

# **Madison Aids. Lemmer & Heck: Madison Common Council alders sound alarm that UW Health has launched an immoral anti-union campaign against nurses which could undermine the safety and quality of patient care**

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*Nurses have recently been threatened with arrest for distributing union literature to colleagues*

*Alders call on UW Health administration and board to not waste any resources on an anti-union campaign, but instead work with nurses to recognize their union and solve the understaffing crisis at UWHC*

**Madison, WI** - Common Council Alders Lindsay Lemmer and Patrick Heck are sounding the alarm that UW Health has launched an immoral and aggressive anti-union campaign against nurses which could undermine the safety and quality of patient care. The alders have recently learned that UW Health has contracted with

two anti-union consultants, Axley Brynelson, LLP and Chicago-based Chessboard Consulting, which has a reputation for vicious scare tactics. Alders Lemmer and Heck are deeply concerned that management is wasting resources which need to be completely focused on safe staffing and recruitment and retention of nurses, especially since UW Health has consistently struggled to fill hundreds of empty nursing positions during the global pandemic.

The administration has disturbingly escalated their anti-union campaign in the past week, including having security guards threaten nurses with arrest for distributing literature to their colleagues, and holding one-on-one meetings to pressure nurses. The alders fear such a campaign could violate nurses' rights; further erode morale and trust; cause division, stress and fear among nurses already experiencing extreme burnout; and distract from the delivery of safe patient care. They are strongly calling on the UW Health administration and board to not waste any more resources on an anti-union campaign, but instead work with nurses to recognize their union and solve the understaffing crisis at UWHC.

"This is about the core moral values of UW Health and our entire Madison community," said Alders Lemmer and Heck in a joint statement. "Our nurses have been through a hellish, brutal experience for almost two years now. They've put their lives and their families' lives on the line to keep showing up for their patients and our community. Even before the pandemic, they were struggling with extreme understaffing, cuts to their continuing education and other benefits, increased healthcare costs and unfair scheduling. They've had no meaningful avenue to address their concerns because under UW Health's 'shared governance' structure, management has the ultimate decision-making power and there's no accountability. Now, the administration and board are refusing to recognize their union to solve this crisis and have instead launched an anti-union campaign which is causing even more stress and anxiety among this already exhausted and traumatized workforce. We're fearful that an anti-union campaign would not only be a reckless and irresponsible waste of resources but could undermine public health and safety for our entire community. We are urging the administration and board to cease all anti-union activity and kick out these anti-union consultants which have no place here. *We say not on our watch, not in our town, and especially not at this time.*"

Last month, nurses sent a request to the UWHCA Board asking for 30 minutes on their Oct. 28 meeting agenda to describe the crisis they are experiencing and discuss a path forward to recognize their union so they can solve urgent problems. Nurses believe that it's crucial for board members to hear directly from those on the

front lines to carry out their oversight duties. The board refused their request, and instead gave significant time in the closed session to one of the anti-union consultants from Axley Brynelson.

Alders Lemmer and Heck are specifically asking the UW Health board to commit in writing to refrain from: diverting any more resources for anti-union activity; using security guards or supervisors to interfere with nurses' ability to engage in union activity; calling police on nurses who are distributing literature; distributing anti-union communications; pulling supervisors or nurses into one-on-one or group meetings on the topic of the union; retaliating against nurses for speaking out about their working conditions; or otherwise interfering with the nurses' efforts to unionize.

On Sept. 21, the Madison Common Council unanimously passed a resolution—which was co-sponsored by 12 of the 20 Council members, as well as Mayor Rhodes-Conway—calling on UW Health to refrain from anti-union activity and schedule a fair union election as soon as possible. The alders are especially concerned that this escalated anti-union activity is taking place after the passage of that clear, unanimous resolution.

The resolution also refers to the severe nursing shortage of over 10,000 empty positions that Wisconsin is facing by the end of this decade, which has been aggravated by the pandemic. Alders Lemmer and Heck believe that UW Health, as a non-profit which receives Medicare and Medicaid funding, and one of the largest healthcare providers in the state, has a responsibility to take a leadership role in solving the nursing shortage. Moving forward, the alders vow to greatly increase public scrutiny of UW Health's anti-union activities and do everything in their power to protect nurses' rights to speak out for themselves and their patients.

## **Background**

For decades, UW Health nurses had a strong union and a solid contract, and were able to work collaboratively with management to set the highest standards for excellence in medical care. But after the passage of the anti-worker Wisconsin law Act 10, the UW Health administration failed to negotiate a new agreement with the nurses' union when their contract expired in 2014.

Since then, nurses have been struggling with cuts, deteriorating staff-to-patient ratios, and other growing problems, and have had no independent voice to address

these issues. The strong majority of nurses signed cards in 2019 expressing their desire to unionize, and presented them to the UWHCA board, but the board refused to recognize their union.

Now, the foremost labor attorneys in the state have thoroughly reviewed current law, including Act 10, and determined conclusively that UW Health can voluntarily recognize nurses as a union and start negotiating a new contract immediately. Act 10 simply removed the obligation to recognize the nurses' union, but no law whatsoever prohibits voluntary recognition.