

Seiler, Erin

From: Sarah Grover <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 5:05 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Sarah Grover
sf_grover@hotmail.com
41300 east larch mt road
Corbett , Oregon 97019

Seiler, Erin

From: christopher Ganow <christopher_ganow@ddsd40.org>
Sent: Friday, May 21, 2021 5:00 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

Legacy Health Systems would like us to believe that this request is in relation to providing a higher level of safe patient care. However, peer reviewed studies and evidence from other for profit hospital systems clearly demonstrates that safe and appropriate patient care is most likely provided when hospital staff receives regular breaks in relation to their work load and mental health. Legacy has already been fined over 5 million dollars due to their continued violation of employee rights to appropriate breaks, and this is a blaring indication that this hospital system is simply more worried about their bottom line and profit margins over employee mental health as it relates to safe and effective patient care. Legacy Health systems is a for profit entity who made a profit in the last year, and just like other for profit institutions, it is their own internal duty to manage and improve their own staffing to provide safe patient care by ensuring their nursing staff is ample, well rested, and outfitted with appropriate gear. Other award winning and recognized hospital system around the United States have been able to demonstrate that not only can this be done, but that it can be done by honoring employee rights and dignity. At this current time when it is well known that many front line health care workers are struggling with mental health issues and being overwhelmed, it is alarming that Legacy would push for such an undermining attack on the rights of its staff.

christopher Ganow
christopher_ganow@ddsd40.org
3737 NE 17th Ave
Portland, Oregon 97212



A STRONG VOICE

FOR OREGON'S WORKERS

TO: Erin Seiler, Senior Policy Advisor, Bureau of Labor and Industries

FR: Catie Theisen
Oregon, AFL-CIO

RE: Comments to Legacy Health Petition to Amend OAR Chapter 839, Division 20

May 21, 2021

On behalf of the 300,000 working people represented by the Oregon AFL-CIO, we urge the Bureau of Labor and Industries to reject the requested amendment to OAR Chapter 839, Division 20 relating to meal and rest breaks.

Existing meals and rest break rules serve as a floor for worker safety. The requested amendment functionally allows certain health care employers -- particularly those who have already been fined by BOLI for meal and break violations-- to be carved out from those protections for workers.

A perennial concern of health care workers in acute care hospitals is a lack of breaks. And during COVID-19 health care workers have already been put in impossible situations, taking a significant toll on their physical and emotional health. Data also shows that meal and rest breaks for nurses improve patient health. Currently, health care employers can comply with the law and provide breaks for its staff -- they simply need to provide adequate coverage through sufficient staffing. For the sake of Oregonians -- both workers and patients -- it is not the time to take away these fundamental protections from health care workers.

It is essential that BOLI rules serve their purpose in guaranteeing protections for workers that are statutory. Thousands of workers -- both represented and non-represented workers alike -- are counting on BOLI to set minimum standards. This proposed rule change is not an exemption that makes sense and would set a dangerous precedent. All covered workplaces -- nonprofit non-unionized health care employers included -- should follow the rules.

On behalf of the Oregon AFL-CIO we encourage you to wholly reject this proposed amendment to OARs on meals and breaks. Thank you for the opportunity to provide comments.

Seiler, Erin

From: Jeri Smith <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 4:31 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As the Mother of a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Jeri Smith
booner1ster@gmail.com
465 Garnet Rd
Ozark , Missouri 65721

Seiler, Erin

From: christopher Ganow <christopher_ganow@ddsd40.org>
Sent: Friday, May 21, 2021 4:30 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

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christopher Ganow
christopher_ganow@ddsd40.org
3737 NE 17th Ave
Portland, Oregon 97212

Seiler, Erin

From: Shaunna McCarthy <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 4:11 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

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Shaunna McCarthy
annuahs@aol.com
3212 NE 180th Ct
Vancouver, Washington 98682

Seiler, Erin

From: Brandy Di Pietro <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 4:09 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Brandy Di Pietro
bdipietrorn@yahoo.com
525 NE 19th street
Gresham, Oregon 97030

Seiler, Erin

From: Kim Hubbard <kimhubbard701@gmail.com>
Sent: Friday, May 21, 2021 4:03 PM
To: Seiler, Erin
Subject: OAR 839-020-0050

Hello,

I'd like to inquire about the comment period on this rule. Is it to late?

Why was the comment period on opened?

Many staff at my work place are frustrated for being blamed if they don't get a break, and threatened with discipline if they admit it, so most folks attest they had breaks they didn't get. There really is is no help if they escalate per policy. I myself have tried and been yelled at that we are all just doing the best we can. That would be accepted if it was a rare event, but it's a regular event, and we are regularly short staffed. People are defeated about it.

Please let me know.

Kim Martin
kimhubbard701@gmail.com

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Seiler, Erin

From: Anne Ganow <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 3:36 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a patient of Legacy Health, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Many nurses have to forgo breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19. According to the media, many healthcare workers are rethinking their careers because the physical and psychological stresses are so difficult to deal with. This is a real shame because the hospital system is losing dedicated and well-educated workers, particularly nurses. And from my perspective as a patient, I am worried to think that the nurses who are taking care of my needs are being deprived of meal and rest breaks. This practice could lead to mistakes being made and a lack of quality care.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential they receive breaks so they can be at their best for patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Sincerely,
Anne G. Ganow

Anne Ganow
anne.ganow@gmail.com
2411 SE 183rd Loop
Vancouver, Washington 98683

Seiler, Erin

From: Katherine Brennan <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 3:14 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Many nurses across Oregon often have to forgo breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on nurses and patients alike.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential they receive breaks so they can be at their best for their patients and their families.

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Katherine Brennan
ktbscott@gmail.com
303 NE 16th Ave #227
Portland, Oregon 97232

Seiler, Erin

From: Vince Culp <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 3:03 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Vince Culp
vinceculp@yahoo.com
P.O. Box 772
Sandy, Oregon 97055

Seiler, Erin

From: Jennifer Larson <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 3:01 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

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Jennifer Larson
pdxtwinmom@hotmail.com
1207 SW 4th Street
COLLEGE PLACE, Washington 99324

Seiler, Erin

From: jegan@eganlegalteam.com
Sent: Friday, May 21, 2021 2:56 PM
To: Seiler, Erin
Cc: Michèle Lauzier
Subject: Opposition to proposed changes to OAR 839-020-0050
Attachments: Proposed Amendment to OAR 839-020-0050 (2).pdf

Dear Ms. Seiler,

I write in opposition to the attached proposed amendment to OAR 839-020-0050.

The purpose of the rule is to preserve the health of employees. It would not be in keeping with that purpose to exempt hospitals from providing minimum breaks and meal periods to front-line health care workers. This is more true today than it ever has been before.

Further, the rule already provides exceptions to the meal period requirements when it would “impose an undue hardship on the operation of the employer’s business.” So, the proposed amendment seeks an exception from the rule *even when providing the meal periods would result in no undue hardship to the business*—i.e., employers who purposefully understaff their shifts to make more money.

This proposed rule change is a cash grab, not a good-faith effort to ensure the health of patients (and certainly not in the best interests of employees). I therefore oppose the proposed rule change.

Thank you.

Jon M. Egan
Attorney at Law

Jon M. Egan, PC
547 Fifth Street
Lake Oswego, OR 97034-3009
(503) 697-3427 tel.
(866) 311-5629 fax
www.eganlegalteam.com

Seiler, Erin

From: Hannah Cramer <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 2:33 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

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Hannah Cramer
hannahkeo00@gmail.com
627 NW Oregon St.
Camas, Washington 98607

Seiler, Erin

From: Kylee Brown <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 2:27 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

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Kylee Brown
ktaylor72921@gmail.com
61535 S Hwy 97
Bend, Oregon 97702

Seiler, Erin

From: Courtney Pratt <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 2:26 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Courtney Pratt
cepratt2015@outlook.com
23083 Maverick Ln
Bend, Oregon 97701

Seiler, Erin

From: Gabriel Wihtol <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:57 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

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Gabriel Wihtol
gwihtol@yahoo.com
3208 Se 57th ave unit b
Portland, Oregon 97206

Seiler, Erin

From: Melissa West <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:31 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Melissa West
m2mwest@aol.com
37654 Reich Ct
Sandy, Oregon 97055

Seiler, Erin

From: Annameika Goldring <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:29 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As an Emergency Medicine physician in Oregon, (working for Legacy) I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Nurses need and deserve breaks during their shifts and should be allowed to do what they need to during their breaks to get food and refresh. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential they receive breaks so they can be at our best for our patients and their families.

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Annameika Goldring
meikafolding@gmail.com
24800 SE Stark St
Gresham, Oregon 97030

Seiler, Erin

From: Naomi Schneider <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:23 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a concerned citizen in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential nurses receive breaks to be at their best for patients and their families.

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Naomi Schneider
naomischneider13@gmail.com
16034 se Chardonnay ct
Milwaukie , Oregon 97267

Seiler, Erin

From: Katie Patterson <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:22 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Katie Patterson
pattersonkt@gmail.com
2109 SE Ash st apt 9
Portland , Oregon 97214

Seiler, Erin

From: Jennifer Stevenson <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:17 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Jennifer Stevenson
jstevenson007@yahoo.com
6914 SE Belmont street
Portland , Oregon 97215

Seiler, Erin

From: B. T. <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:15 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

The fact that I have to go to break withing 5 hours of clocking is preposterous. To come back after a lunch and have 8 hours left of my shift is the worst part of all this. That's a full 'regular' jobs shift.

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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B. T.

toontown760@gmail.com

44

Portland, Oregon 97030

Seiler, Erin

From: Tess McBride <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:12 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Tess McBride
tessmcbride19@gmail.com
1714 NE Going st
Portland, Oregon 97211

Seiler, Erin

From: Mike West <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:11 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Mike West
m2mwest@gmail.com
37654, Reich Ct
Sandy, Oregon 97055

Seiler, Erin

From: Annie Davidson <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 1:11 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

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Annie Davidson
akell1944@hotmail.com
2218 SW Fox Ct.
Troutdale, Oregon 97060

Seiler, Erin

From: Stephanie Ganow <info@email.actionnetwork.org>
Sent: Friday, May 21, 2021 12:04 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Stephanie Ganow
nursegrneyz@aol.com
471 NW 24th St
Gresham, Oregon 97039



May 19, 2021

VIA EMAIL

erin.seiler@state.or.us

Val Hoyle, Commissioner
Erin Seiler, Senior Policy Advisor
Bureau of Labor and Industries
800 NE Oregon St., Ste. 1045
Portland, OR 97232

Re: Comments to Legacy Health Petition to Amend OAR Chapter 839, Division 20

Commissioner Hoyle and Policy Advisor Seiler:

I. Introduction

Pursuant to the Request for Comments issued on April 22, 2021, the Oregon Nurses Association provides these comments in opposition to Legacy Health System's ("Legacy's") proposed rule amendments. Following is an identification of ONA as commenter, description of the proposed amendments, and an explanation as to why the proposed Amendments are inconsistent with statute and the public interest and therefore should be rejected.

II. Oregon Nurses Association's Interest in These Proposed Rules

ONA is a statewide labor and professional organization which represents over twelve-thousand nurses and allied health care workers throughout the State of Oregon. Since 1904, ONA has advocated for nurses, frequently in opposition to the efforts of employers such as Petitioner Legacy to undermine the professional standing and working conditions of nurses. Petitioners proposed amendments are yet another effort to avoid the legal protections that BOLI and the Oregon legislature have put in place to protect workers such as nurses.

ONA is the exclusive representative of nurses at over forty-one acute care hospitals throughout the State. These include employers as diverse as major metropolitan medical centers such as Providence Portland Medical Center, critical access hospitals such as Good Shepard Medical Center in Hermiston, and world class public institutions such as Oregon Health & Science University. ONA also represents Petitioner's own employees at Silverton Hospital and Unity Center for Behavioral Health. ONA not only represents these health care workers as a labor union, ONA also represents nurses who are not in a unionized workplace but have joined ONA as a professional association. In this sense, ONA is uniquely situated to provide critical insights, and to set the record straight, as to Legacy's assertions and requested rule.

III. Standards for Rulemaking Requests

The Bureau of Labor and Industries is specifically empowered by statute to enact rules relating to meals and breaks. ORS 653.261 provides:

ORS 653.261

Minimum employment conditions

(1)(a) The Commissioner of the Bureau of Labor and Industries may adopt rules prescribing such minimum conditions of employment, excluding minimum wages, in any occupation as may be necessary for the preservation of the health of employees. The rules may include, but are not limited to, minimum meal periods and rest periods, and maximum hours of work, but not less than eight hours per day or 40 hours per workweek; however, after 40 hours of work in one work week overtime may be paid, but in no case at a rate higher than one and one-half times the regular rate of pay of the employees when computed without benefit of commissions, overrides, spiffs and similar benefits.

...

(2) Rules adopted by the commissioner pursuant to subsection (1) of this section do not apply to individuals employed by this state or a political subdivision or quasi-municipal corporation thereof if other provisions of law or collective bargaining agreements prescribe rules pertaining to conditions of employment referred to in subsection (1) of this section, including meal periods, rest periods, maximum hours of work and overtime.

(3) Rules adopted by the commissioner pursuant to subsection (1) of this section regarding meal periods and rest periods do not apply to nurses who provide acute care in hospital settings if provisions of collective bargaining agreements entered into by the nurses prescribe rules concerning meal periods and rest periods....

Petitioner Legacy asks the Commissioner to amend OAR 839-020-0050 because it alleges that those rules “are not necessary to preserve the health of employees.” Barran Letter, p. 7. Petitions requesting rulemaking are governed by ORS 183.390, which provides:

Petitions Requesting Adoption of Rules

(1) An interested person may petition an agency requesting the promulgation, amendment or repeal of a rule. The Attorney General shall prescribe by rule the form for such petitions and the procedure for their submission, consideration and disposition. Not later than 90 days after the date of submission of a petition, the agency either shall deny the petition in writing or shall initiate rulemaking proceedings in accordance with ORS 183.335 (Notice).

(2) If a petition requesting the amendment or repeal of a rule is submitted to an agency under this section, the agency shall invite public comment upon the rule, and shall specifically request

public comment on whether options exist for achieving the rules' substantive goals in a way that reduces the negative economic impact on businesses.

(3) In reviewing a petition subject to subsection (2) of this section, the agency shall consider:

- (a) The continued need for the rule;
- (b) The nature of complaints or comments received concerning the rule from the public;
- (c) The complexity of the rule;
- (d) The extent to which the rule overlaps, duplicates or conflicts with other state rules or federal regulations and, to the extent feasible, with local government regulations;
- (e) The degree to which technology, economic conditions or other factors have changed in the subject area affected by the rule; and
- (f) The statutory citation or legal basis for the rule. [1957 c.717 §5; 1971 c.734 §8; 2003 c.749 §6]

The BOLI Commissioner has wide discretion and authority to engage in rulemaking and that discretion is given substantial deference by Oregon Courts. Notably, this request for rulemaking is not a challenge to current rule, but rather a request that BOLI change its rule so that those rules do not apply to Legacy and possibly a few other anti-union employers. The Commissioner can simply reject that request and ONA urges them to do so here.

IV. Proposed Rule

Most succinctly, Legacy has proposed that it be exempted from wage and hour regulations requiring that employers give their employees meals and breaks. As a flagrant and repeat offender of these meal and breaks regulations, it is understandable why Legacy would seek this exemption. Rather than comply with the rules, it now seeks to change those rules. The operative clause in Legacy's proposed rule is as follows:

(8) The provisions of this rule regarding meal periods and rest periods may be modified by the policies of a nonprofit health care medical center or hospital which provides patient care.

(9) The provisions of this rule are subject to the requirements of any licensing, standard of care, or patient care obligations or responsibilities of a nonprofit health care medical center or hospital which provides patient care.

Legacy is asking BOLI to eviscerate its meal and break rules for non-unionized nonprofit healthcare medical centers and hospitals, *aka* Legacy. Legacy is proposing that its own rules should be able to modify meal and breaks requirements unilaterally.

This audacious request is premised on an alleged "unfairness" created by subsection (7) of the same rule that allows employees, through a collective bargaining agreement they vote on, to agree to modifications of some aspects of meal and breaks. According to Legacy, because the BOLI rule allows **employees** to agree to modify these rules through a CBA, *ergo* **an employer**

whose employees are not represented by a union should be able to modify meals and breaks unilaterally. OAR 839-020-0050 (7) provides:

(7) The provisions of this rule regarding meal periods and rest periods may be modified by the terms of a collective bargaining agreement if the provisions of the collective bargaining agreement entered into by the employees specifically prescribe rules concerning meal periods and rest periods.

The first glaring deficiency in Legacy's request is that it fails to acknowledge that the exemption for employees covered by collective bargaining agreements is contained in BOLI's enabling statute. ORS 653.261 (2) and (3). It seems if Legacy has a concern with that provision, that concern is better addressed to the legislature.

Nevertheless, Legacy would have the BOLI Commissioner believe that as a matter of protecting employee health and welfare, that Legacy's own unilaterally adopted policy on meals and breaks is equivalent to employees' agreement to modify their meals and breaks through a collective bargaining agreement. It should go without saying that this makes little sense – Legacy may as well just say “trust us.”

As justification for its extraordinary ask, it makes the conclusory assertion that regulatory meal and rest periods are not necessary for the preservation of health of its employees. Barran Letter, p. 7. They say: “However, experience in Oregon health care has shown that these requirements are not necessary for the safety and health of employees.” Yet, Legacy provides no such evidence. Instead, they argue that since health care systems that are unionized can vary their meals and breaks, that must mean restrictions on non-unionized workplaces must not be necessary. Legacy's argument is nonsense.

First, nurses at nearly every acute care facility in Oregon other than Legacy's major medical centers are governed by an ONA collective bargaining agreement. What support Legacy has for its statement that regulation is not necessary would have to be based on those CBA's modifying meals and breaks to a standard lower than what is set out in statute. In fact, no CBA does any such thing.

Collective bargaining agreements do not drop below the floor created by the statute. For instance, the OHSU contract provides:

7.4 Meal and Rest Periods.

7.4.1 Meal periods. Employees are entitled to a non-duty, unpaid meal period of one-half (1/2) hour during each workday. Meal period coverage will be assigned as necessary in the course of making shift assignments. Employees required to be on duty during a meal period will be compensated.

7.4.2 Rest periods. Employees shall be provided a fifteen (15) minute rest period for each four (4) hours worked. Whenever possible, employees will be allowed to take their rest periods away from the immediate work area. At the Employer's discretion, rest periods may be combined with meal periods or taken prior to the end of the shift.

The Employer will make every effort to provide relief so that rest periods may be taken. When, despite such effort, none of the options for allowing rest breaks at alternative times is feasible because of the operating requirements of the Employer, the employee will be compensated at the straight time rate of pay.

https://cdn.ymaws.com/www.oregonrn.org/resource/resmgr/contracts/OHSU_Contract_2021-2023.pdf

The only variation from meals and breaks requirements reflected in those CBA's is to allow combining of paid break with a meal break which ensures that nurses at least receive one of their three breaks in a twelve-hour shift. (See ONA Contracts <https://www.oregonrn.org/page/21>). Moreover, if Legacy wanted to agree to such a combination of meal plus break, it currently has an opportunity to do so at the bargaining table for its Unity Center. Despite ONA's proposal to combine meals plus a break – Legacy has repeatedly rejected that proposal. Legacy attempt to have it have unilateral discretion to deny employees meals and breaks required by law cannot be justified by a provision that allows **employees** to negotiate over the application of meals and breaks through collective bargaining.

Second, and even more importantly, Legacy sees its own unilateral policies as equivalent to employee consent to modifications through a highly regulated collective bargaining process. This assumption betrays Legacy's fundamental disregard for the voice of its employees and the role of collective bargaining. Legacy does not even acknowledge that employee agreement to meal and break modifications through a labor union reflects the will of its employees more so than Legacy managers' unilaterally adopted policy.

Third, Legacy essentially asks BOLI to trust it and allow it to set its own rules for meals and breaks. This is the fox asking for permission to guard the hen house. As Legacy's counsel acknowledges, of all employers in Oregon, Legacy's name is nearly synonymous with meal and break violations. A short review of BOLI actions and circuit court actions reflects that Legacy is a habitual litigant defending its actions against its employees for violating these rules:

BOLI fines Legacy Health record-breaking \$5 million for denying employees breaks

https://www.oregonlive.com/politics/2018/09/boli_fines_legacy_health_recor.html

Nurse Files Class Action Against Legacy Over Breaks, Overtime

<https://www.thelundreport.org/content/nurse-files-class-action-against-legacy-over-breaks-overtime>

Bad Break: Oregon Employer Pays Quarter-Million Dollar Wage & Hour Fine

<https://www.fisherphillips.com/news-insights/bad-break-oregon-employer-pays-quarter-million-dollar-wage-hour-fine.html>

Since Legacy seems incapable of following the law, they are now seeking exemption from that law.

Notably, other employers who have sought agreement of their employees via a CBA do not fill Oregon reporters to the same extent. While Legacy has the right to engage in anti-union campaigns, to fight organizing efforts, and to draw out negotiations – other health care systems that have chosen to obtain the agreement of their employees through collective bargaining have fared far better.

Fourth, Legacy provides no support for its assertions and its assertions are patently false. Legacy states: “Petitioners are aware of no data, and the Bureau of Labor and Industries has neither provided nor cited any such data to support the assertion that Petitioners’ employees would suffer adverse health effects if the rule were to be modified. Additionally, **its employees work in temperature controlled medical settings, have access to proximate toilet facilities, and frequently have the ability to take short breaks throughout their workdays.**” Barran Letter, p. 8.

A perennial concern of nurses in acute care hospitals is a lack of breaks. Enforcing the existing law has been left to BOLI because of Legacy’s case of *Gafur v. Legacy Good Samaritan Hospital and Medical Center*, [344 Or. 525, 185 P.3d 446 \(Or. 2008\)](#) which prevents individual litigants from being compensated for missed breaks. As a result, ONA has sought the assistance of BOLI on numerous occasions for these missed breaks. Legacy nurses are not able to take “short breaks” throughout the day and certainly do not get the current breaks required by BOLI rule.

Finally, Legacy’s unsupported assertion that current BOLI rules require nurses to choose between letting a patient “die alone” (or walk away from a patient on suicide watch) or comply with the law to take a break is not only ridiculous, but reprehensibly callous. Legacy can comply with the law and provide breaks for its staff – it simply needs to provide adequate coverage through sufficient staffing. Legacy’s inability to comply with BOLI regulations (which it apparently acknowledges) and use of buddy system coverage, i.e where a nurse doubles their patient load so their colleague can go on break, is a function of Legacy’s own understaffing and failure to hire enough nurses. Legacy argues here that the solution to its failure to staff appropriately is to exempt it from the law requiring breaks. Instead, Legacy should provide adequate staffing and provide break coverage. To represent to BOLI that the result of Legacy’s staffing failures is that nurses are currently being placed in the untenable position of either abandoning a patient or not getting a break will certainly be of interest to BOLI’s sister agency the Oregon Health Authority. While OHA will take a keen interest, the solution is not for BOLI

to allow Legacy to deny its nurses the essential breaks that BOLI and the legislature have established as the baseline for the preservation of the health of Oregon employees.

V. There is No Conflict With Federal Law

Legacy asserts, without citation, that current law allowing variance from meal and break requirements through a collective bargaining agreement is unlawful. Counsel for Legacy fails to cite a single statute or case to support this outlandish assertion. In fact, arguably the lack of an exception for employees governed by a CBA could result in preemption. The fact that Jack Roberts sought an opinion about concerns about the exception for CBA's reflected in statute has no relevance to this rulemaking request. Counsel for Legacy is aware of the processes for making such a challenge, and is equally aware that this is not it.

VI. Conclusion

The current rule is within the statutory authority of the Commissioner and is designed to preserve employee health and safety. Legacy's proposed rule appears designed to undermine employee health and safety and would be *ultra vires*. For these reasons and those stated elsewhere in these comments, Legacy's request for rulemaking should be rejected.

Sincerely,

s/Thomas K. Doyle

Thomas Doyle
ONA General Counsel

TKD/
cc:

Seiler, Erin

From: Heintz,Lisa <HeintzLM@ah.org>
Sent: Thursday, May 20, 2021 7:14 AM
To: Seiler, Erin
Subject: change in lunch/break timing

I do not believe that hospitals should be given any leeway on this issue. They already push us to work longer/harder and with as short of breaks as possible. I believe they will take further advantage of their employees if given any quarter.

DO NOT DO THIS!

Lisa Heintz CST

[ADVENTISTHEALTH:INTERNAL]

Seiler, Erin

From: Virginia Smith <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 9:42 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Virginia Smith
viriniadsmithrn@gmail.com
3014 Southwest Flower Terrace
Portland, Oregon 97239

Seiler, Erin

From: Erica Swartz <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 9:12 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Too many of my nurse peers are having to forgo breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families. Nurses skip breaks when staffing is not sufficient for them to feel like their can safely leave. This is only increasing to well documented burnout and distress.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules. The hospital association is selling this measure to its members as adding greater flexibility for hospital staff to schedule their meals/breaks.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Erica Swartz
es131@hotmail.com
935 SE 16th Ave
Portland, Oregon 97214

Seiler, Erin

From: Melissa Camp <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 8:39 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Melissa Camp
melissa.camp@gmail.com
4812 SE 71st Ave
Portland , Oregon 97206

Seiler, Erin

From: Karl Rusterholtz <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 4:54 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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Karl Rusterholtz
rusty65810@gmail.com
18459 SE Blanton Street
Jennings Lodge, Oregon 97267

Seiler, Erin

From: Emily Park <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 4:49 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

And while we're at it can someone please get OHSU to provide meal and rest breaks?! Enough is enough!!

Emily Park
esp3232@gmail.com
2203 NE 54th Ave.
Portland, Oregon 97213

Seiler, Erin

From: Robert Filitor <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 2:59 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Robert Filitor
robfilitor@gmail.com
2935 SE Belmont St, #4
Portland, Oregon 97214

Seiler, Erin

From: Debbie McGrath <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 1:57 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Debbie McGrath
Mommadebbiern@gmail.com
15016 NE Sorrel Dr
Vancouver, Washington 98682

Seiler, Erin

From: Ivy Labrant <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 1:14 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Nurses often have to forgo breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on hospitals and patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Ivy Labrant
biggoldfsh@gmail.com
2422 SE 8th Court
Gresham, Oregon 97080

Seiler, Erin

From: Julie Smith <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 1:12 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is disgusting to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

This kind of practice drives experienced nurses out of bedside nursing.

Please reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Julie Smith
juliesmithmhp@yahoo.com
2902 NW 23rd Ave
Camas, Washington 98607

Seiler, Erin

From: Tara Candela <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 10:10 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Many nurses across Oregon often have to forgo breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it's had negative impacts on all those working in these patient care settings, and upon the patients for whom they provide care.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine health care workers' definitive right to rest and recover during breaks. Particularly for those of us who work 12-hour shifts, it is essential to receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Tara Candela
taracandela@gmail.com
3653 SE Honeysuckle PL
Hillsboro, Oregon 97123

Seiler, Erin

From: Roderick Williams <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 9:23 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Roderick Williams
roddy.wllms@gmail.com
2800 Applewood Lane, Apt 86
Eugene, Oregon 97408

Seiler, Erin

From: Hannah Fenster <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 6:21 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Hannah Fenster
hfenster@gmail.com
2933 NE Schuyler St
Portland , Oregon 97212

Seiler, Erin

From: Dawn Bryan <dewdoll@msn.com>
Sent: Wednesday, May 19, 2021 2:12 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Dawn Bryan
dewdoll@msn.com
19436 Stillmeadow Dr.
Oregon City, Oregon 97045

Seiler, Erin

From: Cathryn Chudy <info@email.actionnetwork.org>
Sent: Wednesday, May 19, 2021 12:24 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe. I am a behavioral health therapist who worked at Legacy Emanuel Hospital for 30+ years as a nursing staff on a behavioral health unit. Our work was intense and challenging, and a 30 minute lunch break in an 8 hour shift was essential. The health and safety of the patients in our care as well as our own health and safety depends on having a safe and fair rest break protected

Cathryn Chudy
chudyca@gmail.com
1506 E. 29th St.
Vancouver, Washington 98663

Seiler, Erin

From: Leah Bouchard <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 9:12 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Leah Bouchard
lbouchar@gmail.com
14510 NE 4th Ave
Vancouver, Washington 98685

Seiler, Erin

From: PAUL VAN WAARDENBURG <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 8:55 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

PAUL VAN WAARDENBURG

pfvw06@gmail.com

5380 DONALD ST

EUGENE, Oregon 97405

Seiler, Erin

From: Angela Dials <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 6:42 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Angela Dials
adials@hotmail.com
PO box 204
Beavercreek, Oregon 97004

Seiler, Erin

From: Nakia Casey <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 4:55 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a personal friend of many nurses in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws. As a regular patient, I want to be sure my caregivers are nourished and comfortable.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Nakia Casey
portlandsassy@yahoo.com
7110 SW Lola Lane
Tigard, Oregon 97223

Seiler, Erin

From: Patricia Kuns <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 4:40 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

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The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Patricia Kuns
pkuns@hotmail.com
272 sw Valeria View Drive
Portland , Oregon 97225

Seiler, Erin

From: Tatiana Mueller <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 9:05 AM
To: Seiler, Erin
Subject: Nurses Need Safe Protected Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Tatiana Mueller
trbmueLLer@gmail.com
7125 NW Ramona Lane
Corvallis, Oregon 97330

Seiler, Erin

From: Naba Kanteh <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 9:04 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Naba Kanteh
costynabs@yahoo.com
420 nw 11th ave
Portland , Oregon 97209

Seiler, Erin

From: Stephanie Francis <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 7:41 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Stephanie Francis
franciss0416@gmail.com
928 SEDix Ct
Troutdale, Oregon 97060

Seiler, Erin

From: Samantha Topinka <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 1:17 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Samantha Topinka
samari359@yahoo.com
5768 SE Bybee Dr
Portland, Oregon 97219

Seiler, Erin

From: Randall Anderson <info@email.actionnetwork.org>
Sent: Tuesday, May 18, 2021 12:49 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Randall Anderson
randallanderson777@gmail.com
524 n Farragut
Portland , Oregon 97217

Seiler, Erin

From: Jeff Ferrier <info@email.actionnetwork.org>
Sent: Monday, May 17, 2021 10:38 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

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I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Jeff Ferrier
jeffreyferrier@gmail.com
6515 N Campbell Ave
Portland, Oregon 97217

Seiler, Erin

From: Maggie Guay <info@email.actionnetwork.org>
Sent: Monday, May 17, 2021 9:15 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Maggie Guay
bachhuber.maggie@gmail.com
1414 S Birch Ct
Canby, Oregon 97013

Seiler, Erin

From: David Kaufman <dkaufman6319@gmail.com>
Sent: Monday, May 17, 2021 6:13 PM
To: Seiler, Erin
Subject: Petition for Rulemaking on OAR 839-020-0050

Dear Ms. Seiler.

As a Nurse, I am writing to urge that the changes being proposed by non profit hospitals to the administration of breaks in Oregon be denied. Oregon nurses need our breaks and BOLI needs to ensure that those breaks are given in a timely consistent manner. Facilities need to staff appropriately to ensure great patient care. This drive is a band aid that will result in greater staff burnout.

Best,
David Kaufman, RN
Portland, Oregon

Seiler, Erin

From: Hillary MacIntyre <info@email.actionnetwork.org>
Sent: Monday, May 17, 2021 4:27 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Hillary MacIntyre
Hillabee2000@yahoo.com
8673 se Diamond creek court
Happy valley, Oregon 97086

Seiler, Erin

From: Devra Polack <info@email.actionnetwork.org>
Sent: Monday, May 17, 2021 11:58 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As an Oregon resident who greatly appreciates the role nurses have had in saving my and my loved ones lives, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

So many nurses often have to forgo their breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on them and also on patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential that all healthcare workers receive breaks so they can be at their best for their own safety and all of our safety.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Devra Polack
webspinster@gmail.com
8838 N Dana Ave
Portland, Oregon 97203

Seiler, Erin

From: Lennie Adaza <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 10:15 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

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The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Lennie Adaza
lennie.adaza@yahoo.com
304 NE Multnomah St
Portland, Oregon 97232

Seiler, Erin

From: Jeffrey Bolt <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 9:50 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

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Jeffrey Bolt
crowbolt@gmail.com
2230 Hideaway Court
Eugene, Oregon 97401

Seiler, Erin

From: Marianne Zundel <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 5:01 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

IF we want safe patient care-
we need nurses to get their meals and breaks!
Simple.

I am a nurse at a facility that now has coverage for our
meals/breaks-what a difference! Compliance with the law
safeguards our health along with our patient's health.

Marianne Zundel, RN
Nurse for over 40 years and counting!

Marianne Zundel
marzundel@yahoo.com
1945 Friendly St
Eugene, Oregon 97405

Seiler, Erin

From: Michael Koehler <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 4:02 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Michael Koehler
mkoehler88@gmail.com
2724 SE 20th Ave
Portland, Oregon 97202

Seiler, Erin

From: Kara Powers <kara@brassmonkey.com>
Sent: Sunday, May 16, 2021 2:11 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Kara Powers
kara@brassmonkey.com
2779 Warren St.
Eugene, Oregon 97405

Seiler, Erin

From: Marisa Goldfinger <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 12:01 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Marisa Goldfinger
mgoldfinger1@gmail.com
39424 E Knieriem Rd
Corbett, Oregon 97019

Seiler, Erin

From: Sarah Mittelman <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 11:58 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Sarah Mittelman
sarahmittelman@hotmail.com
3504 F St
Vancouver, Washington 98663

Seiler, Erin

From: Sandra Youngworth <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 11:35 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Sandra Youngworth
1nwcat@gmail.com
222 SW Harrison St Apt 10 B
Portland, Oregon 97201

Seiler, Erin

From: Sorrel Karaba <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 9:18 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Sorrel Karaba
s.pootska@gmail.com
3410 SE 55th ave
Portland, Oregon 97206

Seiler, Erin

From: Schlifka Collier <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 8:43 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations. By undermining breaks for nursing staff, this will negatively impact patient safety.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

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Schlifka Collier
schlifka@gmail.com
13230 Southwest Barlow Road
Beaverton, Oregon 97008

Seiler, Erin

From: Megan Farley <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 8:13 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

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Megan Farley
megan.ruge@gmail.com
3910 SE View Acres Rd
Milwaukie, Oregon 97267

Seiler, Erin

From: Lisa Incognito <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 8:11 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Lisa Incognito
lisa.incognito@gmail.com
8775 SW Reiling St
Tigard, Oregon 97224

Seiler, Erin

From: Cheryl Nicponski <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 8:05 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Cheryl Nicponski
Cnicponski@yahoo.com
5038 Foothills Rd
Lake Oswego, Oregon 97034

Seiler, Erin

From: David Neves <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 6:50 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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David Neves

davidwneves@icloud.com

7210 N Burlington ave, Apt 204

Portland, Oregon 97203

Seiler, Erin

From: Tiffany Reinke <tiffanyreinke@msn.com>
Sent: Sunday, May 16, 2021 5:22 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Tiffany Reinke
tiffanyreinke@msn.com
3718 ne 42nd Ave
Portland, Oregon 97213

Seiler, Erin

From: Angela Longoria <info@email.actionnetwork.org>
Sent: Sunday, May 16, 2021 12:58 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks!

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families. Critical thinking is at risk when we do not refresh our mind & body. Patient acuity has increased over the last several years, and requires more careful coordination of care and higher intensity to provide the same quality of care.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

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Angela Longoria
drlacs@yahoo.com
13623 NE Fremont St
Portland, Oregon 97230

Seiler, Erin

From: Merie Jackson <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 11:32 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Merie Jackson
meriej@hotmail.com
15416 NE 96th St
Vancouver, Washington 98682

Seiler, Erin

From: Julius Fernandez <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 11:13 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

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I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Julius Fernandez
julesceasar01@gmail.com
5902 NE 56th Court
Vancouver , Washington 98661

Seiler, Erin

From: Scarlett Gross <drummos@eou.edu>
Sent: Saturday, May 15, 2021 10:13 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

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Scarlett Gross
drummos@eou.edu
7718 Northeast 20th Street
Vancouver, Washington 98664

Seiler, Erin

From: Katherine Dahlberg <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 7:26 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

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Katherine Dahlberg
katie.dahlberg@gmail.com
4415 se 49th ave
Portland, Oregon 97206

Seiler, Erin

From: Laura Gragert <Lmgragert@msn.com>
Sent: Saturday, May 15, 2021 7:13 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Laura Gragert
Lmgragert@msn.com
17312 SE Oatfield Road
Portland , Oregon 97267

Seiler, Erin

From: Arianna Dillio <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 6:47 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

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Arianna Dillio
mielmeow@yahoo.com
6043 SE Francis St
Portland , Oregon 97206

Seiler, Erin

From: Emily Grami <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 6:18 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I almost always have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients. Which we don't get paid for missing breaks unless we clock out misses lunch. However, nurses get in trouble for clocking out missed breaks so no one does it, they just go unpaid.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Emily Grami
emilygrami@gmail.com
4382 S Elliott Prairie Rd
Woodburn, Oregon 97071

Seiler, Erin

From: Bill Erickson <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 6:15 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Bill Erickson
azcanyondreamer@gmail.com
4353 Sw Stephenson Street
Portland , Oregon 97219

Seiler, Erin

From: Anita Ott-Hendrickson <anita.otthendrickson@providence.org>
Sent: Saturday, May 15, 2021 4:41 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Anita Ott-Hendrickson
anita.otthendrickson@providence.org
2375 SW Timberline Drive
Portland , Oregon 97225

Seiler, Erin

From: Loretta Gonzales <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 10:22 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Loretta Gonzales
loretta.gonzales@gmail.com
395 Lynnbrook Dr
Eugene , Oregon 97404

Seiler, Erin

From: Dawn Prall <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 9:19 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. Whether working 8, 10, or 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

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Dawn Prall
daisleepr@hotmail.com
1988 Heitzman Way
Eugene , Oregon 97402

Seiler, Erin

From: Aimee Doyle <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 7:37 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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In a time when it is acceptable for nurses to be assaulted. In a time when it is acceptable for nurses to put their and their families lives at risk. In a time when it is acceptable for nurses to wear an N95 all shift- when asked about hydration, we were told to "make our own choices." This has been a horrible year for nurses. Nurses are flocking away from the bedside because of a complete lack of support. We don't want to. But without laws keeping our employers in check, we will continue to be abused. And while I'm on a role, assaulting hospital staff should be a felony. There are no consequences for when I'm assaulted at work. When. Not if. And when I'm assaulted, I'm the one ashamed and I do not want my family to know.

Aimee Doyle
ad97203@hotmail.com
10026 n Syracuse st
Portland, Oregon 97203

Seiler, Erin

From: Danielle Gonzales <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 6:45 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

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Danielle Gonzales
danielleg9@hotmail.com
2800 Applewood Lane Apt 86
Eugene, Oregon 97408

Seiler, Erin

From: Joan Irwin <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 5:52 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

I want you to know that nurses everywhere willingly give up a lot for our patients every day. Given the choice between offering safe patient care and taking the breaks we need to maintain our sanity (& therefore act as competent nurses), most of us choose patient care. Over and over and over. This is the rule, not the exception. Break issues are always structural.

I now work as an Emergency Nurse, and for the first time get most of my breaks because we have break nurses. Most every other nurse in the hospital regularly misses 1-3 breaks/shift--regardless of how we clock. I know this because I've worked med-surg, critical care, and now ED all at the same hospital. I hear that most buddy system nurses elsewhere have similar experiences--and this is with the current staffing law that theoretically enforces each hospital's staffing plan. I'd like to see this end over my next 5 years of practice. Taking a hit monetarily or in certification is the only way this changes. Anyone who has worked in a hospital knows this.

But this step of rewriting the law by the non union hospital system that regularly tramples worker's rights to fair breaks? Unacceptable. We need stronger breaks enforcement, not more lenient. Even if we weren't in midst in the gravest/most widespread public health crisis of most of our lives thus far--even if we don't expect accelerating crises--this would be unacceptable. As it is, we're losing nurses by the scores. For

those of us working in covid units, breaks may be the only times we take off ppe, drink water, go to the bathroom. There is no way we can move backwards. Please enforce and strengthen current regulations. If they need a re write, hire an independent commission and include half bedside nurses and other frontline workers. We live this and are not ok with this.

For more on my and other ONA nurses' concerns:

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Joan Irwin

joan.evelyn.irwin@gmail.com

4034 n Mississippi Ave, --

Portland, Oregon 97227

Seiler, Erin

From: Lucy Dawson <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 4:59 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

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Lucy Dawson
lucyolson@hotmail.com
730 Cathance Rd
Topsham, Maine 04086

Seiler, Erin

From: Gina Ottinger <info@email.actionnetwork.org>
Sent: Saturday, May 15, 2021 1:11 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Gina Ottinger
ottinger.gina@gmail.com
8275 sw 165th Avenue
Beaverton, Oregon 97007

Seiler, Erin

From: Elissa Satter <info@email.actionnetwork.org>
Sent: Friday, May 14, 2021 9:31 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

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Elissa Satter
elissasatter@gmail.com
1545 7th street
West Linn , Oregon 97068

Seiler, Erin

From: Sonda Martin <info@email.actionnetwork.org>
Sent: Friday, May 14, 2021 8:41 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations. Hospitals already find ways to short-staff their hospitals, making it harder for nurses to adequately care for their patients. Now they want to rewrite the rules to shortchange them on breaks, too?

Like many nurses across Oregon, I have often had to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

IN FACT, I TOOK "A BREAK" FROM NURSING LAST YEAR DUE TO EMPLOYER-CAUSED BURNOUT AND I DON'T SEE MYSELF RETURNING TO NURSING. THAT'S ONE MORE NURSE SHORT.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

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Sonda Martin
nfdemtp74@gmail.com
126 E Clifford Ct
Newberg, Oregon 97132

Seiler, Erin

From: Porsha Winder <info@email.actionnetwork.org>
Sent: Friday, May 14, 2021 8:09 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

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Porsha Winder
porshasamuels@gmail.com
3280 SW 170 th Ave Apt 807
Beaverton , Texas 97003

Seiler, Erin

From: Jack Gordon <LASTSEPTEMBER@GMAIL.COM>
Sent: Friday, May 14, 2021 8:01 PM
To: Seiler, Erin
Subject: Nurses Deserve A Break!!

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Nurses have never experienced a year like this past one, and it has been unbelievably exhausting and traumatic for so many of us in the front lines! Our colleagues are leaving the hospitals in droves, making already critical staffing shortages that much more dire. We work unbelievably hard under increasingly stressful situations and we need our legally mandated breaks!

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Jack Gordon
LASTSEPTEMBER@GMAIL.COM
1237 NE 71st Ave
Portland, Oregon 97213

Seiler, Erin

From: Kimber Nelson <info@email.actionnetwork.org>
Sent: Friday, May 14, 2021 7:44 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Portland, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

While I work in an outpatient OHSU clinic, I worry about my patients who are hospitalized across several of our local hospital systems because I know their inpatient nurses often have to forgo breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients. Nurses who don't have breaks risk burn out and leaving the profession, which is a long-term risk to my patients. Nurses stretched too thin to cover their colleagues breaks inevitably risk immediate patient safety because they can't attend to 8 patients simultaneously.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Kimber Nelson
kimber_nelson@hotmail.com
7827 SE 66th Avenue
Portland, Oregon 97206

Seiler, Erin

From: Deese Miller <info@email.actionnetwork.org>
Sent: Friday, May 14, 2021 7:25 PM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

The corporation known for breaking Oregon's meal and rest break laws can't be allowed to write its own rules.

I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

While I don't work for Legacy, I do work in the emergency department at a very busy hospital in Portland. I am all too familiar with how easy it is for a large hospital system to tell its staff that we have to work short-handed or through our breaks. Don't let our employers break the law because they don't want to financially support their staff. Heros need lunch breaks too!

We are facing unprecedented challenges during this pandemic, and more and more bedside hospital staff are choosing to leave direct health care due to inadequate staffing and no rest periods. Breaks and adequate staffing are one way nurses, emts, cnas and doctors know they have value to their employers.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Deese Miller
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211 NE 87th Ave
Portland, Oregon 97220-5930

Seiler, Erin

From: Ateusa Salemi <info@email.actionnetwork.org>
Sent: Friday, May 14, 2021 11:58 AM
To: Seiler, Erin
Subject: Nurses Need Safe Breaks

Erin Seiler,

As a registered nurse in Oregon, I strongly oppose Legacy Health's proposal to circumvent Oregon's meal and rest break laws and regulations.

Like many nurses across Oregon, I often have to forgo my breaks because hospitals across the state are forcing nurses to do more with less. This problem has gotten even worse during COVID-19 and it has numerous negative impacts on me, my colleagues and my patients.

It is downright alarming to see Legacy Health and other Oregon hospitals attempt to undermine frontline health care workers' right to rest and recover during safety breaks. During 12-hour shifts it is essential we receive breaks so we can be at our best for our patients and their families.

It's even more upsetting to learn Legacy Health is proposing this change so it can write its own rules.

As you know, Legacy Health has received numerous fines from BOLI for repeatedly and systemically denying workers' breaks, including a historic \$5 million fine levied in 2018.

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I strongly oppose Legacy's and other hospitals proposal to change rest and meal breaks law (839-020-0050) in order to write their own rules.

I encourage BOLI to reject these changes and continue protecting health care workers' right to safe and fair meal and rest break standards to keep all Oregonians healthy and safe.

Ateusa Salemi
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Seiler, Erin

From: David Schuck <dschuck@wageclaim.org>
Sent: Wednesday, May 5, 2021 8:34 AM
To: Seiler, Erin
Cc: kmoore@wageclaim.org; sbrown@wageclaim.org; lbaze@wageclaim.org; elisabeth@wageclaim.org
Subject: [Boli_rules] Request for public comment on Petition for Rulemaking
Attachments: Ex 1 Union Amicus.pdf

Public Comment to Proposed Amendments to OAR 839-020-0050

We are attorneys at Schuck law. We represent employees in employment disputes, with a particular focus on wage and hour issues. We write in opposition to the petition requesting amendments to the Bureau of Labor and Industries (BOLI) Oregon Administrative Rules (OAR), specifically OAR 839-020-0050 regarding rest and meal periods. The proposed amendments would unnecessarily exempt a significant number of employees in the state from the “minimum conditions of employment” necessary for the health protections provided by rest and meal periods. The proposed exemption is not required because the rest and meal period rule already protects medical providers where “the safety and health of other employees, patients, clients or the public” are affected. OAR 839-020-0050(4)(d). Instead, the only purpose for this proposed change is to avoid payment of the wages for meal periods they interrupt as required by the ruling in *Maza v. Waterford Operations, LLC*, 300 Or App 471 (2019) *rev den* 366 Or 382 (2020). Further, it will ensure that significant portions of the workforce never receive their rest and meal periods.

This petition to amend the rest and meal period rule is in response to the ruling in *Maza*, a case our firm prosecuted. In *Maza*, the Court found that employees of two assisted living/medical providers were required to pay wages for short meal periods. These two facilities are part of the Avamere Health Services' Family of Companies that have facilities throughout Oregon under multiple names. BOLI's amicus brief in *Maza*, provided its interpretation of OAR 839-020-0050, which mirror the Court's holding. BOLI argued that "no general exemption exists for employees who would prefer not to take a meal period. Because the purpose behind the rule is expressly *health*, it is critical that employers generally ensure that employees are actually relieved of work duties for a full 30-minute meal period." (BOLI Amicus at pg. 4) (emphasis in original) (If BOLI needs a copy of their amicus brief, let me know, I am happy to provide it).

The AFL-CIO also submitted an Amicus brief in *Maza* detailing the history of the rule and its purpose to protect employees and urged the Court to rule that employers must do more than provide an opportunity for a meal period. (Ex. 1). In detailing the rule's long history, the AFL-CIO explained that the overriding policy behind the rule is to promote employee health and to prevent employers from coercing their employees into sacrificing that concern. The proposed changes would allow many large health-care employers in Oregon to evade the rule's express purpose at the expense of Oregon employees.

This proposed amendment to the meal period rule would exempt major employers in Oregon from the consequences of failing to provide required rest and meal periods, and further allow them to avoid payment of wages for that failure. The same proposed rule would also avoid any consequences for failing to provide any rest periods. Thus, the employees of specific medical providers will have no protection for rest and meal periods, leaving the public with unhealthy and fatigued medical professionals to care for them. Petitioner argument that failing to give meal periods to the medical facility employees will not "contribute to employee fatigue and discomfort in the performance of their duties" is simply incorrect. Medical professionals, often on 12 hour shifts, need rest and meal periods just like all other Oregon workers. It is part of the human condition that rest and nutrition are needed to work accurately and safely. Without rest and meal periods, these front line workers run the risk of injuring themselves or others.

BOLI was empowered to "adopt rules prescribing such minimum conditions of employment . . . in any occupation as may be necessary for the preservation of the health of . . . employees." ORS 653.261(1). Part of BOLI's response was to promulgate OAR 839-020-0050's rest and meal period requirements. For around 50 years, as detailed in the AFL-CIO's amicus brief in *Maza* and supporting documentation, the rest and meal period rule has focused on how to best protect the health and safety of employees. (Ex. 1)

BOLI's amicus brief also explained that "[t]he rules on exceptions and waivers are the product of an extensive rulemaking history that has included significant participation by the public—including an advisory committee comprised of business and labor representatives." (BOLI Amicus at pg. 9). Many groups have testified regarding the potential for employer coercion and abuse in avoiding rest and meal period regulations. See Ex. 1 pages 13-18 (as paginated in document) 20-24 of the complete document. BOLI's current articulation of the rule represents the intended balance between the employee's right to a legally required meal period and the workplace conditions that may make complete relief for an uninterrupted 30-minute meal period "not always feasible." This proposed rule making seeks to undo close to 50 years of protection for all employees working in a particular segment of the job market.

Of particular note, this proposed change to the rule is not about patient safety, but instead, is about making employees pay the cost with their health where these medical providers fail to provide the meal periods. Under the current rule, no employer would be "forced" to give a lunch where patient needs mandate the employee's attention. In Petitioner's example of a health-care worker who feels professionally obligated to remain with a patient – that worker would simply need to be paid as the rule requires. The proposed rule change incentivizes these employers to fail to give rest and meal periods because profits go up when they receive free labor. This is the opposite of the purpose behind the rest and meal periods – of assuring employees receive their proper rest and nutrition to protect their health.

Medical providers, like all other employers, have a choice. They can provide staffing to relieve employees for the rest and meal periods as required. If an emergency situation exists and 30 minute meal period is not possible, they simply have to pay the employee. So whether they pay the employee for a missing or short meal period, or pay another professional to relieve the employee for the rest and meal period, the medical provider must pay someone. Paying employees for work time would hardly "interfere with licensure obligations" or implicate patient safety as Petitioners claim. If those employees work, they simply have to be paid. This is what the Petitioners seek to avoid. Tellingly, Petitioners also specifically argue that their concern is that the existing rule "increase[s] operational expense." Simply put, they do not want to pay the extra wages due to employees who are required to work through lunch.

A significant number of employees work in the medical care industry. In 2018, Oregon had 134,544 licensed medical providers in Oregon. <https://www.oregon.gov/oha/HPA/ANALYTICS/HealthCareWorkforceReporting/001-Workforce-Supply-with-Appendix-2018.pdf>. This number does not include all non-licensed individuals who provide food/cooking services, maintenance, laundry, janitorial services, etc. in a medical setting. Thus, a significant portion of the population will no longer receive rest breaks or meal periods, and these tired and unhealthy workers will be the ones caring for us when we have health issues. Sadly, this is right in the middle of a pandemic where the pressure and risk our medical workers endure are already extremely high.

It should also be noted that this likely is just the tip of the iceberg. Other industries will seek to carve out their own free-for-all exceptions to the meal and rest periods. The proposal is simply a money grab by a wealthy industry and should be rejected.

The *Maza* Court did not change the law that has been in place for years, but simply interpreted the rule to mean that an employer must pay for its choices not to provide the meal period. The medical industry is no different than any other industry. All must provide the appropriate rest and meal periods or pay wages. The rest and meal period regulations require that if the employee is not relieved of all duties for their full meal period, the employer must pay all the wages (30 minutes) for that failure. The current rule is the result of a deliberate and careful effort to balance the needs of employers with the health and safety of employees, and to ensure that employees are paid for all their work time.

BOLI should reject the proposed amendments to OAR 839-020-0050. The amendments are antithetical to the goals Oregon set out providing its workers with this modest and necessary benefit to protect their health.

Sincerely

Schuck Law, LLC

Attorneys David A. Schuck, Karen A. Moore, Leslie E. Baze, and Stephanie J. Brown.

Sincerely,

David A. Schuck (he/him)

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Seiler, Erin

From: Sviridyuk, Tatyana :LMH Respiratory Therapy <TSVIRIDY@LHS.ORG>
Sent: Friday, April 30, 2021 7:47 PM
To: Seiler, Erin
Subject: OAR 839-020-0050

Please do not change this rule, because some of us will never get a lunch at work if this rule is changed.

Thank you,

Taty

Seiler, Erin

From: Alana G I Simmons <alana@daltonlawfirm.com>
Sent: Thursday, April 22, 2021 10:42 PM
To: Seiler, Erin
Subject: Public comments on Proposed Amendments to OAR 839-020-0050

Hello Ms. Seiler –

I write as an attorney representing workers in employment and wage and hour cases. I understand that there is a proposed amendment to OAR 839-020-0050. I am quite concerned with the proposed exemption of any “nonprofit health care medical center or hospital” from meal and rest period rules.

There is already quite a bit of abuse of employees in these settings; to exempt these entities further would enable the entities to even further trample the rights and protections of our front line workers. Even the nonprofit medical entities pay an awful lot to their management team and board; they can afford to properly staff their clinics so that staff can be provided with lunches and breaks pursuant to OR law. To do otherwise would give them a free pass to short-staff and avoid the lunch rules – and would also harm patients because of these incentives to short staff.

There are already protections for medical providers to protect patient safety within OAR 839-020-0050. The purpose of this amendment is certainly not to protect patients... if the workers are not provided adequate break/rest times to eat/refresh themselves, that actually will put patients in danger of being treated by healthcare workers who are certainly not at their best. And, statistically, most healthcare workers (nurses, techs, etc.) are women – many of whom are also caring for children. These rest periods are necessary for them to possibly check in on their kids who are doing online school or for other reasons.

For these reasons and more, I would request that the OAR not be amended as proposed. It will have vast and deleterious affect on workers in this industry.

Sincerely,

Alana G. I. Simmons
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The Dalton Law Firm
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Portland, OR 97201
P: [503-253-6029](tel:503-253-6029)
F: [503-212-4439](tel:503-212-4439)

From: Boli_rules [mailto:boli_rules-bounces@omls.oregon.gov] **On Behalf Of** Seiler, Erin via Boli_rules
Sent: Thursday, April 22, 2021 8:56 AM
To: boli_rules@listsmart.osl.state.or.us
Subject: [Boli_rules] Request for public comment on Petition for Rulemaking

On March 22, 2021 the Labor Commissioner received a petition requesting amendment to the Bureau of Labor and Industries (BOLI) Oregon Administrative Rules (OAR). Pursuant to [ORS 183.390](#) and [OAR 137-001-0070](#) petitioners request an amendment to OAR Chapter 839, Division 20 – Meal and Rest Periods.

Seiler, Erin

From: Michael O. Stevens <michael@hillsborofirm.com>
Sent: Thursday, April 22, 2021 10:27 PM
To: Seiler, Erin
Subject: Proposed rule change to OAR 839-020-0050
Attachments: 2020-continuing-disclosure-annual-report_q4.pdf

I oppose such a rule change. Most hospitals in this state are technically non-profit, as both Providence and Legacy Health are non-profits. If you review Providence's financials (attached) they can afford to hire enough people to properly staff their facilities to ensure people can have a lunch, or at the very least, pay them if their employees work through a lunch. This would be different if it was a small, truly not for profit clinic that literally could not afford to hire more staff.

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Attorney

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Seiler, Erin

From: Whitney Stark <whitney@albiesstark.com>
Sent: Thursday, April 22, 2021 11:44 AM
To: Seiler, Erin
Subject: Comment on proposed amendment to OAR 839-020-050
Attachments: Proposed Amendment to OAR 839-020-0050.pdf

I write to oppose the proposed amendment to OAR 839-020-050. This proposed amendment appears to broadly allow medical providers to rewrite, without limitation, the rules regarding meal and rest periods for their employees. This is very concerning. The proposed amendment provides no protections to workers. In fact, it appears that it removes any protections they currently have, replacing them with a blank slate for the employer to write its own rules. It is unclear why employees of medical centers or hospitals should be allowed to write their own policies (again, without any requirement that they comply with the law or otherwise guarantee adequate meal and rest breaks). Employees who work in medical facilities and hospitals need and deserve adequate meal and rest breaks, and this proposed amendment would undermine their ability to take those breaks. I urge BOLI to not adopt this rule that will cause harm to employees.

Whitney Stark

ALBIES & STARK

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T: 503-308-4773 | F: 503-427-9292

Pronouns: she/her