

NURSE-TO-PATIENT RATIO VIOLATIONS

Over the course of the last 12-months hospital management/administration have done all they can to minimize the flagrant and frequent nurse-to-patient ratio violations that have been documented by dozens of RNs working in both the MICC and Labor & Delivery units. RNPA has presented a synopsis of each and every ratio violation to the Board of Supervisors, the County Executive and Nursing Administration in an effort to adequately staff these units and ensure that the law is followed. Unfortunately, our attempts to work collaboratively and directly with Nursing Administration have not yielded a staffing plan that has remedied the ratio violations. RNPA has spoken to the State Department of Health Services and inquired as to the proper steps RNs must take to report ratio violations in the hopes of validating the violations and working with the State to remedy these violations.

It is important that the law be followed. Nursing Administration is staffing the MICC and Labor & Delivery units in a manner that ensures ratio violations and we must fight for

our patients and our licenses. If you are working in an area that is violating the nurse-to-patient ratios, it is very important that each and every ratio violation be reported. In order to report a violation of the law contact Glen Koike, DHS Internal Review and Investigation at (408) 277-9933.

Nursing Administration does not acknowledge that there have been any violations in these units. This nurse-to-patient ratio law was enacted to protect and improve patient care and ensure that RNs were not assigned more patients than they could adequately care for.

Announcement ...
RNPA sponsored class,
Posture, "It's Not What You Think"
Tuesday, September 21, 2010
8:00-4:00PM Wyndham Hotel, San Jose
7.5 CEU

HAVE YOU BEEN FLOATED RECENTLY?

What does the MOU say about floating? According to the contract, "If a float assignment outside like areas is necessary, Management shall attempt to send volunteers from the unit to be floated from prior to making an involuntary assignment. If a nurse is required to float outside of one of the like areas, the nurse shall receive one dollar (\$1.00) per hour for such assignment. A nurse who requests to float in order to broaden the nurse's experience may put the nurse's name on a list, maintained in the Nursing Office, indicating where the nurse requests to float. In this case, a differential shall not be paid. Except in emergencies (emergency is defined as a situation when reasonable efforts to float from like areas fails), no nurse will be assigned to an area without having adequate orientation to that area. Adequate orientation will be determined by the Director of Nursing with input from the Nurse Manager, and Staff Developer. Assignments shall include only those duties and responsibilities for which competency has been validated. A registered nurse with demonstrated competencies for the area shall be responsible for the nursing care, and shall be assigned as a resource to the RN who has been assigned to the unlike area and who has not completed competencies for that area." If you receive an assignment that you believe is unsafe, talk to the Charge Nurses. If you do not receive any resolution, contact the House Supervisor. If the situation is unresolved, write a memo describing the situation and give it to your Nurse Manager. The Nurse Manager shall then discuss the incident with the nurse. The Nurse Manager will respond in writing even if the matter is resolved. If you believe that your licensure or scope of practice are being compromised complete an Assignment Despite Objection (ADO). ADO are available in the RNPA binder on your unit or go to RNPA.net and download the form.

Negotiations Update: Recently, a mediator with the Federal Mediation and Conciliation Service has asked representatives from Stanford Hospital & Clinics, Lucile Packard Children's Hospital, and the Committee for the Recognition of Nursing Achievement to meet with him to discuss the status of their collective-bargaining negotiations. The parties have accepted the mediator's request and plan to meet within the next few weeks. The mediation discussions will be confidential.

Pension Envy in California

Los Angeles Times, July 25, 2010
By Mark Paul and Micah Weinberg

The following article is for informational purposes only. The purpose of printing this article is to explain why pensions are such a hot political issue at this time.

California doesn't have just one pension crisis, it has two. In the public realm, generous pensions and retiree health benefits have triggered a crisis as elected leaders try to square expensive promises with the realities of diminished revenues and investment losses. In California, commitments to retired state workers are now crowding out crucial investments in education, health and infrastructure.

In the private realm, it's a lack of pensions that is the problem. The same investment losses that diminished public pension funds have also have drained 401(k) plan balances and highlighted the vulnerability of the do-it-yourself retirement systems that have largely replaced defined-benefit pensions in the private sector. For large numbers of middle-age Californians, shrunken retirement accounts and "underwater" home mortgages have made retirement security a fading dream.

Understandably, this combination of public affluence and private squalor has touched off pension envy, with calls for the state to abandon its gold-plated retirement system. But the right answer for California is not to tear down but to build up. We must create a fiscally sustainable pension system that offers adequate retirement security to public and private workers alike.

One response to the public pension crisis has been a call to move all public employees to 401(k) plans. Leaving public workers to bear all the investment risks of retirement saving, as most private workers now do, might reduce pension envy. But the do-it-yourself retirement system of 401(k) plans has left 51% of workers facing retirements in which they will be unable to maintain their current lifestyles, according to the Center for Retirement Research at Boston College. This is a step away from what should be California's goal: retirement security for its residents.

Another reform approach, pushed by [Gov. Arnold Schwarzenegger](#), would retain traditional pensions for existing public employees while creating a lower tier of benefits for new workers. The problem is, California

already tried this. State and some local governments put in place two-tier benefit systems during the long economic downturn of the 1990s.

That experiment taught two lessons. First, by its nature, a two-tier system provides little short- to medium-term relief for public budgets, particularly in an environment in which governments are hiring few new workers.

More important, long-term savings are equally elusive. A two-tier system is inherently unstable. Setting different levels of pension compensation for people doing identical jobs injects pension envy into the workplace and creates immediate pressure to equalize benefits. California's last experiment with two tiers was quickly undone when SB 400 in 1999 made the lower tier optional and allowed workers to buy their way into the higher tier at bargain rates.

There is, however, another long-term reform option for California, one that would provide more retirement security for public workers and more fiscal stability and certainty for taxpayers. It is known as a cash balance pension, a hybrid that combines the best aspects of defined-benefit or pension-style plans and defined-contribution plans such as 401(k)s. Many private employers are moving to cash balance plans because they offer more flexibility and less risk. The state of Nebraska embraced them after determining that its employees' defined-contribution plans performed so poorly that contributing to them was a waste of taxpayer resources.

A cash balance plan has two pieces. As in a 401(k), an employer contributes a percentage of a worker's salary into an account that belongs to the worker. But unlike a 401(k), the employer guarantees a stated annual rate of return — say 5%, or something close to a risk-free return — on the money in the account.

A cash balance system has advantages for workers and taxpayers. Because it is portable and always vested, workers can move to a new job and take it with them. Because the return on their ac-

counts is guaranteed, workers do not bear the risks of untimely market swings. For taxpayers, a cash balance plan reduces the risks of pension underfunding and overpromising. The public is liable only to make a defined contribution each year and to pay the guaranteed return on each worker's cash balance. And because the guaranteed return is quite modest, the money can be in very safe investments. It is a much better fit for California in particular, a state with a broken governing system that pushes both local and state government toward sending today's bills to tomorrow's taxpayers.

Like a two-tier system, a cash balance plan for new workers would achieve budget savings slowly. But it could also be put in place for current employees going forward as part of labor negotiations, allowing state and local governments to reduce the unfunded liability for excessive promises in the past.

This system offers another potential benefit: California could sponsor a parallel cash balance plan for private workers to which employers could voluntarily contribute. Such a plan could address one of the biggest sources of pension envy: The fact that more than 6 million California private workers have no access to any workplace retirement plan.

At the same time that it addresses the fiscal challenge of a public pension system gone awry, California should be looking to build a retirement system that serves the needs of public and private workers alike. A universal cash balance plan could temper the greed and eliminate the envy, without destroying the security.

Save the Date
Wednesday, September 15, 2010
RNPA BBQ
Rehab Lawn, VMC