

Safe Staffing During Meals and Breaks

Safe staffing during meals and breaks is the law

- Safe staffing ratios are required at all times, including while the patient's regular nurse is on break.
- **Doubling up during breaks is illegal.** Doubling up during breaks shorts the patients their legally-required nurse.
- **RNs are legally liable when you accept a patient assignment,** including when you are providing break relief for another nurse. If you accept an assignment and there is a negative outcome, you are liable.

Our CNA contract mandates 75 minutes of meal and rest break time during a 12-hour shift

- For 8-hour and 10-hour shifts, RNs get 60 minutes of meal and break time.

A break is not a break unless it is uninterrupted and free of work responsibilities

- When RNs eat and chart, eat and answer call lights, eat and answer phone calls, eat and watch the monitor---that does not qualify as part of your 75 minutes of contract-mandated meal and rest breaks.
- In addition, UC cell phones, pagers, vocera, etc, can be turned off or turned over to the break relief nurse to achieve an un-interrupted break.

Charge nurses provide critical oversight, coordination and training functions to ensure safe patient care on their unit.

- When charge nurses take a patient assignment to provide break relief, either the unit is shorted the charge nurse's critical oversight functions or the assigned patients are not receiving their legally-required nursing care.
- Charge nurses are also entitled to their own uninterrupted 75 minutes free of work responsibilities per 12-hour shift.

UC is required to pay 30 minutes overtime if you miss your 30-minute lunch

- You must put in for missed lunch on your time card in order to be paid the 30 minutes overtime.

Getting Your Missed Break Pay

- To get your missed break pay, you need to notify your supervisor (or designee) when you are unable to take any of your 15-minute breaks.
- If the supervisor (or designee) can't relieve you to take the break, UC will pay you 15 minutes of missed break pay.
- **You are entitled to missed break pay for each break which the University cannot offer.**
- See page 18 of the blue CNA contract for the actual contract language on Missed Rest Breaks.

Fill out a CNA ADO form when your department is unable to take your breaks

- The ADO is the CNA Assignment Despite Objection form used by CNA to document unsafe staffing conditions. Check the "missed breaks" box on the ADO.
- The ADOs are reviewed by the CNA Professional Practice Committee (PPC) on a regular basis to help you address staffing issues in your unit.

Our Patients Deserve Safe Staffing At All Times

For more information, to get blank ADO forms, or to get your copy of the CNA contract, contact your CNA nurse rep, PPC rep or labor rep, or email CNA at ucdivision@calnurses.org.