

Union ends California mental health strike with sellout deal

David Levine
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The longest ever strike of mental health workers in United States history came to an end Thursday, with the ratification of a tentative agreement between the Kaiser Permanente medical foundation and the National Union of Healthcare Workers (NUHW). The agreement applies to over 2,000 mental health workers in Northern California, who had been officially on strike since mid-August.

The NUHW says the contract passed with 1,561 votes in favor and 36 against. Voting, however, took place in the context of the extremely limited information which workers were given before voting. Workers were given only two days between the announcement of the deal on October 18 and the ballot submission deadline of October 20. In addition, after being on the picket line without strike pay for months, Kaiser claimed nearly two-thirds of therapists had crossed the picket line to return to work.

The tentative agreement solves none of the problems that led to the strike in the first place. According to the *Sacramento Bee*, Kaiser has “agreed to hire additional therapists and expand treatment programs.” Adequate staffing, however, would require more than double of current staffing levels. Previously, striking workers had complained of Kaiser management misrepresenting the issue by boasting of new hires while disregarding the fact that numbers of resignations had exceeded numbers of hires.

The tentative agreement also includes a 13 percent pay increase over four years, far below the current rate of inflation (8.2 percent in just the past year), amounting to a significant pay cut in real terms. It will also establish five new labor-management committees. As with similar committees which already exist at Kaiser Permanente, these committees will do nothing to address working conditions.

At Kaiser Permanente, a well-funded organization called the Labor Management Partnership has served as the mechanism for the institutional and financial

integration of the union bureaucracy with management. Last year’s contract, which was reached to avert what would have been the largest strike in the US since 2019, funded this and other similar joint schemes to the tune of tens of millions of dollars.

The primary motivation for workers going into the strike was working conditions, particularly insufficient staffing. For many years, mental health workers at Kaiser have dealt with unmanageable patient caseloads, causing delays of months in the scheduling of appointments and making effective mental health care practically inaccessible to Kaiser Permanente members.

Kaiser mental health workers have repeatedly explained that overwork and inability to provide adequate care to patients has led to chronically high turnover rates, with staff typically leaving the foundation for private practice where they can manage their own caseloads. According to the NUHW, 850 mental health practitioners left Kaiser between December 2020 through May 2022. During that period, the average annual turnover rate was over 12 percent in Northern California and 10 percent in Southern California.

Following an investigation by the California Department of Managed Health Care (DMHC), the state government fined Kaiser Permanente \$4 million in 2013 for failing to provide adequate patient access to mental health care services. Kaiser mental health workers struck over the issue in 2015 and 2019.

Problems related to understaffing have only gotten worse over time, with demands for mental health services rising sharply since the beginning of the COVID-19 pandemic in early 2020. Kaiser itself has acknowledged that “the demand for mental health services has increased as much as 30% since the beginning of the pandemic.”

Kaiser currently has just one full-time equivalent mental health practitioner for every 2,600 members in Northern California. It earned \$8.1 billion in profit in 2021, enough

to hire thousands of additional staff. However, the union has not demanded the setting of any minimum staff-to-patient ratio.

In October 2021, California Governor Gavin Newsom ratified a law requiring follow-up appointments for mental health patients within ten days of a previous session, unless the treating practitioner can provide a justification for a longer interval. The law went into effect in July 2022, just a month before the strike began.

Immediately before authorizing the latest strike in August, the NUHW lodged an official complaint with the DMHC, complaining that Kaiser, in response to the union's announcement of the strike, was canceling patient access to mental health care services instead of arranging for alternative care from out-of-network providers, as required by California law.

During the strike, the unions isolated the workers from the non-Kaiser mental health practitioners whom it send across the picket lines. This includes 20,000 Kaiser nurses in Northern California, who have been kept on the job by the California Nurses Association without a contract since August. The deal also leaves 57 Kaiser mental health workers in Hawaii on strike by themselves.

At the same time, NUHW bureaucrats have promoted the Democratic Party as the friends of workers. It met with Speaker of the House Nancy Pelosi, Senator Dave Cortese, California State Assemblywoman Mia Bonta, and many other leaders of the Democratic Party establishment.

The Democratic Party, which has ruled the state of California for decades, is chiefly responsible for the acute understaffing and related issues which led to the Kaiser mental health strike. While presenting themselves as opposed to the antiscientific policies of the Republicans, they have dismantled all remaining mitigation measures against the spread of the COVID-19, while voting in 2020 in favor of trillions of dollars in bailout money to corporations and investors.

The Democrats have worked hand in glove with the union bureaucracies to suppress strikes and enforce substandard contracts. Pelosi herself last month drafted anti-strike legislation to crush a potential national railroad strike, while the rail unions met with White House officials to hash out a deal which resolved none of the railroaders' demands. Republicans in the Senate had also drafted a similar bill.

The very same day that Pelosi met with the NUHW, she attended the Brotherhood of Locomotive Engineers and Trainmen, where this strikebreaker with a net worth of

\$114 million was hailed as an honored guest by the union apparatus.

On the West Coast, the Biden administration is also working with the International Longshore and Warehouse Union to keep 20,000 port workers on the job for three months since their contract expired.

The Kaiser mental health strike showed that workers cannot wage a serious struggle which is left in the hands of the trade union apparatus. There is powerful potential for a broad offensive by health care workers all over the country and in California in particular, where strikes have broken out among Kaiser stationary engineers, nurses at Stanford, Sutter Health and Cedars Sinai, and a strike threatened by Kaiser nurses within the past year. Nationwide, nurses have struck or pressed for strike action and organized against the scapegoating of nurses like RaDonda Vaught.

But the bureaucracy has deliberately isolated and divided up these struggles. Where strikes have occurred, they have rendered them toothless either by limiting them to only a few days or by abandoning workers on the picket line indefinitely. There are parallels between the mental health workers strike in Northern California and the nurses strike in Worcester, Massachusetts, the longest in state history, where nurses were left without strike pay for months before the strike collapsed.

Taking hold of this potential and ending the isolation and betrayals of the union apparatus requires the building of independent rank-and-file committees, uniting health care workers across different professions and hospital networks in order to unite workers across different professions and hospital networks and enforce their control over their own struggles.



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