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Counter to SEIU
February 8, 2007

ARTICLE 22 – SUBCONTRACTING

(To Apply to all Tenet Facilities except Northern California where original Side Letter is to remain in effect)

The Employer reserves the right to subcontract all or part of any work performed by Employees represented by the Union and covered by this Agreement provided however in no event shall the Employer subcontract more than twelve percent (12%) of the total number of employees in the SEIU bargaining unit for the term of the contract, January 1, 2007 to December 31, 2014. The Employer agrees that a decision to subcontract work will be based on overall cost savings, a desire to improve the quality of patient care, technological advances, and/or to respond to business trends in the industry and/or to maintain competitiveness within individual hospital markets. Subcontracting shall not take place with the intention of avoiding the terms and conditions of this Agreement.

Where such subcontracting would displace an Employee, the Employer shall provide the Union with thirty (30) days prior notice of its decision to subcontract so that the Union can discuss the effects of such subcontracting. In the event that the subcontracting of any operation would result in the displacement of fifteen (15) or more employees, the Employer, where feasible, will require any subcontracting entity to offer employment to the affected employees and to maintain their current rate of pay for a period of not less than ninety (90) days.

During the discussion over the affects of any subcontracting, the Union shall have the right to offer alternatives to the subcontracting. Tenet agrees that it will first consider subcontracted work to one of the following subcontractors: Aramark, Sodexo, and Compass, where appropriate.

The parties desire to maximize stability in their labor relations. This effort includes their concern for the working environment and labor practices of subcontractors operating within the Employer. Therefore, the Employer supports and shall encourage its contractors to honor a position of neutrality in the event there is an attempt by a labor organization to organize the subcontractor's employees. Tenet further agrees that it will provide reasonable access to its facilities for purposes of organizing employees of a subcontractor. Tenet further agrees that it will not provide any subcontractor with any bulletin boards, conference rooms, or otherwise permit the subcontractor to use Tenet facilities to engage in anti-union activity as defined in the parties' Election Procedures Agreement.