

HealthPartners Local 12 News

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Abuse of Disciplinary Procedures at HealthPartners

While the vast majority of employees at Health Partners have never had a disciplinary meeting, an analysis of the last year's 130 disciplinary filings (including extensions of probation) revealed troubling trends, namely, inadequate training, racism, and an over-reliance by specific supervisors.

Collectively, the statistics demonstrate Health Partners tolerance for a leadership style which sees the purpose of discipline as punishing employees rather than providing pathways to improve job performance.

Corrective action is not an inherently bad thing, but the vast majority of these disciplines could have been avoided by a combination of good training and human decency. If an employee relying on public transit is faced with the everyday choice of being five minutes late or forty-five minutes early, basic human decency says that a schedule adjustment is better than disciplinary proceedings. If a parent needs to spend time with a sick child, human decency says you find solutions, not file write-ups.

Even those disciplines that appear on the surface to have some legitimacy, like HIPAA violations, are often accidents driven by understaffing. If someone specifically tries to look up a celebrities' chart should, of course they should be disciplined. However, when three employees are trying to cover for the work of five—because of Health Partner's inadequate staffing—mistakes are going to be made. HP should take responsibility for the consequences of its greed. And it is greed. There are plenty of people to fill these positions, just not at the wages HP is offering.

At the end of the day, good supervisors recognize that leadership is about providing inspiration and imparting skills; no one steps into a job wanting to do it poorly. Good supervisors recognize which moments call for rigidity and which moments call for flexibility. It's a simple matter of human decency. Where you find an employee trying to shirk responsibility, you will find an employee who has been treated disrespectfully and probably denied adequate training. This isn't rocket science, it's the core of every high-functioning HR department.

Bad supervisors, however, think leadership is about giving orders, and they make life miserable for every employee around them. At health partners in the last year, five people are responsible for *fully one-third* of the 130 disciplines at HP: Julie Zwald (Ride Care) (12), Patty Scheoenborn (Bloomington Clinic) (11), Emily Smith (St. Paul Wabasha) (7), Monique-Bulson Bratton (Patient Accounting) (7), and Kaykeo "Lanoi" Keungsavath (Pharmacy Customer Service) (6).

Having to engage in a discipline even a single time is a sign of a breakdown in support structures. It happens, though. We're human and mistakes are inevitable, but corrections aimed at improving the work and the working relationships should be the order of the day. OPEIU Local 12 members are calling on Health Partners to be better, to adequately train its supervisors in cultural competency, and to disavow and disallow those who mistake abuse for leadership.

A message from your Union Representative



In 2016, I began working at HealthPartners as a temp and in early 2017, I was hired on in the appointment center.

I became a steward shortly after the 2017 Contract vote. It was when I was representing a member who was being investigated for her absences and tardiness that I learned that a grey area at HealthPartners didn't exist with regard to disciplines and investigations. It was revealed during the investigation that this member was experiencing domestic abuse and stalking. She had somehow made a deal with the police to drive by her house every morning and when she saw them she felt safe to go to her car which sometimes caused her to be a few minutes late to work. The time she was 40 minutes late happened because the police were not present and her ex showed up.

This was a very emotional investigation and I believe everyone in the room felt bad for her, and wanted to help her. We all wanted to save her from this awful thing that was happening to her. She wasn't a bad worker, she was in a bad situation. After the investigation the supervisor pulled me aside and said, "Kelsie you got this right?" WHAT? I was baffled. She wanted me to save the member from what the employer was about to do. I said, "What do you mean I got this? This is your call to discipline or not." The supervisor shook her head and said, "No, it's not."

This is a top down mentality. Health Partners has created a culture of fear and punitive disciplines. When you look at only the black and white you see this member wasn't showing up to work on time. But when you see the grey, you see the part of life that makes things hard, and see an opportunity for compassion and real leadership.

Negotiations are coming up this fall. Along with better wages, and maintaining health and welfare benefits. Local 12 union members and Local 12 staff will be fighting for better discipline language, thus creating a culture change of looking at the grey and finding the opportunity for compassion and real leadership. We expect leadership to identify the problem and help our members fix the problem. If there is an issue with performance lets see what's stopping the member from achieving good performance. Not slap them with progressive discipline, forcing them to walk away from the discipline, feeling unsupported, unliked, and lost in how to fix the issue.

Kelsie Morgan
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Know Your Rights

To learn more about how discipline works in the CBA, you can find this information in Article 25, which covers progressive discipline. Appropriate discipline usually starts with an oral, then written, then suspension which can be for up to 15 days unpaid, most of the time HP will suspend twice before moving to a termination.

In cases of serious offenses, the employer can skip progressive discipline, commencing with a more serious punishment up to and including termination. The union defines a serious offense as things like, theft, violence or threats of violence. The ambiguous language, however, means the employer might view other offenses as serious, with disagreements being settled and/or discussed through the grievance process.

If you are disciplined, your union rep and/or steward will look at the facts surrounding your discipline, request more information if necessary, and make the determination if a grievance is possible or not. If there is a grievance to your discipline your union rep or steward will schedule meetings to argue your case.

It is very important that all members understand that they have a right to union representation. Local 12 stewards and reps not only act as your representation but also your witness, we take notes during the investigation and advise on next steps. Though you have the option, you should not go to the investigation without representation, and if you cannot find someone, management needs to reschedule.

Know Your Contract

The answers to many questions regarding policies and benefits can be found in your contract. If you do not have a copy of your contract, please reach out to your steward or representative to get one. Some sections of the contract, however, generate confusion, so, HealthPartners union newsletters will start featuring a part of the CBA about which stewards and staff frequently receive questions.

This month we will be talking about the rest periods and how they work. You can find this article in the CBA under article 3.03 and 3.04 for lunches.

An employee is entitled to paid rest periods depending on their scheduled shift.

- Those who work more than four hours but less than six hours will receive one 15 minute break.
- Those who work six hours but less than 7 hours will receive one 20-minute break.
- Those who work seven hours but less than eight and a half hours will receive two 15-minute breaks.
- Those who work Eight and one-half hours or more shall receive two 20-minute breaks.

Under 3.04, those who work 6 hours or more should get an unpaid lunch period. Those who work 6 hours or less could get an unpaid lunch as long as it's mutually agreed upon between the employee and the supervisor.

Under 3.05, Employees can combine their meal periods and rest periods as long as there is supervisory approval.

You may be eligible for additional breaks or rest periods under the law for breast feeding mothers, and any ADA accommodations. Any questions about your contract, please reach out to kmorgan@opeiu12.org.

Join the Contract Action Team

Are you looking forward to the changes we are bringing to negotiations? How do you feel about a generous wage increase, maintaining your benefits, fixing ambiguous language in the CBA? The BEST contracts come to those who *demand* it.

Union organizing is not something of the past, this is still relevant and rearing a new modern turn of events. Union organizing built the middle class during the industrial revolution. Workers worked together, made sacrifices, and demanded fair pay for a days work.

HealthPartners is a big corporation, with big money lawyers, HR representatives who know how to say pretty words and underestimate our intelligence. But together, we are unstoppable. We need members to step up, support the bargaining team, help survey members when we need additional information, and be willing to take actions to get the contract they deserve.

Please register [here](#) for the upcoming CAT meetings and join your fellow workers as we work together to create a stronger contract. Meetings are every Tuesday from 6:30pm to 7:30pm.

Bargaining begins in September, every Tuesday from 9-5 at the 8170 building. Help us get battle ready and fight for what you deserve!

Reach Your Representative

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