

Does your assignment violate the law?

The state of California sets minimum staffing requirements, called Title 22 regulations (www.bit.ly/Title22), that hospitals must follow when giving us an assignment. These regulations set a cap on how many patients we can legally accept. If we accept anything over that maximum assignment, we put our license at risk. All nurses can refuse to go out of ratio (see unit-by-unit ratios: www.bit.ly/Title22Ratios), except in the case of an emergency.

NO

YES

Great job protecting your license and patients!

You are putting your license at risk

For example, in California, nurse to patient ratios are the law. If a nurse accepts an unlawful assignment and a negative patient event occurs, the BRN will hold the nurse accountable. **"They made me take the assignment" is not a defense.**

Are you being pressured to accept an unlawful assignment?
If pressured to accept more patients than is lawful, the nurse could say: **"I will accept my lawful assignment of ___ patients."**

NO

YES

My supervisor continued to insist that I go out of ratio or accept the unlawful assignment. They also accused me of abandoning my patients or insubordination.

YES

I stood FIRM and only agreed to accept a legal assignment. Abandonment only happens if you ACCEPT an assignment.
www.bit.ly/2CeCs2h

YES

You are protected by California Labor Code 1102.5(c)!
This law protects you from retaliation for refusing assignments that you believe violate laws and regulations (eg: Title 22).

My employer retaliated. What can I do?

AB 1102 (Health and safety code 1278.5) is on your side!

AB 1102 protects an employee against retaliation for reporting unsafe patient care and conditions to management (eg: manager, director, or house supervisor) or a regulatory agency.

If you refuse and or report an unlawful assignment and are disciplined or retaliated against; you have options through our Union and government agencies.

FOLLOW THESE STEPS

1. Call your Steward
2. Call your Union Representative

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