



NUHW PULSE

NOVATO HEALTHCARE • SAN RAFAEL HEALTHCARE AND WELLNESS

AUGUST 2018

JULY 1 LAW FORCES NURSING HOMES TO INCREASE CNA STAFFING

On July 1, 2018, California law started requiring nursing homes to boost the minimum nurse staffing from 3.2 to 3.5 hours per resident day. Previously, the law did not require a set amount of CNA patient care hours, but now each patient at a nursing home must get 2.4 hours per day of direct care by a CNA. We need to make sure that Novato Healthcare Center increases staffing and complies with that law so that we can take better care of our patients.

Unfortunately, this California law also allows nursing homes to request a waiver from this new requirement if the nursing homes can demonstrate that they have difficulty recruiting staff and do not have a history of poor care and staffing violations. We know that Novato Healthcare Center should not get that waiver because they have a history of patient care violations and they do not do enough to recruit and retain workers- they still pay some CNA's only \$15 or \$15.50 per hour and now they are charging workers even more for their health insurance.



NOVATO NOC SHIFT WORKERS DEMAND BETTER STAFFING

Twice this summer, NOC shift workers have joined together to pressure Administrator Joseph Colcol to improve staffing on the NOC shift. Seven workers participated in the meetings and complained that they routinely have too many patients, especially when a CNA calls in sick or goes on vacation and management doesn't find someone to cover for them. Workers have also noticed that sometimes registry CNAs are on the schedule, but don't show up to work. In the second meeting

on July 5, the administrator said that he is having trouble hiring enough staff, so he is offering bonuses to workers who agree to work overtime at night, on a case by case basis. The administrator said he is "working on something" to improve staffing but he wouldn't give any details. However, since the date of this meeting, workers have reported that they have still been understaffed, often with only two CNAs working per nurses station.

The best way to force management to comply with the law and improve staffing is to call the state when we are short staffed!

If you have too many patients, call the Department of Public Health and tell them how many patients you have and explain that you are not able to shower, turn, feed, or otherwise care for your patients.

CDPH Licensing & Certification Division

**Phone: (707) 576-6775
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MANAGEMENT FINALLY IMPLEMENTS NEW PERFECT ATTENDANCE BONUS

Novato

According to our new contract, management must pay a \$100 Perfect Attendance Bonus to those workers who had perfect attendance from May 1 to June 30. Management forgot to process this on time, but when we followed up they agreed to pay it out in the August 10 paycheck. Twelve people in Housekeeping, 11 in Dietary, and 63 LVNs and CNAs should have received the bonus. If you did not receive this

bonus, please talk to your union representative, Alex.

The contract says "Perfect attendance is defined as working all scheduled shifts except those for which the employee was given pre-approved vacation time. In addition, the employee cannot arrive after the scheduled start of his/her shift or leave before the end of his/her shift unless sent home by the employer due

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AROUND THE UNION

Big victory for Sodexo workers

Sodexo workers at Lakewood and Los Alamitos medical centers reached a tentative agreement on a contract that will boost wages by as much as 40 percent by 2020. Many Sodexo workers at Los Alamitos who were barely making over the \$11 minimum wage, will have their hourly wages jump to \$14.84 in January.

Napa workers win legal battle

In a victory for Queen of the Valley Medical Center workers, the hospital must immediately resume bargaining even as it continues trying to overturn their 2016 vote to unionize.

In a ruling issued July 16, U.S. Circuit Judge Mary Schroeder wrote that the hospital “engaged in retaliatory and hostile acts against union supporters.”

NUHW members win pensions

Professional workers at UCSF Benioff Children’s Hospital Oakland displayed tremendous unity in winning a great first contract that includes sizable raises and full defined-benefit pensions for everyone in the 250-member unit.

When workers organized last year, half of them did not have pensions because the hospital had discontinued the pension plan for everyone hired after 2012. But our members stood together and would not sign a contract that didn’t restore the pension.

*For more information,
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MARIN IJ: MARIN NURSING HOMES SUED FOR ALLEGED UNDERSTAFFING

On July 29, the Marin Independent Journal featured a front page article about Novato and San Rafael Healthcare Centers. It said:

Two Marin nursing homes in San Rafael and Novato are among 15 statewide that have been hit by class action lawsuits alleging that their owner systematically understaffed them to increase his profits...

The suits allege that the owner of the centers concealed the fact that the sites were not adequately staffed to meet the needs of its residents during the admission process in violation of the state Patients’ Bill of Rights.

The article also talked about the findings of a State Audit, released on May 1, that looked into “allegations that Brius Healthcare Services, which Rechnitz controls, was inflating prices to profit from Medi-Cal reimbursements.” It said:

The auditors report also found that state agencies doing too little to maintain quality of care at nursing homes. According to the report, from 2006 through 2015, the number of substandard care deficiencies that nursing facilities received increased by 31 percent, while at the same time, the number of state citations from the Department of Public Health decreased by 34 percent.

The audit found that Brius Healthcare had the most serious quality of care deficiencies out of the three audited companies — more than twice as high as the rate of all facilities in the industry.

Medicare.gov, the government website for Medicare, ranks both Novato Healthcare Center and San Rafael Healthcare and Wellness Center below average for every category it issues rankings: health inspections, quality of care, staffing, fire safety and penalties.

MANAGEMENT FINALLY IMPLEMENTS NEW PERFECT ATTENDANCE BONUS

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to census or acuity issues. Employees will be allowed to clock in/out four times in each two-month period within seven minutes of their scheduled start or end time and still be entitled to the perfect attendance bonus.”

The upcoming time periods for which workers can receive the bonus is for:

- July 1–August 31
- September 1–October 31

San Rafael

At San Rafael, workers are eligible for the perfect attendance bonus for every three months they have perfect attendance: January–March, April–June, July–September, October–December.

Management also forgot to implement this bonus this year but said that it will be paid out in the August 25 paycheck. If you do not receive this bonus, please talk to your union representative, Alex.

San Rafael workers also should have just received the second installment of the 1st ratification bonus in the August 10 paycheck. The bonus depends on how many years of service you had when the contract was ratified on December 22, 2017.

Less than 1 year of service: \$0

More than 1 years but less than 2 years of service: \$75

More than 2 years but less and 3 years of service: \$125

More than 3 years of service: \$150