

NUHW COVID BULLETIN

Essential workers must be protected. Read NUHW's Covid-19 Bill of Rights at nuhw.org/covid-19

Legislative victories

This past legislative session in Sacramento was a big success for NUHW members. We helped pass a landmark mental health reform bill, as well as several bills that will require employers to stockpile more PPE and provide additional sick leave and income support to workers who were infected with COVID on the job.

In the short-term, SB 1159 will make it easier for many healthcare workers who contract COVID to qualify for workers compensation and SB 1867 will require large employers to provide workers with supplemental sick time for COVID-related absences through the end of the year. The bill also covers health care employers with less than 500 employees that had been allowed to opt-out of participation for their employees in the federal Emergency Paid Sick Leave Act.

AB 2537, mandates general acute care hospitals to stockpile at least three months worth of PPE starting as of April 2021.

A third law (SB 685) will require employers to notify employees of a potential COVID exposure within one business day, although the short notification requirement will not apply to workers who provide direct care for COVID patients.

"We have devoted a lot of time and energy electing pro-worker legislators, and they have come through for us during this pandemic," NUHW President Sal Rosselli said. "Now, it's time to ensure that healthcare workers and their patients are provided appropriate COVID testing to protect their health during this crisis."

Member survey says testing is top concern

More than 5,000 NUHW members completed our COVID survey and the results were crystal clear: More testing is necessary to protect the health of workers and patients.

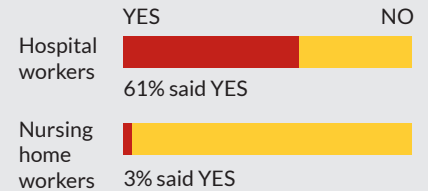
Among hospital workers, 61 percent said that their employer refused to test them after a documented exposure.

The situation is dramatically different at nursing homes, where a state rule implemented in May requires regular COVID testing for nursing home workers and patients. Among NUHW nursing home workers, only 3 percent responded that their employer refused to test them after an exposure.

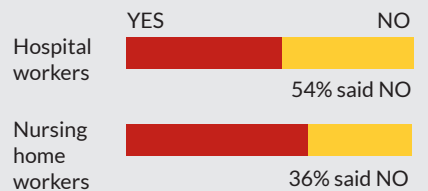
Given that nursing home workers are tested regularly for COVID, it should come as no surprise that 63 percent of NUHW nursing home workers reported that they trusted their employer was keeping them safe, compared to only 46 percent of NUHW hospital workers.

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Has your employer refused to test you for COVID-19 after an exposure?



Do you trust your employer to keep you safe from COVID-19?



Hospital workers and nursing home workers answered some questions differently, due in part to a new Medicare rule that requires nursing homes to test their workers for COVID-19 as often as twice a week.



Our union's victories on testing

As California officials prepare new COVID testing guidelines, NUHW members are taking action to secure testing and other safety measures from their employers.

One of the most successful actions occurred at Kindred Westminster, where workers forced management to provide monthly COVID testing as part of an agreement that was

ratified shortly before a scheduled picket.

In addition to monthly testing for all workers, the agreement included

- N95s for all hospital employees
- Hazard pay for workers serving COVID patients
- Weekly labor-management COVID meetings

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Victory on the job: Fountain Valley Regional Medical Center

As COVID cases mounted at Fountain Valley Regional Hospital this summer, and management refused to implement proper safety protocols, NUHW went public with their concerns and scored an important victory for themselves and their patients.

Workers held two protests that were covered by local news outlets including the Los Angeles Times and Orange County Register. They also worked with NUHW leaders to file a complaint with the California Department of Public Health. The agency subsequently investigated the hospital and released a 33-page report that found “systemic” infection control violations at the hospital have placed both caregivers and patients at increased risk for contracting COVID.

The reports findings included:

A COVID positive patient was placed in the OB/GYN unit where pregnant women receive care.

A COVID positive adult patient was placed on the Pediatric Intensive Care Unit, where multiple COVID negative children were receiving care.

Fountain Valley “failed to provide the dedicated nursing staff to the COVID positive patients that required isolation for a highly infectious disease. This failure had the potential to spread this



“We might be carriers, but we don’t know if we have it or not because we’re not tested,” Mila Pham, a secretary on Fountain Valley’s COVID-19 unit, told the Los Angeles Times. “We get tested for [tuberculosis] every year – why not COVID-19?”

infectious disease to other patients and staff.”

When asked by investigators about caregivers treating both COVID-positive and non-COVID patients on the same shift, the hospital’s Chief Nursing Officer told investigators that “having the dedicated staffing for COVID and PUIs were not always possible due to staffing shortages and the CDC’s guidelines were only suggestions.”

The California Department of Public Health ordered the hospital to prepare and implement a “Plan

of Correction,” and is continuing to monitor the hospital to ensure its compliance with the plan.

While the hospital has made improvements in response to the investigation, it still refuses to test all newly admitted patients for COVID and refuses to regularly test all caregivers. In response, NUHW members are preparing to bargain over a list of COVID-related demands, including mandatory testing for workers and newly admitted patients.

Member survey

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NUHW members and leaders are working hard to get state officials to expand the testing requirements already in place at nursing homes to both acute care hospitals and correctional facilities.

“We’ve been in frequent communication with leaders of the California Department of Public Health, sharing our polling results and providing input on the department’s upcoming testing requirements for hospital workers,” NUHW President Sal Rosselli said. “There is no excuse to deny COVID testing to healthcare workers during a pandemic, and we will not stop fighting until that becomes a reality in California.”

Victories on testing

Continued from front

Kindred Westminster members were resolute in preventing a major outbreak at their hospital similar to what occurred in June at nearby Kindred Hospital Brea, where an outbreak infected 27 NUHW members including Roda Vicuna, a nurse who died of the virus. Brea workers also organized to win similar concessions from management.

Westminster workers held a protest in July and were preparing for a second protest when management agreed to meet nearly all of their demands.

“We control our destiny,” Emma Madrid-Ungos, a nurse at the hospital said after the agreement

was reached. “When we fight together, and we stand up for what’s right, we can protect ourselves, our patients and our families.”

NUHW members at other hospitals are organizing to win more testing and better safety measures. At Petaluma Valley Hospital, workers put together a formal COVID proposal to management and have been bargaining to achieve improvements to staffing, hazard pay, testing and paid leave.

“We know these policies would make us and our patients safer at work, so we are now focusing our energy on getting them implemented,” said Tracie Neigum, a radiological tech.