

August 16, 2014

Sacred Heart Medical Center Negotiating Committee

Pam Van Voorhis, RN
NICU
Lynda Pond, RN, LDR
Suzanne Seeley, RN
Mother Baby
Nancy Deyhle, RN, ICU
Kevyn Paul, RN, ED-UD
Beth Harvey, RN,
Float Pool
Kim Stroda, RN,
7 Surgical
Erin Smiley, RN,
8 Medical
Kellie Spangler, RN, OR
Annie Maguire, RN,
Regional Infusion Center
Laura Lay, RN, Mother
Baby - Alternate

Sacred Heart Home Care Negotiating Committee

Billy Lindros, RN
Hospice
Phil Zicchino, RN
Hospice
Susan Walters, RN
Home Health
Terri Dean, RN
Home Health
Kristi Till, RN
Home Health - Alternate

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Negotiating Committee at 1:30 am on Friday, July 25th - moments after reaching a Tentative Agreement!



Back row (left to right): Kevyn Paul, Kellie Spangler, Beth Harvey, Erin Smiley, Kim Stroda, Maureen Smith, Billy Lindros, Pam Van Voorhis Front row: (left to right): Annie Maguire, Nancy Deyhle, Suzanne Seeley, Lynda Pond

New ONA Contract Approved

After months of bargaining, nurses at Sacred Heart Medical Center (SHMC) voted earlier this month to ratify our new contract with an approval rating of 89 percent. At Home Care Services 100% of the nurses voting—voted in support of the new agreement.

Our team believes the new agreement contains major wins that will improve our ability to push for better staffing at the unit-based level. Now that nurses have voted to approve the contract, incentive pay programs will be reinstated at the \$12.50 an hour rate and work can begin on setting up both immediate and long-term fixes to our staffing concerns.

Hospital administration has told us that nurses can expect to see our economic gains (including the 2 percent Cost of Living Adjustment, which is retroactive to July 13)

reflected on their September 26 paychecks.

Our union contract is only an effective tool if we all do our part to make sure the employer follows it. All of us have a responsibility to look out for ourselves and one another.

To that end, we'll be holding trainings at the Medical Center in coming months so nurses can learn more about the agreement and how to enforce it. We'll all need to take a more proactive role in our Unit-Based Councils, on the Medical Center Nurse Staffing Committee, the Home Care Staffing Taskforce, in our PNCC's and in other committees where nurses have a voice in decision-making at Sacred Heart.

We've got a long road ahead, but through these negotiations, we have shown that when nurses stand together, we stand strong!

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New Contract Approved *continued from page 1*

ONA will be continuing to strive for improvements to the Oregon Nurse Staffing Law as we go into the 2015 legislative session. The stories nurses have shared (and continue to share) will be an invaluable resource as we work to convince lawmakers that more needs to

be done to hold employers accountable for providing safe staffing in their facilities.

The ONA Team would like to thank everyone for their support and workplace activity during these negotiations. We could not have won such a solid agreement without it!

Oregon's Hospital Nurse Staffing Law Mandatory Overtime Provisions

In contract negotiations, your ONA team presented concerns about Sacred Heart's interpretation of the Oregon Staffing Law in regard to Mandatory Overtime. We knew that administration had put out a message stating that it was okay to keep CNAs up to five hours beyond their shift. The Staffing Law applies equally to RNs, LPNs and CNAs and only allows Mandatory Overtime beyond one hour in exceptional situations. The management team asked why ONA was spending so much time and energy on Mandatory Overtime when it was an extremely rare occurrence. We shared that we thought it was more commonplace than reported and expressed concern about the availability of replacement staff.

In the last two months, there have been over 20 instances of Mandatory Overtime. Most of these have occurred in the PACU but other units impacted include: Pediatrics, Rehab, 7 Surgical and the Cath Lab. In many instances, nurses were held for more than one hour beyond their shift length.

ONA is still working with nursing administration to address the on-going staffing issues. We think it's important that you know the law and understand your rights and the responsibilities of the Medical Center to prevent Mandatory Overtime of nursing staff.

The following provisions within the Oregon law and its related Administrative Rules.

Oregon Revised Statutes 441.166 (1) (2) (3) and (4)

Administrative Rules Section 333-510-0045 (11) (12) (13) (14)

"A hospital may not require a registered nurse to work:

- (a) Beyond an agreed upon shift. (This means that any hours over what your shift is including short hour shifts becomes overtime)
- (b) More than 48 hours in any hospital defined work week;
or
- (c) More than 12 consecutive hours in a 24-hour period of time.

Exceptions to the Prohibition on Mandatory Overtime:

1. The hospital may require an additional hour of work if a staff vacancy for the next shift becomes known at the **end** of the current shift.
2. A risk of harm exists to an assigned patient if the RN leaves the assignment or transfers care to another.
3. The hospital cannot impose longer periods of mandatory overtime unless:
 - There is a state or national emergency.
 - Other emergency circumstances exist as identified by the Health Division rule including epidemic illness.
 - The hospital has made every reasonable effort to secure replacement staff WHEN the vacancy was known
 - The hospital has made reasonable effort to contact all of the qualified on-call staff and agencies. Note: this does not mean staff who are on a day off or off duty unless they specify that they can be called. This is why we negotiated the pilot call project for the Med/Surg units.

On Call Staff Requirements

The hospital must maintain and post a list of on-call nursing staff or staffing agencies that may be called to provide qualified replacement staff. The hospital is required to explore all reasonable options for identifying local replacement staff.

If you are directed to work beyond your agreed upon shift, you have the right to inquire and ensure that the hospital has made the efforts required by law or that the exceptions exist. Contact your ONA Labor Representative (Maureen Smith – smith@oregonrn.org) or Bargaining Unit Chairs (Pam Van Voorhis, NICU or Lynda Pond, LDR) to let them know of the situation. Make sure that the overtime is documented as "Mandatory" in the Exception Log.

Nothing in the law prohibits nurses from working over their shift voluntarily.