New COVID-19 MOU

We have reached a new COVID-19 Memorandum Of Understanding (MOU) for our bargaining unit nurses.

Our negotiation team met with hospital leadership several times since the end of July to secure COVID-19 protections for the bargaining unit nurses. We were able to reach an agreement late Wednesday afternoon.

Many of the provisions are the same as the MOU from earlier this year. Additional protections allow care providers from APP, Nursing Professional Development and other Asante Corporate Divisions as well as traveler nurses to assist in providing bedside care during this crisis.

We were able to secure language that protects nurses from disciplinary action due to issues which are not egregious in nature and are not a continuation of a historical issue.

We secured language that nurses will not be furloughed at this time, however in areas that have a reduced volume, those nurses will be re-deployed to other units to help with patient care. To be clear, you are not obligated to provide care for which you are not adequately educated, certified or knowledgeable. The Oregon State Board of Nursing (OSBN) position on declining an assignment requires that you clearly state what skills and knowledge you are lacking in providing the care requested.

With the surge in patients, we do not anticipate any low census for staff members anywhere.

The hospital is also providing hotel rooms for those staff who make the request and food delivery for those at the hotels.

You can review the full document on our ONA/RRMC page at www.OregonRN/84.org.

Changes to the ESP & VSP Incentives

Through our negotiation we were able to secure increases to the current Extra Shift Pay (ESP) and Voluntary Shift Pay (VSP) rates.

Effective this pay period, Aug. 15, 2021 and going through Nov. 6, 2021 the rate for ESP will increase to $37.00 per hour and VSP will increase to $42.00 per hour in addition to the regular differentials and any overtime or double time rates of pay as appropriate.

ESP is paid if you respond to a text message request from the staffing office to fill a shift vacancy.

To qualify for VSP you must initiate the call to the staffing office at least 24 hours in advance to volunteer.

You can review the full document on our ONA/RRMC page at www.OregonRN/84.org.
COVID-19 Guidance: Declining Unsafe Assignments

Updated March 16, 2020

ONA has received requests from nurses as to their options for declining a patient assignment if they believe the available personal protective equipment (PPE) is inadequate to ensure the nurse’s own safety.

Following is a best practices protocol for those circumstances:

1. All nurses should be familiar with current OHA guidelines relating to PPE and COVID-19 precautions.

2. Before taking an assignment, the nurse should determine whether adequate PPE is available for the patient being assigned. If the patient is a diagnosed COVID-19 patient or person under investigation (PUI) and the nurses believe that the assignment is unsafe to themselves because of lack of PPE, based on OHA guidelines, the nurse should identify the issue with their charge nurse.

3. If a charge nurse cannot correct the issue, and the nurse wishes to decline the assignment, then they should do so by identifying the deficiency to the nurse’s supervisor by reference to OHA guidelines.

4. If they are ordered to accept the assignment by a supervisor, and the nurse again wishes to decline, the nurse should identify the non-compliance with OHA guidelines and ask if they are being directed to assume care under threat of insubordination.

5. If the nurse is directed under threat of insubordination and refuses, then the nurse risks discipline and professional license discipline. However, in general, employees can decline an assignment if the employee, with no reasonable alternative, refuses in good faith to expose themselves to a dangerous condition that could cause death or serious injury.

6. A nurse who violates a directive must be able to identify the risk to their safety and should identify the non-compliance with OHA guidelines at that time. This will put them in the best position to avoid an insubordination charge or to be successful in challenging discipline.

7. Similarly, the Oregon State Board of Nursing appears to be interpreting its statute and rules in a manner that would require a nurse to accept an assignment unless there are objective bases for risk to health or safety. Again, a nurse who believes the assignment poses a danger to their health must be able to identify the objective basis for that concern based upon OHA guidance. It is our current understanding that a nurse who declines an assignment risks license discipline unless they can identify the scientific basis for their refusal. For a nurse to refuse to accept a patient assignment they must have a scientific basis for refusal of care for a patient.

8. The situation of a nurse who assumes care and then determines that significant risk to their own health is posed by the assignment will be in a more difficult position due to a heightened standard for patient abandonment concerns. However, a nurse who believes their own safety is placed in imminent risk by continued care should follow the outline above if they wish.

According to OSBN this means:

- Patient must be presumptive or positive for COVID-19 if basis of refusal is related to care for COVID-19 patient without the appropriate PPE and further:
  - Must also have scientific basis as to why an individual’s caring for a patient would be unsafe for that patient, themselves and other patients. This cannot be based on an individual nurse’s emotions or personal fear of the unknown.

Please note, the OHA guidelines are the minimum requirements for the state. Facilities can use other guidelines, such as the CDC guidelines, as long as they are more stringent than the minimum guidelines of OHA.

Special circumstances for vulnerable caregivers

For a nurse who is vulnerable to complications from COVID-19, we recommend that the nurse take proactive steps now to avoid risk of exposure. Thus, nurses in vulnerable age ranges (currently over 62) or
Governor Mandate

On Thursday, Aug. 19 Governor Brown issued a mandate for health care providers to get the COVID-19 vaccination (https://youtu.be/0ojzsWjd1m0).

We all have many questions. ONA has created an FAQ to begin addressing these questions and it can be found here: www.oregonrn.org/FAQMandatoryCOVIDVaccines. You can find ONA’s Press Release on the subject here: www.oregonrn.org/page/NewCOVIDVaccinationRule.

As we learn more, we will update the FAQ. Please check the ONA website regularly.

Declining Unsafe Assignments (from page 2)

with other complicating health conditions should ask as an accommodation now to not be assigned to COVID-19 diagnosed or suspected cases. This would be a request for accommodation under the Americans with Disabilities Act (“ADA”).

For patients with underlying health conditions, a provider’s support for this requested accommodation should be obtained. Where the requested accommodation is denied, the nurse should follow the guidelines referenced above for declining a specific assignment.

Steward Trainings

ONA stewards are the lifeblood of what makes our union strong. A strong union has at least one steward for every unit and shift. Stewards are there to answer colleague’s questions and discuss concerns and help keep every nurse up to date on important union activities.

Introductory steward, grievance handling and building worksite power trainings all focused on representing your coworkers and problem-solving workplace issues. Find the training that works best for you!

Space is limited so register today at: www.OregonRN.org/Steward-Training

Topics and Dates

Introductory Steward Training
- Thursday, August 26, 2021
- Tuesday, Sept. 21, 2021
- Saturday, October 16, 2021
- Wednesday, November 17, 2021
- Thursday, Dec. 9, 2021

Grievance Handling Training
- Saturday, Oct. 9, 2021

Building Worksite Power Training
- Wednesday, Nov. 10, 2021
Oregon nurses are too important to not get vaccinated!

"I thought about my grandparents who have comorbidities, about a friend who lost his dad, the newborns I am around at work, and my best friend's baby who I would do anything to help keep safe."

- Jessica Conrad, RN, Klamath Falls, OR

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As one of the most trusted professions, nurses play a key role in preventing the spread of infectious diseases like COVID-19 by accepting and encouraging vaccination.

ONA drafted a position statement on the vaccine last December that notes nurses have a commitment to the communities they serve to be well-informed about the vaccines. The position statement encourages nurses to lead the way in getting vaccinated and provide an example for everyone else!

The American Nurses Association (ANA) Code of Ethics (2015) states that RNs have an ethical responsibility to "model the same health maintenance and health promotion measures that they teach and research", and this responsibility includes vaccination against infectious disease.

The ANA policy statement on Immunizations emphasizes that nurses should be advocating, educating, and advising patients to receive Centers for Disease Control & Prevention (CDC) recommended vaccinations, but acknowledges that if nurses are declining the vaccine themselves, public trust is damaged.

Do your part, get the vaccine and advocate for others to do the same!

Visit the ONA COVID-19 vaccine resource center to learn more: www.OregonRN.org/COVID-vaccine.