

# Duluth Clinic 3rd Street Building Nurses: Understanding the Topics Subject to Mandatory Bargaining



Essentia Health

As you know, the Minnesota Nurses Association (MNA) wants the right to represent nurses at the Duluth Clinic 3rd Street Building in collective bargaining with Essentia.

If 3rd Street Building nurses vote to elect the union there are only certain topics that Essentia would be required to bargain over and these would not include, for example, factors related to clinic operations (i.e., kiosks, patient parking, patient check-in procedures).

Collective bargaining would be limited to terms and conditions of employment. And even with respect to these issues, there are no guarantees you would get more than you have now as a result of bargaining.

**If the union is elected, Essentia is only required to bargain over “mandatory subjects” which are related to terms and conditions of employment.**

Under the National Labor Relations Act (NLRA), only certain topics would be subject to “mandatory” bargaining between the union and Essentia; other topics are not subject to bargaining. The table below provides examples of topics parties must bargain over and those not subject to bargaining.

Topics Parties Must Bargain Over	Topics Parties are NOT Required to Bargain Over
<p>Terms and conditions of employment <u>are the only topics that must be negotiated</u> during the bargaining process. These include:</p> <ul style="list-style-type: none"><li>▪ Seniority rules (which may affect shift preference, work schedules, job transfers, promotions, extra shifts/hours, time off preferences, layoff, recall, etc.)</li><li>▪ Pay</li><li>▪ Benefits</li><li>▪ Paid time off</li><li>▪ Floating/low census</li><li>▪ Scheduling</li><li>▪ Discipline process</li></ul>	<p>Administration and the union <u>would not</u> bargain over issues related to how the facility is managed, including topics such as:</p> <ul style="list-style-type: none"><li>▪ Nurse recruiting/hiring; number of RNs employed</li><li>▪ Patient care policies and procedures</li><li>▪ Patient safety procedures</li><li>▪ Patient volume</li><li>▪ Business strategy</li><li>▪ Leadership</li><li>▪ Communication</li><li>▪ Service line offerings</li><li>▪ Operational decision-making</li></ul>

Even though bargaining is mandatory over some subjects, we would always have the right to say “no” to any demand we felt might be bad for patients, other colleagues or our business.

Ultimately, there is no way to predict the outcome of the collective bargaining process. Colleagues could end up with more, the same or even less.

**We encourage you to wait and see what happens with RNs at 1<sup>st</sup> and 2<sup>nd</sup> Street clinics and to vote “no” to the question of MNA representation. Let’s continue working directly together in the interests of our colleagues, patients and the community we serve.**

We hope this information is helpful as you consider your choices in the election. Also, please visit our website at <https://www.essentiaclinicnurse.org/>

