

# University of Wisconsin Hospital and Clinics Authority: In rebuke to post-Walker wasteland, University of Wisconsin nurses revive union, demand recognition

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MADISON, Wisc. — Fighting for staffing best practices and restored workplace rights, professional nurses in the University of Wisconsin Hospital and Clinics Authority (UWHCA) announced they have formed a union and demanded voluntary recognition from the UWHCA Board of Directors.

“Our movement is essentially an uprising by UW nurses facing unacceptable changes to staffing levels and nurse/patient ratios,” said Chuck Linsenmeyer, a nurse with almost 29 years of experience who works in the Cardiac cath lab at the UW hospital. “There is a widespread sense among nurses in our hospital system of being unsupported by the hospital administration to provide that kind of nursing care that our patients expect and deserve.”

Spokespeople representing a majority of UWHCA nurses, whose union was taken away when their contract expired in 2014 as part of Former Gov. Scott Walker’s sweeping attacks on collective bargaining passed in 2011, presented a letter to the Board outlining priorities and demands.

“In recent years we have become increasingly concerned about a shift that we have experienced at UWHCA, a shift away from a core value of fully supporting top quality nursing care, and towards a value of prioritizing maximum corporate profits,” the letter reads. “Unacceptable changes to staffing levels, nurse/patient

ratios and the dissolution of key nursing departments have left thousands of professional nurses without the tools they need to provide the level of care we are capable of providing, and that our patients expect and deserve.”

Although collective bargaining rights were taken away under current state law, the UWHCA Board “has the authority to voluntarily recognize and enter into a meet-and-confer process with our union, SEIU Healthcare Wisconsin, with the goal of reaching an agreement regarding terms and conditions of employment,” according to the letter.

Should the UWHCA Board of Directors recognize the nurses’ union, which is represented by SEIU Healthcare Wisconsin, nurses would meet and confer with the Board over staffing best practices, nurse/patient ratios, the just-cause standard (as opposed to at-will employment) and Weingarten rights (the right to a union representative, advocate or witness during a potential disciplinary conversation) for all. The latter two workplace standards were eliminated by current hospital leadership after the dissolution of the previous nurses’ union, and nurses say they are necessary for nurses to serve as patient advocates and deliver top-quality health care.

“We’re demanding the resources, staffing and protections that are necessary to do our jobs effectively and advocate for our patients,” said Mariah Clark, an Emergency Department nurse at UW Hospital of 5 years. “By joining together in a strong union, we can raise standards, deliver the highest level of care for our patients, and ensure everyone who works at the hospital can provide for their families while caring for others.”

## **Profits over patients**

In the past few years, professional nurses began to notice a shift in priorities among leadership, toward what they perceived as corporate profits. Turnover among nurses skyrocketed, and hospital leadership did not hire permanent replacements, exacerbating the staffing crisis. Nurses began to raise concerns about workplace issues including:

- **Staffing.** It is impossible to predict the number of patients needing care on any given day at a hospital, which is why best practices dictate conservative levels of staffing that can handle unexpected intake. Nurses in general medical

units know they should be caring for four patients maximum. But in recent years, UWHCA nurses have often been forced to care for 6-8 patients at once, resulting in less time with each patient.

- **Beds.** Hospitals are, of course, legally and morally unable to turn away patients, even if the proper department has reached capacity. By decreasing instead of increasing capacity in certain departments, the hospital administration has created a situation in which the number of patients frequently outpaces the number of beds available to them, resulting in patients who are forced to spend the nights in the emergency room hallways instead of a dedicated bed in the correct department. Professional nurses are horrified by this situation but unable to remedy it beyond ad-hoc problem-solving.
- **Protected advocacy.** By removing nurses' just cause protections and Weingarten rights, hospital leadership rendered nurses unable to fearlessly advocate on behalf of patients without threat of retaliation. At the same time, the administration eliminated peer-to-peer evaluations and shrunk HR oversight, such that nurses often do not know where to safely direct their concerns about workplace issues.

As a result of these and other concerns, professional nurses at the UWHCA decided to form a union with the intention of rebuilding safeguards and conditions to optimize patient safety and care.

"Workplace conditions have deteriorated and the level of care we can provide is not being prioritized to the point that we were left with a terrible choice: quit, which many great nurses have, or organize," Linsenmeyer said. "And we have chosen to organize. We will build power on our own terms."

### **A new way forward**

The University of Wisconsin Hospital and Clinics Authority (UWHCA) was created in 1996 in order to separate the hospital administration from the state bureaucracy. The UWHCA does not receive general fund tax revenue and operates as a self-supporting entity.

Before 1996, University of Wisconsin nurses were traditional public sector workers

who were paid by the State of Wisconsin. With the formation of the Authority, nurses and other workers were removed from the public sector, and the UWHCA became, in effect, a private corporation within the confines of the government of the State of Wisconsin.

There was a political battle during the formation of the UWHCA about whether or not workers would be able to retain their unions and remain under the jurisdiction of the Wisconsin Employment Relations Commission (state equivalent of the NLRB) and remain covered under the State Employees Labor Relations Act (SELRA). A carve-out was created to address the situation at UWHCA, and nurses and other employees were allowed to retain their unions, rights and protections in the workplace.

Under Act 10, the Walker administration removed UWHCA from the Wisconsin Employment Peace Act, so after their contract expired nurses went from unionized employees with full union rights and protections to at-will corporate employees, with no workplace rights or protections

“As we fight to win back our union, we’re creating a model for other workers across the state and around the country to innovate, build power and have a voice on the job,” said Kate Walton, Emergency Department nurse at UW. “Working people in Wisconsin should be able to come together in a union — no matter where we work or where we live — and have a seat at the decision-making table to have more say about workplace conditions and other things that matter for our families.”