



Oregon Nurses Association
Bargaining Unit Newsletter

Oregon Health Sciences University (OHSU) Association of University Registered Nurses – AURN

December 5, 2014

ONA / AURN

Executive Team:

President:

Clarice Gerlach, RN
CMICU

Vice President:

Elizabeth McPhee, RN
MCU

Secretary:

Cheryl Rice, RN
DCH, OR

Treasurer:

Marc McDermid, RN
Oregon Poison Center

Member at Large:

Harold Fleshman, RN
Transplant, Urology,
Plastics

**ONA Labor Relations
Representatives:**

Sam Gieryn, JD

503-293-0011 ext. 350
gieryn@oregonrn.org

Rob Nosse, BA

503-293-0011 ext. 318
nosse@oregonrn.org

Oregon Nurses Association
18765 SW Boones Ferry Road
Suite 200
Tualatin, OR 97062

1-800-634-3552
within Oregon

www.OregonRN.org



In this issue

Give Yourself a Raise! - Page 1

Four Great Reasons to File a Staffing Variance Form - Pages 1-3

Reminder: New Grievance Procedure - Page 3

Thank You AURN Nurses - Page 3

Inside the Cost of OHSU Parking, Part 3 - Page 4

New Unit Representative Training Graduates - Page 6

Give Yourself a Raise! *Clock All Your Missed Meals and Breaks*

The link between fatigue and mistakes is undeniable. According to the American Nurses Association “Nurse Fatigue to Promote Safety and Health: Joint Responsibilities of Registered Nurses and Employers to Reduce Risks September 10, 2014”, fatigue alters a nurses ability to problem solve, make decisions, and slows reaction time, all of which puts patients and nurses at risk. Especially on shifts of eight hours or more, nurses need to take every break and

meal period to rest their minds and bodies. OHSU and AURN have agreed that nurses at OHSU are missing too many meals, especially breaks. Guaranteeing nurses the opportunity to receive all breaks and meals is a mutual interest of high importance to both parties. That’s why a major Kaizen event was recently held to develop the most rapid possible process for change.

We know you want to take your meals and breaks, and when you don’t, it’s

(continued on page 5)

Four Great Reasons to File a Staffing Variance Form

Staffing variance forms (SVFs) were jointly developed by OHSU and ONA to document situations when staffing levels do not allow nurses to provide appropriate care in a timely manner. SVFs are available and can be submitted online on the OHSU Nursing

Portal at <http://ozone.ohsu.edu/healthsystem/nursing/useful/forms/staffingVariance>. A SVF does not need to be filed immediately, but you should always notify your charge nurse immediately when you believe that staffing is inadequate to

the needs of the patients and/or nurses.

Here are four great reasons to take the two or three minutes it takes to fill out the form.

1. Patient Care was Compromised.

We owe it to our patients to let the administration

(continued on page 2)

Four Great Reasons to File a Staffing Variance Form (continued from page 1)

know that their care was compromised due to staffing challenges. A SVF should be filled out any time that there are delays or omissions in:

- Medical orders and treatment*
- Medications*
- Hygiene*
- Documentation*
- Admission, transfer, discharge*
- Psychosocial support to patient/family*
- Support, Information to patient/family*
- Observation, assessment, monitoring*
- Pain management*
- Teach home/self care to patient/family*
- Compromised patient safety/patient injury*
- No continuity of care*

2. Nurse Fatigue.

Numerous studies have documented that nurse fatigue leads to nurse "burn-out", health and mental strain on the nurse, and actual errors that jeopardize patient care. We owe it to ourselves and our patients to let management know when nurses are being run down due to staffing challenges. A SVF should be filled out whenever nurses are:

- Unable to take meal breaks*
- Unable to take rest periods*
- Requested to work voluntary overtime*
- Forced to work mandatory overtime*
- Floated to an assignment outside their expertise*

3. Build a Record for Change.

No change happens without

evidence that the current situation is inadequate. Completing a SVF creates a record of staffing concerns on your unit. The SVF helps build an evidence base in order to identify solutions. A steady stream of SVFs from your unit will draw the attention of the OHSU Nurse Staffing Committee (HBNSC) and the Professional Nursing Care Committee (PNCC) to ongoing problems. Those committees are charged with analyzing SVFs and developing solutions. The HBNSC, which is comprised of equal numbers of managers and staff nurses, may determine that your unit staffing plan is inadequate and require OHSU to provide more staff, even if it requires additional funds for the unit budget.

4. Protect Your License.

The SVF record could also protect your RN license if you were reported to the Oregon State Board of Nursing (OSBN) for an event occurring on a shift in which you submitted an SVF and therefore documented that you felt you were placed in an unsafe situation and that you requested additional staff. The responsibility of the event is then shared by the supervisor that denied additional staff.

If you ever feel that any nurse responsible for assigning patients has placed you and the patient in an unsafe situation and despite your objection insists on making the assignment, you should notify your charge nurse that you are accepting the assignment under objection, and then note that you made the objection on your SVF. In extreme or

chronic cases, you may also want to consider a report to the OSBN. A supervisor who puts patients in danger by making inappropriate assignments violates the Nurse Practice Act (see OAR 851-045-0040(5) Standards related to the licensed nurse's responsibility to assign and supervise care).

What Happens When I Fill Out a SVF?

A copy is automatically provided to your unit manager, the staffing office, the HBNSC, the PNCC, the chief nurse executive, as well as your labor representative, and the Professional Services Department at ONA.

The unit manager and staff nurse will discuss the content of the report. This is an information gathering session which should be focused on solutions. If your manager questions your reasoning for submitting the form or insists that you should have gone up the chain of command to seek further assistance, you should ask for union representation and call ONA!

The unit manager will write a response to the HBNSC, which will be reviewed at their next monthly meeting.

The unit manager will alert the unit based nursing practice council (UBNPC) chair of the need to place discussion of the SVF on the agenda for the next meeting. All discussions regarding trends and opportunities for improving the staffing plan will be documented in the UBNPC minutes.

(continued on page 3)

Four Great Reasons to File a Staffing Variance Form *continued from page 2*

UBNPC's discussion of staffing variance reports will focus on reviewing any barriers identified, documenting any variances in patient care and acknowledging trends, and identifying opportunities for improving the unit staffing plan.

This process allows the HBNSC and the PNCC to assist your manager and UBNPC in addressing the

problem on the unit, to determine whether the staffing plan on your unit is appropriate, and to track staffing trends throughout the hospital and. Remember, one SVF is a signal that there was a problem on that shift.

If your unit's staffing problems are ongoing, then an SVF should be filled out every time there is a problem.

Reminder: New Grievance Procedure

Our 2013-2017 ONA/OHSU contract contains a reworked grievance procedure. A new pre-grievance step encourages nurses and managers to resolve all non-disciplinary disagreements before a grievance is ever filed. Disciplinary grievances still utilize the old process.

We recommend that you work with an ONA/AURN unit representative, ONA/AURN officer, or ONA labor representative if you think you are going to initiate the pre-grievance procedure or file a formal grievance.

Most importantly, remember:

The new pre-grievance step must be initiated by the nurse within 30 days of the date the nurse had knowledge of the occurrence that created a non-disciplinary related problem.

Lower level disciplinary actions must be formally grieved within 30 days.

Any suspension, pay-demotion or discharge must be formally grieved within 15 days.

Four-Step Grievance Process for Non-Disciplinary Grievances:

1. *Pre-grievance meeting between nurse and supervisor*
2. *Step 1 grievance meeting with division director*
3. *Step 2 grievance meeting with chief nursing executive*
4. *Arbitration*

To initiate the pre-grievance step, a nurse must bring the issue to the attention of their manager in writing and identify the issue as a "potential grievance" within the 30-day deadline. The manager must then schedule a meeting with the nurse to take place within 10 days, at which the nurse and manager discuss the situation. The nurse can bring a non-participating witness to the meeting if desired, but this should not be an ONA labor representative. Nor should a OHSU human resources representative be present at the meeting. After an open discussion, the manager will respond in writing within 15 days following the meeting.

Nurses and managers are free to resolve disputes in creative ways at the pre-grievance step, so long as our employment agreement is not violated. Nurses who are unsatisfied with the response from their manager can seek assistance from an ONA labor representative in order to determine whether a formal grievance should be filed. A formal grievance must be filed within 15 days of receipt of the manager's written response.

Thank You!

A special thank you to all the AURN nurses who braved the icy rain to attend the Fall Membership Meeting and Dinner on November 13.

In Solidarity With You!

Inside the Cost of OHSU Parking, Part 3

This is the third article in a four part series about parking and parking finance at OHSU. AURN nurses on the OHSU Strategic Transportation and Parking (T&P) Advisory Committee (STPAC) are working to bring to light the root causes of OHSU's high employee parking rates and to take the burden of OHSU's transportation and parking problems off of employee paychecks.

OHSU's parking fees for employees are currently third highest of any academic hospital in the nation, right behind Chicago and New York. The series attempts to explain why employee parking prices have again risen this fiscal year despite a new era in which the TriMet/C-TRAN transit-pass program, perennially the largest item in the parking budget, was allegedly moved out of that budget.

[Part 2](#) examined OHSU's strategy of building and maintaining parking facilities as a separate economic enterprise funded almost exclusively by employees, as revealed in a closely held document entitled "*Transportation and Parking Strategy*" (T&P strategy document), developed by a small group of top OHSU administration officials reporting directly to OHSU President Joe Robertson, including Lawrence Furnstahl, chief financial officer, Dr. Jeanette Mladenovic, OHSU Provost, and Dr. Norwood Knight-Richardson, senior vice president and chief administrative officer.

The Parking Economy

The T&P strategy document defined a closed "parking economy" in which "funds ... will not be used for any activities unrelated to parking and transportation." This led to a hope that at least T&P funds would be used exclusively for T&P projects, which could include enhancements in safety and convenience for employees. Yet in an ad hoc meeting of T&P managers with representatives of the finance, human resources, facilities, and employee communications departments called in late April of 2014 to decide how to portray FY15 parking-fee increases to employees, a finance representative alarmed the parking managers with news that

parking net income - nearly \$3 million this fiscal year - would flow to a general account for unnamed expenses. Parking managers later passed along further news in a September meeting of STPAC: Parking net income *is* flowing into a general fund.

While there are some plans that money may eventually flow out of the same general fund for parking and transportation enhancements, any such payouts are at least five years away and speculative; they could easily and indefinitely be deferred.

Meanwhile, the diversion of parking revenue appears to be immediate and concrete — and the finance department, even when asked directly, has not revealed how that money is being spent.

A Transfer of Funds

A further tidbit from that September STPAC meeting: The cost of the Tri-Met /C-TRAN transit-pass program, newly broken out as a separate budget category, is almost exactly the same as the amount of parking income flowing into the general fund. So little has changed — parking net income *still* offsets the transit-pass program via that general fund, despite OHSU's claim that [the transit-pass program is now being funded as an employee benefit](#). It's not surprising. The administration's T&P strategy document still includes the transit pass program as part of its closed parking economy, despite the move of the line item to the general fund budget.

More to Come

Despite the platitudes, OHSU appears to be committed to continue financing most of its transportation and parking needs through employee parking fees. Will parking be a major issue at the bargaining table in 2016? Only time will tell.

Stay tune for Part 4 in this series, where we discuss what you can do to help yourself and your colleagues cope.

Give Yourself a Raise - Clock Your Missed Meals and Breaks (continued from page 1)

because you do not feel supported enough to transfer the care of your patients to another nurse. The whole purpose of the Meals and Breaks Kaizen is to see what systems might be put in place by UBNPCs to provide the support you need, and to measure the effectiveness of those systems in allowing nurses to take rest periods knowing that their patients are safe.

In order to measure improvement, we need to establish the current baseline. How many meals and breaks are we currently missing? We don't have that data right now because many nurses are not clocking their missed meals and breaks. ***The Kronos clocking system could provide the best evidence of how many meals and breaks are being missed.*** The best thing about it is that thanks to our ONA/OHSU contract, ***nurses can gather the needed data and earn money every time they clock a missed meal or break.*** Breaks are paid at the regular rate while most missed meals are paid at the overtime rate.

So why aren't nurses clocking their missed meals and breaks?

Already too busy. We understand that clocking missed meals and breaks is just one more thing to do at the end of an already busy day. Unfortunately, if you don't clock them, get ready to get busier. If your manager believes your workload is not resulting in missed meals and breaks, then there is room to increase that workload. And ***by not clocking your missed meals and breaks, you are telling them the workload was just fine today, thank you.*** Perhaps some unit resources can be transferred to another unit where they are having more difficulty.

Fear of Repercussions. The response to our 2013 bargaining survey indicated that many nurses felt that their supervisor would question their time management skills if they admitted to missing a meal or break. There may have been a time when this was true. But ***OHSU has gone out of their way recently to communicate to nurses that they will not suffer repercussions for clocking missed meals and breaks.*** They also put that guarantee in writing as part of Memorandum of Understanding No.13.

What not clocking costs you:

AURN nurses receive a wide range of pay, but on average a 15-minute break is worth about \$11. A 12-hour shift nurse who works three days/week and misses one break per day would lose \$1,716 in a year by not clocking them. An 8-hour shift nurse who works five days/week would lose \$2,860, just on missed breaks alone.

Missed lunches are worth more because they are 30 minutes and because the additional 30 minutes added to your day usually results in overtime pay. If our average pay nurse missed one meal per week and did not clock them, the nurse would lose \$33 per week or another \$1,716.

Our average nurse would lose almost \$3,500 annually by not clocking one missed break per day and one missed meal per week.

How many breaks do I get?

Section 7.4 of our ONA/OHSU contract provides for a non-duty, unpaid meal period of 30 minutes during each workday in addition to a 15-minute rest period for each four hours worked. State law also provides for a 30-minute meal period for each period of work greater than six hours but not more than eight hours, and for a 10-minute break for every four hours of work. Normally that means one meal and three breaks for a 12-hour shift, or one meal and two breaks for an 8-hour shift. For other situations, please refer to the table below.

Breaks and Meal Periods Required *

Length of Work Period	# of Breaks Required	# of Meal Periods Required
Less than 4 hrs	0	0
4 hrs 1 min - 7 hrs 59 min	1	1
8 hrs - 11 hrs 59 min	2	1
12 hrs - 13 hrs 59 min	3	1
14 hrs - 15 hrs 59 min	3	2
16 hrs - 19 hrs 59 min	4	2
20 hrs - 21 hrs 59 min	5	2
22 hrs - 23 hrs 59 min	5	3
More than 24 hrs	6	3

* **Contract Section 7.4 and OAR 839-020-0050**

(continued on page 6)

Give Yourself a Raise - Clock Your Missed Meals and Breaks *(continued from page 5)*

While state law provides for payment only for missed meals and not for missed breaks, our ONA/OHSU contract does require payment to the employee when the break is not provided.

A 12-hour shift nurse who works three days/week and misses one break per day would lose \$1,716 in a year by not clocking them. An 8-hour shift nurse who works five days/week would lose \$2,860, just on missed breaks alone.

How do I Clock Missed Meals and Breaks?

Clock in a missed meal

Telephone Time Entry (TTE)

1. Call 4-9123 and enter your employee ID number
2. You will be prompted for a clock code.
3. Press "0"

KTM (Kronos Badge Reader)

1. Press the blue key for "Cancel Meal"
2. Scan your badge and wait for the confirmation.
3. This will only record one missed meal (or two if you worked 22 hours or more).

Clock in a missed break

This can only be done in Kronos and can be recorded any time during the pay period. Log into your Kronos record:

Kronos

1. Add a row for the day in which the missed break(s) occur(s), by clicking the button on the left hand side.

<input type="checkbox"/>	<input type="checkbox"/>	Wed 7/23			6:58AM	
<input type="checkbox"/>	<input type="checkbox"/>	Thu 7/24				

2. Select "MIS" in the "Pay Code" column
3. In the "Amount" column enter 0.25 for one, 0.5 for two, or 0.75 for three missed breaks

		Date	Pay Code	Amount	In	Transfer
<input type="checkbox"/>	<input type="checkbox"/>	Sun 7/20				
<input type="checkbox"/>	<input type="checkbox"/>	Mon 7/21			6:58AM	
<input type="checkbox"/>	<input type="checkbox"/>	Mon 7/21	MIS	0.25		

4. Press save

New Unit Representative Training Graduates

The ONA/AURN has three new unit representative training graduates (listed below). Unit representatives are your resource for information about employment practices on your unit and your rights under the contract. Also, if you are called to meet with management and you have any concern that the meeting may lead to discipline, you have a right to bring along your unit representative or an ONA labor representative.

ONA/AURN bulletin boards are present in most of the staff lounges where AURN nurses take their breaks. There you will find a complete listing of unit representatives, as well as ONA/AURN officers, PNCC members and more. Don't hesitate to contact any ONA/AURN representative. That's why they took the training!

New ONA/AURN Units Representatives

- Suzie Rice – South 10A, Emergency General Surgery
- Anna Mapes – South 8F, Pediatric Emergency Department
- Vita MacArthur – South 6, Operating Rooms