



United Nurses of Children's Hospital 8170 La Mesa Blvd. La Mesa, Ca.
91942 Ph: (619) 697-5099 Fax (619) 697-5776

Work Place Violence . . . Report, Document and Follow-up

Jim Cunningham of Hayes and Cunningham, General Counsel for UNOCH

Workplace violence (WPV) between patients, their parents, friends and relatives, and hospital staff has become an increasingly significant problem. The violence can range from verbal abuse, bullying, and threatening actions to physical assault. Experts say most of these assaults take place in emergency departments or psychiatric units where patients and visitors might have used alcohol or drugs, or were improperly medicated. Nurses often take the brunt of patients' frustration and fear because they're on the front lines more than other medical staff. A national study last year by the Emergency Nurses Association found that more than half of emergency-room nurses experienced physical violence on the job during a three-year period.

Oftentimes when a nurse or hospital staff experiences workplace violence there is a reluctance to report the incident to the authorities or supervisor staff because of the perception that reporting violent incidents might have a negative effect on customer service reports or scores. Additional reasons for this reluctance include

- Ambiguous policies for reporting incidents.
- Fear of retaliation by emergency department management, hospital administration, nursing staff or physicians.
- The perception that reporting incidents is a sign of incompetence or weakness.
- Lack of physical injury as a result of an incident.
- The attitude that violence is to be expected.
- Lack of support from hospital administra-

tion and department management.

It is critical for you to understand that nowhere in the nurses, or hospital staff job descriptions is a requirement that you endure verbal abuse, bullying, threats, physical assault or any conduct *that absent the hospital setting would be a crime.*

A recent incident at RCHSD, where an employee was physically attacked, brought home the realization that employees and supervisors are often times at a loss on what to do if an employee is the subject of workplace violence.

Report, Document, and Follow-up.

Report any incident to your supervisor immediately. He/ she should contact hospital Security who, in turn, should contact law enforcement if the employee was assaulted or was a victim of a crime. **The employee also has the right as a citizen to report directly to law enforcement after having advised your supervisor of the incident. Document the incident and follow-up to make sure the police took a report if that was your request.**

It is well settled that the risk for experiencing violence was higher in facilities that had barriers to reporting violent incidents. We have opened up lines of communication with RCHSD to make sure all employees know their rights if they become a victim of workplace violence. When all employees and supervisory staff are working together to identify risks and potentially violent situations by having an open reporting policy, it will go a long way to providing a safer work environment for all.

MANDATORY INFLUENZA VACCINATION POLICY

As many of you know, UNOCH has been battling with RCHSD over the unilateral implementation of the mandatory flu vaccination policy and related policies, as well as any discipline imposed for violations of these policies. The end of this dispute is now in sight, and want to inform all of you both where things stand and how we got here.

This summer, UNOCH and the Hospital conducted an arbitration over this dispute. At the Hospital's insistence, UNOCH agreed that this first arbitration would only decide whether the Hospital had the managerial right to unilaterally implement the policies, and all other issues would be decided in a subsequent arbitration. In October, the arbitrator ruled that RCHSD did have the managerial right to implement these policies.

UNOCH then demanded a hearing on the remaining issues (**such as whether the policies are reasonable, and whether any discipline imposed was for just cause**). Outrageously, but not surprisingly, RCHSD turned around and claimed that the October ruling *resolved all issues, despite the fact it was RCHSD that initially insisted that hearing should not resolve all issues!*

UNOCH, however, stood firm and insisted that the second arbitration be scheduled. As a result, earlier this month the arbitrator scheduled a hearing on the remaining issues, at UNOCH's request. Unfortunately, the arbitrator also decided to give RCHSD an opportunity to present its argument in advance of this hearing that the October ruling resolved all issues. As a result, by February 14, 2011, both UNOCH and RCHSD will have to present their arguments to the arbitrator as to which, if any, issues remain. Any issues the arbitrator determines remain will then be heard on May



SAVE THE DATE! UNOCH 2011 GENERAL MEMBER MEETINGS

UNOCH General Member's meetings are open to all UNOCH members. At these meetings we review the current issues that UNOCH is working on, distribute material, and have an open forum for discussion. Please come and contribute your ideas and thoughts!

All meetings are on
Tuesdays at 7:45 PM
in Dining Room B& C

January 11

July 12

March 8

September 13

May 10

November 8

Know Your Hospital Administrators

The purpose of this section is to introduce our members to the RCHSD Administration, put faces with names, and learn a little about the people that run Rady Children’s Hospital.

Kathleen Sellick, President and CEO *Chief Executive Officer*



Base compensation:	\$603,209
Bonus and Incentive:	\$170,056
Other compensation:	\$ 16,353
TOTAL	\$1,016,086 <i>(according to 990 tax information dated 5/10/2010)</i>
<i>(plus an additional \$226,468 tax deferred and non-taxable compensation)</i>	

Before joining Rady Children’s Hospital-San Diego on June 30, 2006, Ms. Sellick served as:

- Executive Director of the University of Washington Medical Center (UWMC) April 1, 2001.
- Associate Executive Director and Chief Operating Officer, (UWMC), January 1999.
- Executive Vice President and Chief Operating Officer of St. Joseph Hospital in Orange, California where she served for four years.
- Vice President of Administration and Director of Outreach Development for Hoag Hospital in Newport Beach, California where she served for eight years.
- American Medical International in Beverly Hills, California, Westgate Medical Center in Denton, Texas.
- Administrative resident at the Mayo Clinic in Rochester, Minnesota.
- Active in a number of volunteer organizations, boards and industry groups, she currently serves on the board of directors of the American Hospital Association, Healthcare Association of San Diego and Imperial Counties and chairs the AHA’s Regional Policy Board.

Ms. Sellick’s office is located in the Frost Street building (red brick) just east of the reception desk. Her extension is 5911. email: ksellick@rchsd.org.

UNOCH
8170 La Mesa Blvd.
La Mesa, Ca. 91942

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We're on the Web!
www.UNOCH.com

Assignment Despite Objection Form

With the opening of the new Acute Care Pavilion, patient care areas have been experiencing acute staffing shortages. Both Respiratory Therapists and RNs have frequently been stretched to the max. While RCHSD is currently hiring in some areas, UNOCH cannot help but wonder why the increased staffing needs were not anticipated and planned for by RCHSD management.

UNOCH urges all of our members that are experiencing unusually heavy and/or unsafe assignments (*this includes relieving for breaks*) to fill out an Assignment Despite Objection form. UNOCH keeps track of these forms and gives a copy to hospital management. Instructions for completing the form are on the first page. Keep a copy for yourself and send a copy to UNOCH.

Filling out the form does not immediately solve the problem, but it is great tracking mechanism and helps UNOCH with grievances, negotiations, and monitoring government mandated staffing ratios.

The ADO form can be found on the UNOCH website.

