

April 29, 2007

To: President Stern

From: Tenet UHW/121 RN Bargaining Team Members

Re: Negotiations

Thank you for your reply to our April 20th letter. Frankly, we were disappointed that you were not able to meet with us but we expect Mary Kay Henry will give you a full report of our discussion.

As Tenet workers, we appreciate the work SEIU as a whole put into the establishment of UHW and Local 121RN in our hospitals. We all know the story of the Garfield RNs and how they fought for years and that we are the beneficiaries of that fight.

You speak of raising the standards of all workers in the company. We wholly support that. We also feel that union density helps raise the standards for workers in their area and have found this to be true. UHW and Local 121RN won a superior contract at Valley Health Systems, a small three hospital chain in Southern California, precisely for this reason. Valley Health Systems hospitals are in the same general area of Catholic Healthcare West, HCA, and Tenet hospitals.

Tenet has sold 11 Southern California hospitals over the past three years. At many of these former Tenet hospitals—now owned by small operators—our brethren are successfully reaching the same California standards that hospital systems like CHW/Kaiser/HCA have in their contracts. Though we are happy for our union brothers and sisters, it is disheartening that workers at hospitals with much weaker financial health and smaller market power can gain better standards since being sold by Tenet—than we are being told by the International union is possible for us to achieve with a national corporation. We feel that International has disregarded our vision of reaching California standards because the International believes they are too high for Tenet to achieve nationally. Whatever Tenet's long term strategies are for its California hospitals; our hospitals still represent a major source of revenue for Tenet. The International and Tenet must recognize that Tenet will grow weaker if it continues to lag behind other California hospitals regarding wages, benefits, standards and quality.

We understand the goal of unionizing Tenet as a whole and the benefits this would bring to all Tenet workers. We fully support this effort. We were asked and agreed to give up many of our bargaining priorities in this effort during our negotiations. In our process for determining bargaining priorities, UHW and

Local 121 RN members were surveyed to determine the key issues. In the past two years, Tenet has reduced our 401(k) contributions and reduced our health insurance coverage. Of all of our issues and fight for standards and rights within our hospitals, our members said wage scales, retiree health and pension were the top three.

At the request of the International, we gave up retiree health and pension to further the national process with the expectation of an agreement by the International to win wage scales and other non economic standards such as more union bulletin boards, greater access to meeting rooms and improving union representation. We stopped weekly negotiation communications with our members to protect national negotiations from CNA interference. This four month news blackout severely halted momentum we had in December—with our threat to picket—that brought Tenet back to the National table and supposed agreement to allow organizing in 23 hospitals. Prior to that threat, national negotiations on organizing were stalled. We also agreed to a 7 year contract, more than twice as long as any other hospital contract or any contract in any industry. We also agreed to have one hand tied behind our back by accepting the Peace Accord. We also agreed that when we can reopen in 4 years on pension and retiree health, we don't have the right to strike.

So, while other systems in our state and other hospitals will go through two complete rounds of negotiations, our one seven year contract will be in place. When other health care workers make improvements over the next 7 years, we will stand still. That is the sacrifice we have made for non union Tenet workers.

Many of us have had experience with the restrictions of the Peace Accord. We are not sure you or anyone else is familiar with how the restrictions affect our efforts to build and strengthen our union inside our hospitals. For example, did you know that we cannot put any union literature at all in employee break rooms? We cannot do any political action whatsoever inside our hospitals, not COPE, not issues work, nothing. That Tenet insists that any grievance victories involving winning back pay issues or termination issues be kept confidential so we can't publicize our union's victories? When a major contract violation occurs that affects dozens of our members...or our whole bargaining unit, we can't do petitions, delegations, sticker ups? That's the Peace Accord that we have lived with and were prepared to live with...if we won on our major issues. That's the sacrifice we agreed to make for non union workers.

Your letter insinuated that we have a moral duty...we feel like we have led on that issue. In February, Frank Gueng RN and rank and file leader in Florida came to our California statewide bargaining team meeting to witness a vote that we took to give up these standards for Frank's state and Tenet workers everywhere. That's the sacrifice we agreed to make for non union workers.

And despite our sacrifices for the greater good of Tenet workers, the International has failed to finalized organizing rights, has not settled any of the outstanding California issues.

We disagree on your interpretation of the national negotiations. Rank and file workers were not at the center of negotiations. It was in February, after the insistence of UHW and SEIU Local 121RN that rank and file leaders were invited to attend national negotiations. They have not been attending the actual meetings with management and are there on an advisory basis. We feel it is right and necessary to have workers represented at all levels of negotiations regarding their contract. That's fundamental to what we tell workers what the union is about, having a say,

Our Bargaining Team believes the International's negotiating plan was flawed. Instead of using the strength and power of the California hospitals as leverage against Tenet, the International chose to put California on the sidelines. California bargaining with strong International backing would have presented Tenet with many problems. The International should have insisted on solving California issues before a peace accord and a seven year contract. We believe this tactic would have forced resolution on our major issues and achieved higher standards for Tenet workers including possible future SEIU members. Instead, the International took the easier softer way and allowed Tenet to put a wedge between California and the rest of the national bargaining team.

We also disagree with your assessment of the BOI process. We are not scared of the BOI. However, Tenet's very successful stall tactics have made the BOI process irrelevant. As a matter of fact, this week Tenet's attorney told the BOI arbitrator that Tenet will not attend the BOI and asked for an "indefinite continuance". So, for all Tenet's ranting and raving about not allowing the right to strike and insisting on a BOI process...they won't even honor the one in our existing contract. Go figure.

Trevor Fettor may be a consistent supporter of a positive relationship with our union but he has not hired employees with his vision. Our experience has shown us that Tenet does not have a desire to have a meaningful relationship with UHW/121RN at the hospital level. Tenet's negotiating team has been condescending and demeaning in its tone and presentation to our bargaining team members. Tenet's lack of preparation and unwillingness to fully bargain does not indicate a desire for a positive relationship. Their desire to restrict union rep access and confine communication to our members certainly tells us what type of relationship they desire and what kind of union they want in their hospitals.

The International needs to understand that its negotiation tactics have failed. The BOI process is lost. The International needs to find a new plan to break the log jam.

1. END THE PEACE ACCORD. We cannot and will not continue this fight with Tenet in this manner. We are boxing with one hand tied behind our back.
2. ROUND THE CLOCK NEGOTIATIONS WITH MEDIATION
3. SET A DEADLINE.
4. INCLUDE OUR ELECTED BARGAINING TEAM IN NEGOTIATIONS.

Finally, there were points in your letter we would like to discuss another day once negotiations are completed. As Tenet workers, we have valuable knowledge and insight in the value of model contracts. The limitations of the BOI process, peace accord, and no strike clause are revealed in our negotiations. We agree that it is immoral and ineffective to separate ourselves for our brothers and sisters who work for the same employer in the same industry. We argue that we should pull Florida, Texas and Missouri up instead of pulling California down.

Thanks for your time and attention to getting the process on track so we all can win.

TENET BARGAINING TEAM
UHW/ LOCAL 121 RN

Cc: Monica Russo
Sal Rosselli
Dennis Riveria
Mary Kay Henry
Sue Weinstein
Jim Philliou
Maryjoyce Carlson