

Little Hoover Commission – Talking Points (Luisa Luema)

Good Morning:

My name is Luisa Luema and I am currently employed at Avenal State Prison, located in Avenal. I would like to share my perspective on behalf of my sisters and brothers as it relates to mandatory overtime.

The use of mandatory overtime is banned for all nurses in California – except for nurses in the public sector. This practice, used by state hospitals and health care institutions to maintain adequate numbers of nursing staff; jeopardizes optimum quality of patient care, increases potential workplace or health and safety errors, and undermines the state's recruitment and retention of nurses.

The current contract stipulates that mandatory overtime can be assessed no more than 6 times in a month, or 2 times in a week. Additionally, supervisors are supposed to go to voluntary overtime lists and then inverse order lists before mandating overtime. Often times this article of the contract is ignored and the result is on-the-spot mandating.

We are supposed to get 1 ½ hour notice before being mandated. The current impacts of MOT to staff are great. Many of us receive workplace injuries that cannot heal because they are mandated to work 3-4 times per week and use the injured limb excessively. Nursing staff cannot give quality care to their patients due to exhaustion. Nursing staff are unable to meet their personal obligations to their families (ie. Taking kids to school, securing a babysitter to watch children or elderly parents). Many report having to sleep on the side of the road, in the parking lot of the institution at which they are employed or get hotel rooms because they are too tired to drive and do not want to cause an accident. Others have died at the hands of patients in part because they were unable to react quickly or respond properly to dangerous situations due to exhaustion and/or fatigue.

My co-worker, also an RN, wears many hats including: wife, mother and sister. She fell asleep at the wheel while exiting the prison and hit another vehicle head on. She survived, but she suffered many setbacks. She lost time from work and valuable time with her family due to the accident and the injuries she sustained.

This hit home for me not only because I'm a nurse, but I am also a mother and grandmother. I am concerned because this could have been me or anyone else who is put in a situation where they are mandated to work additional shifts and are unprepared to do so. I am the sole provider for my family, and I have an 11-year-old son who needs me.

Every day we leave our homes and hope to return to our loved ones – some have, but unfortunately others haven't. We have seen nurses who were fired from their jobs due to them falling asleep while on duty after working 16-hour shifts back to back and then being mandated for a third 16-hour shift in a row, a clear violation of the contract.

How can anyone function as a normal human being after working these many excess hours? Not only are these individuals putting their lives in jeopardy, but also the lives of the people who are working with them, those in their care. This is a huge public and patient safety issue that can be detrimental to many innocent people.

We should have the same safety protections that have been put in place for the safety all of the other nurses in California.

Thank you.