

2015 Tentative National Agreement

PARTNERSHIP AGREEMENT REVIEW PROCESS

Purpose: Process for resolving a disagreement over interpretation and/or implementation of Section 1 of the National Agreement. The process must be followed in the order below. The goal is to resolve disputes at the lowest level possible.

START HERE: Facility Level

Who: Representatives from labor and management who are immediately affected

What: Meet and use interest-based problem solving and issue resolution to reach consensus. Most issues should be solved at this level.

See backside for tools and resources for solving problems in partnership.

Was issue resolved at this level? **YES** Success!

NO

If the issue cannot be resolved **within 30 days**, refer it to the local LMP Council or equivalent using the Issue Resolution Referral form.

NOTE: Parties must try to resolve issues at this level before referring them to the local LMP Council.

Local LMP Council

Who: The facility or service area LMP Council or its designated representatives

What: Explore common interests and options to reach consensus no later than 30 calendar days after the referral from the facility level.

Was issue resolved at this level? **YES** Success!

NO

The local LMP Council will refer the issue to the regional LMP Council or equivalent, along with a short summary of the issue, common interests and solutions it considered.

Regional LMP Council

Who: Regional LMP Council or its designated representatives

What: Further explore common interests and options, and try to resolve the issue no later than 30 days after its referral.

Was issue resolved at this level? **YES** Success!

NO

The council will prepare a short summary of the issue and its efforts to resolve the matter, and refer it to the national co-chairs of the Labor Management Partnership.

NOTE: If the issue arises at a regional level, it may be brought directly to the regional LMP Council.

As new partnership structures are created in national functions and shared services, those bodies may replace the regional LMP Council where appropriate.

National Labor Management Partnership

Who: National LMP co-chairs

What: Appoint a labor management fact-finding team to investigate the matter, and attempt to mediate the issue.

Was issue resolved at this level? **YES** Success!

NO

If consensus remains impossible, the fact-finding team will submit a report within 30 days of their appointment summarizing the key issues. The co-chairs will submit the report to the LMP Executive Committee. If the issue remains unresolved, either Kaiser Permanente or the Coalition may request the appointment of a national panel to address the issue.

END: National LMP Panel

Who: National LMP co-chairs will appoint a national panel made up of union and management representatives and a neutral designee.

What: The panel will craft a solution within 30 days, unless that period is extended by mutual agreement.

The resolution will be final and binding.

NOTE: Questions involving interpretation of the National Agreement may also be submitted to the issue review process by union or management national parties.

*Refer to Section 1(L)(2) of the National Agreement for more information on the Partnership Agreement Review Process.

**Any joint resolutions reached at the local (e.g., department or facility) or regional level will be non-precedential in interpreting or applying the National Agreement.

INTEREST-BASED PROBLEM SOLVING

Interest-based problem solving (IBPS) is a collaborative approach to resolving problems. It allows you to solve the problem in a way that meets your needs, and also in a way that leaves the relationship intact or even improves it.

Understand key terms

- **Issue:** the problem or subject area to be addressed.
- **Position:** a proposed solution. It tells us what you want, but not why you want it.
- **Interest:** the underlying need, motivation or concern that may have to be addressed in order to reach a solution; there is usually more than one way to satisfy an interest.
- **Option:** a potential way to address the issue, in whole or in part.

Step 1: Define the Problem

- Develop open-ended questions that contain the issue
- Begin the problem statement with “How might we...?”
- Avoid “Yes/No” answers
- Don’t jump to solutions
- Don’t make accusations

Step 2: Determine Interests:

- Separate interests, needs and concerns
- Identify common interests

Step 3: Develop Options

- Brainstorm
- Use best practices
- Identify an expert panel
- Use straw design

Step 4: Select a Solution

- Screen options
- Shorten list
- Develop standards
- Test options to standards
- Decide on solutions

Step 5: Make an action plan

- Create a plan for turning solutions into reality
- Be clear on who’s accountable for what
- Establish a timeline

Things to remember

- Focus on the issue, not personalities
- Share information fully and early
- Listen actively
- Work hard to meet interests, not sell positions
- Be open to options
- Look for ways to build trust