

Know the Facts



Can a union really provide job protection?

1199C might claim it can protect your job... but it can't. Here's why.

The National Labor Relations Act (NLRA) protects an employer's right to discharge and layoff union-represented employees.

Take a look at the language below, pulled directly from federal labor law.

Pg. 20 Paragraph 2 of the NLRA

"This section does not limit an employer's right to discharge, transfer, or layoff an employee for genuine economic reasons or for such good cause as disobedience or bad work. This right applies equally to employees active in the union and to those who are not."



Basic Guide to the National Labor Relations Act

*General Principles of Law Under the Statute and
Procedures of the National Labor Relations Board*

Check out the language in the labor contract between Einstein and PASNAP.

ARTICLE 14 MANAGEMENT RIGHTS

The management of the Hospital and the direction of the working force are vested exclusively with the Hospital. By way of example and not of limitation, except where expressly abridged by a specific provision of law, regulation or this Agreement, and without limitation by any past practice, **the Hospital retains the sole right to hire; to discipline or discharge for just cause; to layoff, promote, transfer and assign its employees; to determine or change the starting or quitting time and number of hours worked; to promulgate or change reasonable working rules and regulations; to assign duties to the work force; to establish, expand, reduce, combine, consolidate or abolish any job classifications; as noted above, except as expressly limited by another provision of this Agreement, to determine staffing levels for any department or unit and adjust them from time-to-time; to organize, institute, enlarge, eliminate or reduce a department, unit or service; to introduce new or improved equipment, supplies and facilities and regulate the use of such equipment, supplies and facilities; to subcontract a service, unit, operation or other work after discussion with the Union and subject to bargaining over effects; to hire temporary nurses from or through agencies or brokers, providing such hiring does not have the effect of working a significant erosion of the bargaining unit; and to carry out the ordinary and customary functions of management whether or not possessed or exercised by the Hospital prior to the execution of this Agreement.**

The bottom line? Einstein maintains the right to layoff and discharge employees, reduce employees' hours, abolish job classifications, reduce departments, subcontract and more whether employees are represented by a union or not.