

Can Bad Things Happen to ‘Good’ Nurses?

SUSPENDED FOR INVESTIGATION



“We agree with management that there may be a need to put nurses on investigatory suspension. However, without specific guidelines in our contract, the employee is simply guilty until proven innocent with little to no opportunity to even understand what they’re out on suspension for.”

Charlotte Kenney-Pickard, RN
Los Robles Hospital

All of us, as Registered Nurses, are just one step away from an investigatory suspension. Have you ever been investigated for an error you made or were suspected of making at the workplace? How about investigated for an error you didn’t make? Below are examples of incidents at HCA hospitals in which RNs were placed on investigatory suspension status. This can happen to you even if you’re a “good” nurse.

- > Hospital administration received a **phone call** about an alleged HIPAA violation that happened more than a year ago – the nurse, with 22 years of exemplary service, was suspended for investigation.
- > Hospital management suspected a nurse was sleeping on the job even though co-workers knew she was caring for an NICU baby and could not instantly respond. The hospital suspended the nurse for investigation until they could talk to the co-workers some days later.
- > A nurse made a clerical mistake ordering blood, and the mistake was caught through the system designed to catch those errors. The nurse was suspended for investigation even though the mistake was caught and there was no harm to the patient.

In each of the above examples, employees were placed on investigatory suspension and the employees did not necessarily receive a discipline. So that nurses aren’t indiscriminately placed on investigatory suspension, our Union has proposed language that provides guidelines for the hospital to follow before placing RNs on investigatory suspension. This will address the needs of the hospital to perform investigations while protecting nurses from undue anxiety, humiliation and stress.



Our Union’s proposal on Investigatory Suspension:

Investigatory Suspension. No employee will be held in unpaid investigatory suspension for more than ten (10) calendar days. The Hospital must meet both of the following conditions to place an employee in an unpaid investigatory suspension:

- The Hospital must have a reasonable belief that an employee’s continued presence in the workplace creates an imminent threat to the health, safety, or welfare of patients, other employees, patient families or data/property;
- The Hospital is initiating an investigation to determine whether disciplinary action is warranted.

Tentative Agreement Reached on Paycheck Errors During Bargaining July 6-7

Our Union and Management reached an agreement on Paycheck errors that says: A paycheck error resulting in an underpayment in excess of \$50 that is a result of an error made by the facility shall be corrected, with a check issued, within three weekdays from the date an employee submits a completed payroll discrepancy form.

Paycheck errors in any amount that are due to an error made by the employee (including, but not limited to, failure to clock in or out) and errors in amounts less than \$50 that are the result of an error by the facility will be corrected on the first payroll check distributed

at five or more days after submission of the payroll discrepancy form. The foregoing does not imply a grace period for late or missing paychecks, which must be remedied consistent with the law.

No later than 5:00 p.m. Friday of each week, each Department will print or provide employees with access to the Kronos report so that employees will have an opportunity to review and report any errors that may have occurred. The Hospitals will correct payroll errors that occur over the weekend immediately preceding the close of the pay period.

Whatever Happened to the Variable Shift Proposal?



HCA has pulled back on its variable shift proposal but “variable shift” was referenced in our 2007 contract. Our new proposal prevents the hospitals from changing nurses from a fixed to a variable shift and provides a means for a variable shift employee to switch to a fixed shift.

New additions are underlined.

The Hospitals will not involuntarily change a bargaining unit member from “day”, “evening”, “night”, “mixed”, or “variable” shift, without notifying the Union and the employee and, upon the Union’s request, bargaining for a period not to exceed thirty (30) days with the Union regarding any such change. Nothing herein shall prevent the Hospitals from temporarily filling vacant positions pursuant to Articles 47 and/or 115 (Posting and Filling of Vacancies). Such changes shall not be made arbitrarily.

A mixed shift is a fixed shift that consists of hours which encompass the day, evening, and/or night shift.

Employees who work a “fixed” shift will not be changed to a variable shift.

The Hospital, upon written request, will prospectively reclassify a variable shift employee who has worked a day, evening, night or mixed shift over a period of twelve (12) out of fifteen (15) consecutive pay periods to a “fixed” shift which is a day, evening, night or mixed shift.

We’re on the Web!
www.seiu121rn.org

Proposed Language for Vacation Requests & Holidays

Vacation Requests

Non-benefitted employees shall be allowed to take “non-paid” vacation and their requests for scheduling of vacation shall be treated in the same manner as the scheduling of benefitted employees.

Some non-benefitted employees have been denied the right to take a vacation. This article would address this issue.

Holidays

Full-time and part-time registered nurses are required to work one major holiday (Thanksgiving, Christmas and New Years) and one minor holiday (July 4, Labor Day, and Memorial Day). Night shift registered nurses work the eve of the holiday. Scheduling of holidays will be determined on a unit-by-unit basis in accordance with past practice which provides for a competent registered nurse covering each specialty.

Per diem holiday requirements are recognized in the current contract. We want to make sure full-time and part-time employees have requirements listed as well so that everyone knows the requirements. At the bargaining table, management said that if only one nurse is qualified to perform certain duties in their department, they could be required to work all holidays.

Next Bargaining Dates With HCA Management:

Look for weekly updates!

July 22-23

August 10, 11, 12