

Unity Living Center Employees Seek First Union Contract

Fact Sheet

Unity Living Center. Unity Living Center is a 120 bed skilled nursing facility, including a 10 bed ventilator unit, located on the St. Mary's Hospital Campus of the Unity Health System, 89 Genesee Street, Rochester, NY 14611, at the intersection of West Main Street.

Unity Health System. Unity Health System operates Unity Hospital (formerly known as Park-Ridge Hospital), several nursing homes, ACM Laboratory, a physician network, and a variety of other health and human services. It employs 5,500 people in the Rochester, NY area.

Employees vote union. On June 20, 2013, Unity Living Center employees voted to form a chapter of 1199 SEIU United Healthcare Workers East in a secret ballot election supervised by the National Labor Relations Board (NLRB).

The bargaining unit. Employees in the union bargaining unit include licensed practical nurses, certified nursing assistants, therapy aides, recreation therapists and assistants, program assistants, and resident services representatives and secretaries. There are a total of 130 full-time, part-time, and per diem employees in this unit. Most of these employees live within the City of Rochester. Thirty-five percent (35%) live in the immediate neighborhood of Unity Living Center in Zip codes 14611 and 14619.

Why did the employees form a union? Many employees expressed concerns about respect, fair enforcement of rules, reasonable workloads, and short staffing. There is a widely held perception that favoritism is the determining factor in who gets a raise, as well as who gets preferred assignments. For many employees, pay is low and health insurance is prohibitively expensive.

The contract negotiations. Negotiations between a ten member employee committee and Unity management began October 1, 2013. Management is represented by an attorney from the firm Jackson-Lewis from Pittsburgh, PA, in addition to the facility's administrator and human resources staff. To date, there have been seventeen day long sessions, often with long delays between meetings due to management's alleged unavailability. A Federal Mediator joined the talks on February 4, 2014, and is expected to remain involved until their conclusion.

Issues in the negotiations. Union and management negotiators have made substantial progress on issues of recognition, respect, fairer rules, and a grievance and arbitration procedure. However, many other key issues remain unresolved:

- **Wages.** Although Unity management claims to pay competitive wages, pay for some positions is very low. Starting pay for a certified nursing assistant is \$10.40 per hour which amounts to a base salary of \$20,280 per year, \$3,570 below the Federal Poverty Level for a family of four. One job position, the Recreation Assistant, starts at 16¢ above New York State's minimum wage of \$8.00 per hour. This is in spite of the fact the Unity Living Center enjoys one of the highest Medicaid reimbursement rates of the 34 nursing homes in Monroe County.

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• **Fair pay rates.** In the past, Unity granted pay increases based on a “merit” system. Some employees received as much as three percent (3%) increases while others received nothing. This system is seen as highly subjective and unfair by many employees. In addition, the union found that a number of nurses and other employees are being paid less than the rates paid to newly hired employees with the same years of experience. They would literally make more if they quit and were rehired for the same position.

• **Health insurance.** Full-time employees must pay over \$500 per month for family coverage for a decent level of health benefits. A less costly plan, with much higher out-of-pocket charges, costs over \$300. In addition, employees and their dependents incur high penalty charges if they get care from outside Unity’s provider network.

• **Educational opportunity.** Unity employees are asking to be covered by the 1199 SEIU/League Training and Upgrading Fund (TUF), the same plan enjoyed by union members at the University of Rochester, Strong Memorial Hospital, Anthony L. Jordan Health Center, and a half dozen area nursing homes. The plan has received high acclaim for many of its programs. For example, several hundred CNAs have become nurses in Rochester through TUF sponsorship. TUF also runs continuing education, college prep, and ESL courses continuously throughout the year. Unity’s educational benefits are poorly publicized, hard to navigate, and inadequate.

• **Child care.** Unity employees are seeking coverage under the union’s Child Care Fund in place at the University of Rochester and Strong Memorial Hospital. The Fund provides direct financial support and programs for families.

• **Union representation.** Unity management seeks to keep the employees’ union weak by refusing to agree to standard union shop provisions, new hire orientation, access to the property by union staff, and payroll deduction for voluntary contributions to the union’s political action fund.

• **Other issues.** Unity employees wish to see Martin Luther King, Jr.’s Birthday recognized as a holiday. They also want a better paid time off system.

• **What’s next?** Unity CEO Warren Hern was quoted on the evening of the election as saying: “None of those things — nor any other aspect of the way we operate — can or will change as a result of this vote.” That attitude has characterized management’s positions in negotiations so far. The employees voted for change. They signed up for union membership in great numbers and over 100 petitioned management for change. Many of the changes that they seek would improve not only their working conditions but their productivity and quality of care. They would reduce the high turnover that Unity Living Center has seen in recent years. They would stabilize and enhance the workforce.

We are hopeful that Unity management will change its positions and make a reasonable contract offer. To date, that has not happened. We ask for your support in convincing them that an agreement is better than a confrontation.

For further information, please contact Bruce Popper at (585) 730-6409 or bruce.popper@1199.org, or Demond Meeks at (585) 730-6408 or demond.meeks@1199.org.

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