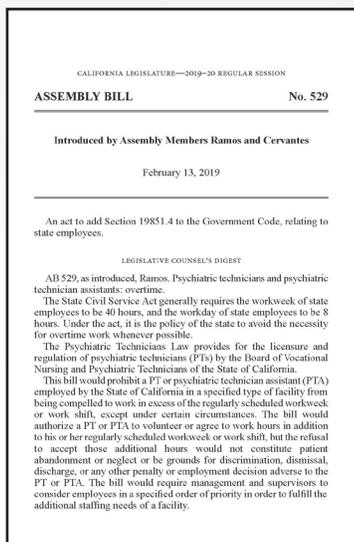




LEGISLATIVE Update



Assembly Public Employees and Retirement Committee passes ban on MOT

CAPT-sponsored AB 529, Introduced by Assembly Members Ramos and Cervantes, passed its first legislative hurdle today in the Assembly Public Employment and Retirement Committee where the bill was approved 5-0. AB 529 would prohibit the state from mandating Psychiatric Technicians (PT) and Psychiatric Technician Assistants (PTAs) from working overtime. Currently, nurses, LVNs, psychiatric technicians (PT) and certified nursing assistants (CNAs) in private sector employment cannot be mandated to work overtime; unfortunately, the state government is exempt from this 2001 regulation.

CAPT argued that mandatory overtime practices could lead to increased stress on the job, less patient comfort, and mental and physical fatigue that can contribute to errors and “near-misses” with medications and case-related procedures. The practice also ignores the responsibilities nursing professionals have at home with children, other family members, or with other obligations. Furthermore, being forced into excessive overtime can cause exhausted nursing professionals to practice unsafe patient care, jeopardizing their licensure status.

Both State President Eric Soto and CAPT Lobbyist Coby Pizzotti testified at today’s legislative hearing on behalf of all state-employed Psych Techs.

“Mandatory Overtime is not safe,” Soto testified before the committee after sharing his personal experiences. “Staff is expected to be alert at all times. When the slightest lapse in observation can lead to a tragic consequence, mandatory overtime means unsafe working conditions.”

Pizzotti demonstrated the need for the State Legislature to ban the practice of MOT. He explained to the committee that the departments ignore the MOT limits sets by our contract. Without any real enforcement, the practice continues, risking the lives and safety of patients and staff alike.

“Our members have been forced to work involuntary overtime up to eight times a month, back-to-back days, three or more times a week, and have been called in on their day off,” said Pizzotti to the committee. “We have filed several grievances and won; however, the state simply apologizes for the past action and continues the practice.”

CAPT introduced a bill banning MOT in 2015. The bill passed the Legislature but CAPT held it at the Senate Desk after the governor vetoed a similar bill for RNs, LVNs, and CNAs. Fortunately, Governor Newsom, in his January Budget, has funded 335 new permanent full-time and 254 permanent-intermittent PT positions for the Department of State Hospitals, the department with the largest usage of mandatory overtime. This budget augmentation will virtually eliminate all of the mandatory overtime at that department. Additionally, the 2016 Little Hoover Commission issued a report with recommendations to cut overtime usage to half of the 2014 levels by 2017-2018 FY, and eliminate the practice of mandatory overtime all together.