



Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

February 7, 2019

The Honorable Jennifer Williamson, Chair
House Committee on Judiciary

Regarding: House Bill 2230

Chair Williamson and members of the committee I am Heidi Steward, Assistant Director of the Correctional Services Division for the Oregon Department of Corrections (DOC). I am here to provide information on the anticipated impacts of HB 2230 as it relates to DOC and answer any questions.

What the Bill Does:

HB 2230 directs DOC to establish limits on overtime for nursing staff. If passed, DOC nurses could not be assigned overtime unless done in advance and the total hours worked could not exceed 48 hours in a workweek. Nurses would not be working more than 12 hours in a workday.

Background Information:

DOC provides community-level health care to incarcerated individuals. Like hospitals, we must offer 24-hours-a-day/7-days-a-week services in most of our institutions. Since we do not currently have sufficient positions to provide this level of service, staff are often required to work mandatory overtime.

DOC also incurs overtime, hires temporary nurses, hires float pool nurses, and brings in nurses from temporary staffing agencies – all of which are unfunded liabilities – to cover unscheduled overtime, ongoing training, new-hire training, military leave, sick leave, vacation leave, holidays, Family and Medical Leave Act/Oregon Family Leave Act, etc.

A total of 22,713 overtime hours were worked by our institution registered nurses (RNs) in 2018 with about 1,700 of those mandatory overtime hours. Some nurses choose to take compensatory time off rather than be paid, which then also needs to be “covered” by overtime. There are times that our clinical managers “work the floor” because of staff shortages.

Mandatory overtime in addition to the 8-, 10-, or 12-hours our RNs already work on day, swing, and graveyard shifts contributes to fatigue; which can be dangerous in a correctional setting, contributing to slower reaction times, memory lapses, and difficulty concentrating.

Nursing overtime is also a result of broader healthcare system challenges such as vacancies in Willamette Valley institutions because of high nursing turn over and recruitment difficulty in the Umatilla, Pendleton, and Ontario areas where we have large correctional facilities.

DOC Impact:

This overtime limitation proposal would require 24 additional nurse staff positions for DOC to cover overtime and compensate for vacancies. The resulting decrease in overtime would likely decrease stress on our employees and improve work-life balance.

A concern is that HB 2230, as introduced, does not make allowance for emergency situations that could pose a threat to the life, health, or safety of adults in custody or staff, which would affect the safety and security of an institution.

Thank you for your time and consideration. I am happy to answer any questions you may have.

Submitted by:

Oregon Department of Corrections

Heidi Steward, Assistant Director for Correctional Services

Heidi.R.Steward@doc.state.or.us

Phone: (503) 945-9055