



May 8, 2019

The Honorable Gayle Manning  
Ohio House of Representatives  
77 S. High St., 12<sup>th</sup> Floor  
Columbus, OH 43215

RE: HB 144- Prohibit overtime work for nurses as a condition of employment

Good afternoon Chairwoman Manning, Vice Chair Dean, Ranking Member Lepore-Hagan, and Members of the House Commerce and Labor Committee. Thank you for allowing me to be here today to speak in support of House Bill 144.

My name is Baylee Stiers and I have been a registered nurse for seven years, and have been forced to work unsafe overtime for seven years.

I work at a major central Ohio medical center and am in a leadership position within my nursing union, which provides a unique view of the medical center's operations and the struggles our nurses face on a daily basis.

I want to begin by emphasizing that House Bill 144 is **not** about emergent situations, a sudden influx of patients, or a natural disaster. It's **not** about worrying if there will be enough nurses to care for patients during these situations.

Rather, House Bill 144 is about using the dangerous, and frankly unfair, practice of nurse mandatory overtime as a **regular staffing tool**. This is happening across Ohio, including at the major medical center at which I work. I have been victim time and time again of this dangerous practice.

At our facility, we are given a month-long schedule. This schedule always includes holes, or gaps, in the amount of nurses needed on a particular unit during a given shift. Some nurses volunteer to fill these gaps, but there are also many times where those obvious gaps remain within the schedule for weeks at a time.

So not only do managers knowingly create a schedule that includes short staffing, but those gaps remain apparent for weeks. And instead of staffing a unit appropriately from the beginning, or using contingent nurses to fill the gaps, nurses are consistently and increasingly mandated the day of to work an extended shift. **This is just not safe.**

Mandation has affected both my work and home life. I work in the Neonatal Intensive Care Unit (NICU) where my coworkers and I regularly experience mandation because of the aforementioned scheduling gaps. When we are mandated, we are **forced** to stay past our 12-

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hour shift, turning our already exhausting days into an even more exhausting 16-hour work day.

My regular shift is 7pm to 7am, and when I am mandated, I am forced to stay until 11:30am.

I live an hour away. By the time I complete report, catch the bus to my car and drive home, it is nearly 1:00pm. I eat, go to sleep and then wake up by 5pm to get ready for my next 7pm shift with less than four hours of sleep. Can you imagine taking care of a critical patient with four hours of sleep? Can you imagine taking care of a critical infant with four hours of sleep?

Let me tell you, there is nothing worse than telling a parent that you are being forced to stay past exhaustion. There is nothing worse than seeing even the slightest doubt on their faces as you tirelessly take care of their infant that weighs 400 grams. These parents have been through hell and back in my NICU and it hurts my heart when I see the look of disappointment on their faces when they know how long I have been working past my will. I don't even have to tell these parents; they know. They leave their infant at 8pm and kiss them goodnight to only come back at 10am to see me still continuing to take care of their sick infant. Often, the parents will buy us food because they feel bad for us- or is it because they care about our well being? Maybe they care that we are eating because we are taking care of something so precious to them and they want us to appropriately care for their newborn? **Mandation affects patients and families.**

Medical errors are the third leading cause of preventable death in this country. Studies show that nurses who work more than 12.5 hour shifts are at triple the risk for of having a medical error. My NICU patients and their families deserve better. They deserve a nurse who is on top of their game to ensure their precious infant is receiving the best care possible.

Mandation not only affects patients and their families, but it affects my family as well. I have missed many holidays because of being mandated. I have missed important dates and events because of mandation. Worst of all, I have missed time with my one-year-old daughter that I will never get back. I cherish the moments I wake up my daughter in the morning from work. I cherish the breakfast time and good morning snuggles, but being mandated takes all of this away from me. I don't get to see my daughter on my mandated days. And if I refuse, my job is put at risk.

I have seen many nurses reprimanded for putting their foot down and refusing mandation because they simply are too tired to continue work. I have seen nurses lose privileges on their units from refusing mandation. I have seen nurses that have been demoted for refusing mandation. I have seen nurses cry in hiding because they are tired and won't be able to tuck in their babies at night once again. **This has got to stop.**

In closing, I want to reiterate that House Bill 144 isn't about emergency situations. It's not about if nurses will step up to the plate when they're needed most. Because we do – we step up during emergencies every day when people need us most. It's part of our DNA and why we go into this profession.

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House Bill 144 is about the unsafe staffing practices that are happening every day across Ohio. It's about the exhausted nurse and their patients and families who see us working for hours on end. They feel sorry for us, but most of all, they wonder if they are receiving the best care. It's about the nurse who is missing important moments with their family, or scrambling to find last-minute child care. It's about the nurses who are threatened with discipline, forcing them to choose between their job that puts food on their table and the safety of their patients. It's about good nurses leaving their passion of caring for patients at the bedside because they simply cannot do it any longer.

So when nurses refuse a mandatory overtime situation, it's not insubordination. It's not patient abandonment. It's because they cannot safely care for their patients – a responsibility that is our ethical covenant upon entering this profession.

On behalf of nurses across Ohio, I plead for your support of House Bill 144. We must eliminate mandatory overtime as a scheduling crutch for Ohio's hospitals.

Thank you for your consideration.

Sincerely,

Baylee Stiers