

MedStar Washington Hospital Center

Counter Proposal

May 21, 2021

11:30

**Hospital's response to the Union's May 19, 2021 Proposal @
5:00 PM**

Proposal #5 – Shift Differential

The Hospital does not accept the Union's proposal

**Hospital's response to the Union's May 19, 2021 Proposal @
5:00 PM**

Proposal – 12.3 Health and Dental Premium Cost Sharing

The Hospital does not accept the Union's proposal

Hospital's response to the Union's May 19, 2021 Proposal @ 5:00 PM

New Article 14.17(b) Occupational Health & Safety

(a) The parties recognize the Hospital's responsibility to maintain a safe and healthy environment for the well-being of employees, patients and visitors; and to reasonably protect associates exposed to dangers which are intrinsic to their work; and to comply with mandatory legal requirements in all applicable health and safety laws and regulations, including, but not limited to, federal and District of Columbia laws, Department of Consumer and Regulatory Affairs (DCRA) regulations, JCAHO standards, OSHA regulations (including the Hazard Communication standard), and NIOSH regulations. The parties further recognize the importance of cooperation to promote and encourage compliance with applicable health and safety laws and regulations and with Hospital programs, policies and standards relating to infection control and disease prevention. The Hospital's compliance with the mandatory legal requirements in said laws, regulations and standards is not subject to the grievance and arbitration procedures of this Agreement, however the other portions of this Article are subject to those procedures.

(b) All protective equipment required by Standard Precautions or other Hospital safety protocols will be provided, absent extenuating circumstances, in sufficient quantities by the Hospital free of charge to associates. The Hospital shall provide associates with adequate training on the proper methods and procedures in the use of such protective equipment. The Hospital will make reasonable efforts to provide training on protective equipment on all shifts. Time spent at the direction of the Hospital in training on protective equipment will be considered working time.

(c) No one shall be required to use hazardous equipment, devices or materials for which s/he is not adequately educated to use in a safe manner. Where a dispute arises as to whether the use of particular equipment is hazardous, the Hospital Safety Officer's professional ruling shall prevail.

(d) As required by applicable laws and regulations, the Hospital shall notify associates when unsafe or unhealthful working conditions or a situation of imminent danger is determined to exist. Corrective measures will be initiated promptly in accordance with all applicable federal or District of Columbia regulatory requirements. Such corrective measures will be reviewed by the MWHC Environment of Care Committee.

(e) In the interest of safeguarding patient, visitor, and co-worker health and wellbeing, the Hospital shall require associates to take medical precautions deemed necessary by the Hospital, including hand washing, donning of protective equipment, or vaccination, in order to protect against contraction of infection, illness, or other communicable disease. The Hospital may require those vaccinations or immunizations for which the Center for Disease Control and Prevention “strongly recommends”; **as long as the vaccine is fully approved by the FDA. While vaccine is under Emergency Use Authorization (EUA) associates must have the option to accept or decline the experimental drug. Associates must be told the risk and benefits, and they have the right to decline a medication that is not fully licensed.**

In the event that the Hospital determines that such a vaccine is safe, effective and necessary, associates will have the following options: (i) take the vaccination provided at no charge by the Hospital; (ii) show proof of vaccination in a manner acceptable to the Hospital; or (iii) obtain a medical or religious exemption from the Hospital.

The Hospital agrees in concept to the language proposed by the Union highlighted above in blue. Additional language editing required.

The Hospital does not accept the union’s proposal for section (f) hazard pay or (g) eligibility for compensation.