

Physician unions: any doctor can join, but who can bargain collectively

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Main content

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Physician Unions: Any Doctor Can Join, But Who Can Bargain Collectively?

Summary

Employees in the health care industry, including physicians, have recently taken more interest in unions and collective bargaining. At the present time the health care industry is approximately 20 percent unionized. Labor leaders believe that existing conditions are fertile ground for significant union activity that has been on a recent upswing after a decline during the early 1980s. While current attention is being drawn to the shortage of and increased union organizational activities by nurses, physicians may not be far behind. It is conceivable that by the year 2000 the majority of physicians in the United States will work in full-time salaried positions. In addition, the antitrust laws that currently restrain independent physicians from collective bargaining are being challenged and are likely to change as more physicians become salaried and begin to resemble other professional employee groups. The ruling determining that interns and residents are students rather than hospital employees is also certain to be challenged and changed, especially as pressures on the National Labor Relations Board (NLRB) are brought by house staff union organizations. After a 1987 ruling that the NLRB had been improperly interpreting the 1974 amendments to the Taft-Hartley Act, the NLRB was ordered to exercise its rule-making power in defining bargaining units for health care workers in acute care hospitals. Physicians would then be one of eight occupations defined as a separate health care bargaining unit.

With medicine evolving into a significant part of the U.S. economy, currently accounting for over 11 percent of the gross national product and increasing faster than the rate of inflation, physicians and the health care industry in general are under pressure to become more effective and efficient. To encourage this, institutional health providers have looked for ways to influence service delivery, including greater involvement in patient treatment decisions, reduced staffing, earlier patient discharges, and reductions in diagnostic testing. Overall, this emphasis on health economy has raised the issues of quality of care, quality of working conditions, and job security.

Subsequently, employees in the health industry have taken an interest in unions and collective bargaining. Currently the health care industry is approximately 20 percent unionized. Labor leaders believe that the industry is ripe for significant union activity (Elliot 1981a, 1981b). In fact, union activity has been on the increase after a decline during the early 1980s.

The Physician

At the center of the changes in health care is the physician. Historically, the medical profession in the United States has been able to remain autonomous from the many outside factors influencing the industry. In this century, physicians have become a powerful, prestigious, and wealthy group of professionals, but as the health care industry has changed, traditional power and autonomy has been challenged. This transformation is now shifting power away from the physician and toward such institutions as medical schools, hospitals, financing and regulatory agencies, health insurance companies, prepaid health plans, and corporate health care chains. In addition, the authority, occupational...

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One California doctor who insisted on anonymity said he was considering joining a union because his H.M.O. wanted him to see eight patients an hour, limiting him to 7 1/2 minutes per visit. The doctors at 46 primary care clinics in the Medalia HealthCare system in Washington State decided to unionize after the H.M.O. ordered many of them to schedule 36 hours of appointments each week, up from 32 hours. The doctors said they did not have enough time left for essential backup work, like completing paperwork, analyzing lab results and calling H.M.O. officials for various approvals. "The A.M.A. believes it is preferable for physicians to form independent bargaining units that are not affiliated with traditional trade unions." Dr. Palmisano said. Start studying Unions and Collective Bargaining. Learn vocabulary, terms and more with flashcards, games and other study tools. any efforts by employees to join together for mutual aid or protection, even if employees are not represented by a union or attempting to form one. What constitutes protected concerted activity? (3). 1. conduct engaged in with or on the authority of other employees 2. Evidence of group activity (or intent to induce such activity) 3. Activity must be related to concerns regarding terms and conditions of employment. Protected Concerted Activity is NOT (3). 1. Extreme or abusive 2. employers can't engage in conduct meant to prevent concerted activity 3. be cautious about instituting policies Encourage and incentivize union organizing and collective bargaining. When workers are blocked from organizing and engaging in collective bargaining, stagnant wages and a declining middle class are the predictable results. Joe Biden believes the federal government should not only defend workers' right to organize and bargain collectively, but also encourage collective bargaining. That's the mission put forward by the National Labor Relations Act, signed into law in 1935, which states that "encouraging the practice and procedure of collective bargaining" is part of the "policy of the United States."