made this decision without bargaining with employees to secure its right to self-insure. Your employer may challenge your claim for benefits within 18 days of your application. PeaceHealth may withdraw from its self-insured program after the first year.

Your bargaining team welcomes the new law and its benefits. For detailed information on the new plan and its numerous rules we recommend you visit: <https://paidleave.wa.gov/>.

However, remember that you will be paying two thirds of the cost. Also, remember that the new law is an experiment, subject to change, and based on many as yet unproven assumptions. Details and links are outlined below. We urge all to educate themselves. Please remember, PeaceHealth is only offering what it was already required by law to provide. It must provide the new state benefit whether or not it maintains existing EIB. Hence, we face not a choice between EIB and the new state benefit, but a demand for major EIB takeaways.

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We have completed a table comparing your current EIB (Extended Illness Bank) plan with the hospital's proposed PeaceHealth plan.

ISSUE	UNDER CURRENT EIB	UNDER PROPOSED STD
Access to benefits	<p>Article 10.1 Access to be immediately available. Time will be after 32 hours of consecutive absence for scheduled hours due to illness or injury or Upon the first day of hospitalization or Upon the day of any outpatient procedure that requires two days off from work.</p>	<p>Benefits are payable after a waiting period of the first seven (7) calendar days of leave or Immediately without a waiting period for the birth of a child.</p> <p>Qualification includes detailed hours requirements and lengthy rules on the frequency and nature of qualifying conditions and treatment.</p>
Daily payment of benefits	<p>10.1 100% of pay for time missed equal to hours in the extended illness bank</p>	<p>Calculated according to the law outlined in RCW 50A.04.020. prorated by percentage of hours on leave compared to the number of hours provided as the typical workweek hours. Benefits will be reduced to the next lower multiple of one dollar.</p> <p>Minimum weekly benefit is \$100 (unless employee's wages are less than \$100 per week then the weekly benefit will be the employee's full wages). Maximum weekly benefit is \$1,000 and the amount can be adjusted each year by the commissioner of the ESD on or before September 30 of that year.</p>
Commencement of Payment of Benefits	<p>Immediately upon eligibility based on article 10.1</p>	<p>Within 14 calendar days after a properly completed application is received by PeaceHealth.</p>
Maximum duration of benefits	<p>Up to maximum hours permitted to be accumulated for the EIB per contract. Currently set at 600 hours</p>	<p>Up to 12 weeks of medical leave</p> <p>Combined 16 weeks if family and medical leave within a 52 consecutive week period.</p>

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Cash out	Article 10.4 Eligible employees may cash out 100% excess of 360 hours upon resignation	None
Application for benefits	10.2 Verification from employee's healthcare provider	<ol style="list-style-type: none"> 1. Employee must file an application for benefits 2. Employee must meet statutory eligibility requirements 3. Employee must consent to the disclosure of information deemed private and confidential under state law 4. Employee must disclose whether child support is owed 5. Employee must provide SSN 6. Employee must provide document authorizing the employer's healthcare provider to disclose his or her health care information in the form of a certification of a serious health condition. 7. Employee must provide adequate notice and must attest in the initial application of benefits that written notice or other designated notification method has been provided to PeaceHealth of the need for leave in accordance with RCW 50A.04.030.
Notice of leave	Notification of supervisor "as soon as possible" Article 10.3	<p>Give notice for foreseeable leave 30 days in advance of leave. When not foreseeable as soon as possible.</p> <p>The employee must make reasonable efforts to schedule treatment so as not to disrupt the operations of PeaceHealth.</p>
Employer right to appeal benefit award	None	Employer may challenge your claim for benefits up to 18 days after the application
Assignment of Claims Obligations	Currently payment is through payroll system based on banked EIB hours available.	PeaceHealth may assign the obligations to a third-party administrator
Security Of Plan	Guaranteed by Contract	PeaceHealth may terminate its plan and the ESD Commissioner

		may alter benefit amounts yearly
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Consider this:

The new benefits of the state's program are not a PeaceHealth benefit. They are **required** by law. We do **not** know how this will play out long term and there is considerable question about the viability of the plan within the state. Only time will tell.

We are proposing that we **not** bank our nurses' situation on "perhaps" and "possibly"! We are asking that management preserve the EIB benefit for our nurses' protection while we see if the new program is feasible. We have the option then of reviewing the data and looking at the facts after the trial period has been in effect and addressing at the next contract negotiations. We are not presenting an unreasonable offer to management with this proposal. We are willing to revisit the issue after we have the information we need to make an **informed** decision. As nurses, we are bound to provide our patients with the necessary information for them to make an informed decision and we are asking PeaceHealth to do the same with us. We do not bank our nurses' futures on suppositions with questionable outcomes because nurses deserve predictability and stability in their lives while caring for their community.

Please direct any additional questions or concerns to your negotiation team members or email WSNA Nurse Representative Sue Dunlap at SDunlap@wsna.org. They will answer as quickly as they can. In addition, please forward your words of support and encouragement to the bargaining team as they exercise their resolute determination to obtain the best contract for all nurses!