

2021 Alliance National Bargaining – Tentative Agreement

Subcommittee: Patient and Worker Safety

Just Culture and Promote Safe Workplace

Add new Section 1.I, Just Culture, as follows:

I. Just Culture

Kaiser Permanente and the Alliance believe that patient and worker safety is an essential ingredient of high-quality, affordable care and the responsibility of every physician, dentist, manager, union leader and employee. In order for Kaiser Permanente to be the safest place to give and receive care, we must jointly create a learning and trusting environment that views errors as an opportunity for continued, systematic improvement. This environment must encourage all employees to openly report errors or near misses, and participate in analyzing the reason for the error, and the determination of the resolution and appropriate responsive actions needed to prevent reoccurrence while maintaining professional accountability and standards appropriate to profession and specific to role.

A Just Culture framework jointly developed in partnership by the Alliance and Kaiser Permanente will be utilized to ensure quality service and achieve safety for patients and the workforce. The parties will work together to create and sustain an environment of Just Culture by ensuring key elements of Just Culture are transparent, standardized, understood, and used by employees and management. Just Culture is distinct from the agreed upon Issue Resolution/Corrective Action process in Section 1.L. of the National Agreement.

The parties recognize the importance of building a Just Culture and will empower a group of appropriate representatives and experts to achieve the objectives as outlined in the National Health, Safety, and Well-Being Committee charter.

Renumber and revise existing Sections 1.I and 1.J to new sections 1.J.1 and 1.J.2, as follows (add highlighted language; delete strikethroughs):

1. PATIENT SAFETY

a. Creating a Culture of Safety

Improving the quality of care delivered to members and patients requires significantly increasing the reporting of actual errors and “near misses.” It is recognized that the reporting of such errors can only improve if employees are assured that punitive discipline is not seen as the appropriate choice to handle most errors. ~~We must jointly create a learning environment that views errors as an opportunity for continued, systematic improvement. This environment must encourage all employees to openly report errors or near misses, and participate in analyzing the reason for the error, and the determination of the resolution and corrective action needed to prevent reoccurrence.~~

The reporting system will include the following components:

2021 Alliance National Bargaining – Tentative Agreement

- » reporting of errors, with systematic, standardized analysis of errors and near misses;
- » communication of learning to help make needed policy and procedure changes;
- » confidentiality of involved employees unless prohibited by statute or law;
- » involvement of staff in error analysis and/or resolution;
- » positive reinforcement for reporting;
- » training and education programs that enhance skills and competency to help prevent future errors;
- » maintenance of the integrity of privileged information; and
- » ability to collect and trend data across the organization.

Information regarding errors reported through this system will be handled through the Issue Resolution/Corrective Action process of this Agreement and will not be used as the basis for discipline except in rare cases when punitive discipline is indicated, such as the employee:

- » was under the influence of drugs or alcohol;
- » deliberately violated rules or regulations;
- » specifically intended to cause harm; or
- » engaged in particularly egregious negligence.

Reporting through this system does not relieve the employee of the responsibility to complete an incident report when indicated by policy.

b. Flu Prevention

The Alliance and Kaiser Permanente are committed to the highest standards of patient safety and employee health. Accordingly, Kaiser Permanente and the Alliance agree that all health care workers will be required to have received a seasonal influenza vaccination or, if they decline for any reason, to wear a surgical mask for the duration of the influenza season while working in patient care areas.

2. WORKPLACE SAFETY

~~Kaiser Permanente and the Alliance believe that an injury free workplace should be the goal and responsibility of every physician, dentist, manager, union leader and employee, and an essential ingredient of high quality, affordable patient care.~~ Working in Partnership, we are establishing the health care industry standard by setting the goal of eliminating all causes of work-related injuries and illnesses to create a workplace free of the risk of injury and illness, where people feel free and safe to report work-related injuries and illnesses.

2021 Alliance National Bargaining – Tentative Agreement

a. Creating a Culture of Safety

Kaiser Permanente's goal is zero workplace injuries for all Kaiser Permanente employees, physicians and dentists. In order to be successful, a culture of safety must be created in which safety is a core business and a personal value, and prevention is more effective than injury management.

The leaders of Kaiser Permanente and the Alliance have committed to continuing support for cultural change, the implementation of systems and alignment among all contributing Kaiser Permanente departments, which are necessary to reach the goal.

The Principles of Partnership will be used to engage frontline staff and supervisors in implementing the remedies that will eliminate hazards that cause injuries. The parties agree to:

- » provide sponsorship and resources necessary for a broad and sustainable approach to workplace safety (WPS);
- » identify and/or develop early joint communication and planning for emergency preparedness to ensure engagement of all workers, regardless of job classification, in the event of a potential crisis, from planning to implementation;
- » use the People Pulse learning climate index to improve the safety culture for workers and expand it to include KP members. This index will be shared annually with labor consistent with the national process and timeline for People Pulse dissemination and action planning; and
- » institute joint planning to identify activities such as direct report rounding and huddles that support both wellness and psychological safety, worker safety, health and well-being (national, regional and local levels), similar to the WPS planning segment in the 2012 National Agreement.

Agreed:



Hal Ruddick
Executive Director
Alliance of Health Care
Unions

11/11/21

Date



Steve Shields
Senior Vice President
National Labor Relations, Kaiser
Permanente

11/11/2021

Date