

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NURSES UNITED OF THE NATIONAL) CAPITAL REGION,)) Plaintiff,)) and)) WASHINGTON HOSPITAL CENTER) CORP.,)) Defendant) _____)		Civil Action No. _____
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DECLARATION OF MEGAN HONOR CAINE

I, Megan Honor Caine, do hereby depose and state as follows:

1. I am a Registered Nurse, Clinical Nurse II employed by Washington Hospital Center Corp. (“Washington Hospital” or “Hospital”) and have held that position since February 2009. I work in the Float Pool. I was first hired by Washington Hospital in February 2008 as a Clinical Nurse I to work on 2D, a general medicine unit. I have been a nurse for two years.

2. I am also a member of Nurses United of the National Capital Region (“Nurses United” or “Union”), the collective bargaining representative of nurses at Washington Hospital. I serve as a Shop Steward and was on the 2009 Bargaining Committee. I am currently serving as a Bargaining Committee member for the 2010 Contract renewal negotiations.

3. Based on my experience as a nurse, I believe that if the Hospital fired nurses for failing to comply with its new flu vaccination policy, the Hospital would be left short-staffed, with significant negative consequences for the quality of patient care that we provide. Nurse-patient ratios are crucially important to the quality of care that we provide. The Medical and Surgical

Clinical Service Areas that I work in are already understaffed. As a Float Pool nurse, I do not consistently work on one unit. Each time I report for work, I am sent to work on the unit that is most understaffed for that shift. Units that I have worked on include 2E, 2NW, 3E, 1C, 2C, 2D, 2F, 2NE.

4. The nature of my position is to fill a gap in staffing. However, even with the presence of an additional nurse for that shift, I often work with assignments of more patients than the stated goals for a particular unit, and more patients than I can safely care for, such as six patients per nurse instead of four or five. Because of the shortage of Patient Care Technicians and Unit Clerks, as well as Nurses, it is not uncommon to care for patients with no ancillary staff. In these cases, our duties expand to performing their duties in addition to our own.

5. When there are not enough nurses to properly staff a unit, patient care is affected in many ways. For example, incontinent patients may be cleaned less frequently, patients with or at risk for pressure ulcers may be not be turned regularly, patient falls are more frequent, and patients needing assistance eating might not be fed or nourished. Very basic aspects of care may be omitted when a nurse has more patients than he or she can safely care for. Treatments such as blood transfusions or medication administration, patient discharge, preparing patients for procedures and operations may be delayed or missed. The termination of Clinical Nurses will exacerbate the existing shortage of Nurses.

6. In addition to the impact on patient care, I also believe that the Hospital's unilateral termination of nurses would seriously undermine the strength of the union. Our current Collective Bargaining Agreement ("CBA") with the Hospital is set to expire on April 24, 2010. Our CBA already has established provisions dealing with such subjects as physical and medical

requirements for nurses, causes and procedures for discipline or discharge, and safety and health issues. The Hospital's new flu vaccination policy is something that should be bargained in negotiations. If the Hospital can enact this policy outside of negotiations, and fire people for failing to comply with it, that shows that the Hospital can do whatever it wants, regardless of what we negotiate, and that the Union is not truly an equal partner with the Hospital. I know that I and other nurses will have that message in mind as the Union enters negotiations. It will be much harder for nurses to fight for the Union, having seen that whatever we win in our contract negotiations can be disregarded or eliminated at the whim of the Hospital, just as the Hospital pushed forward with suspending and firing unvaccinated nurses despite the protections and limitations in the CBA.

CERTIFICATION PURSUANT TO 28 U.S.C. §1746

I hereby declare under penalty of perjury that the foregoing is true and correct.

January 27, 2010
Date

Megan Honor Caine
Megan Honor Caine