My name is Stephen Magro and I'm the Research Analyst for District 1199. We represent 23,000 health care workers in Connecticut and Rhode Island, including the 400 workers on strike at four nursing homes owned and operated by Spectrum Healthcare, Birmingham Health Center in Derby, Hilltop Health Center in Ansonia, Laurel Hill Health Center in Winsted and Park Place Health Center in Hartford. I'm here to testify about our research into the health and safety records of these and other Spectrum Healthcare nursing homes in Connecticut.

Over the years we've heard from workers at these facilities about high rates of injury and inadequate health and safety policies. Our concerns were heightened when we learned earlier this year that five of Spectrum's six Connecticut nursing homes received letters from the Occupational Safety and Health Administration (OSHA) notifying them that they are among the 15,000 employers whose workers suffer rates of workplace illness and injury that are over twice the national average for similar workplaces.

These five homes, which include all of the four homes on strike, are repeat offenders, having received these notices for at least the last five years. In fact, this past year, Spectrum had a higher percentage of its homes in receipt of these letters than any sizeable nursing home company operating in our state.

OSHA issues these letters based on the DART rate - which documents workplace injuries severe enough to warrant **D**ays **A**way from work, job **R**estrictions and/or job **T**ransfers - the standard for measuring an organization's safety record.

According to Assistant Secretary of Labor for OSHA Dr. David Michaels "Receipt of this letter means that workers in that particular establishment are being injured at a higher rate than in most businesses of its kind in the country. Employers whose businesses have injury and illness rates this high need to take immediate steps to protect their workers."

What we have experienced dealing with Spectrum has only reinforced the impression of a company that feels it is above the law and will only comply with the law if forced, and even then only at or even after the last possible minute.

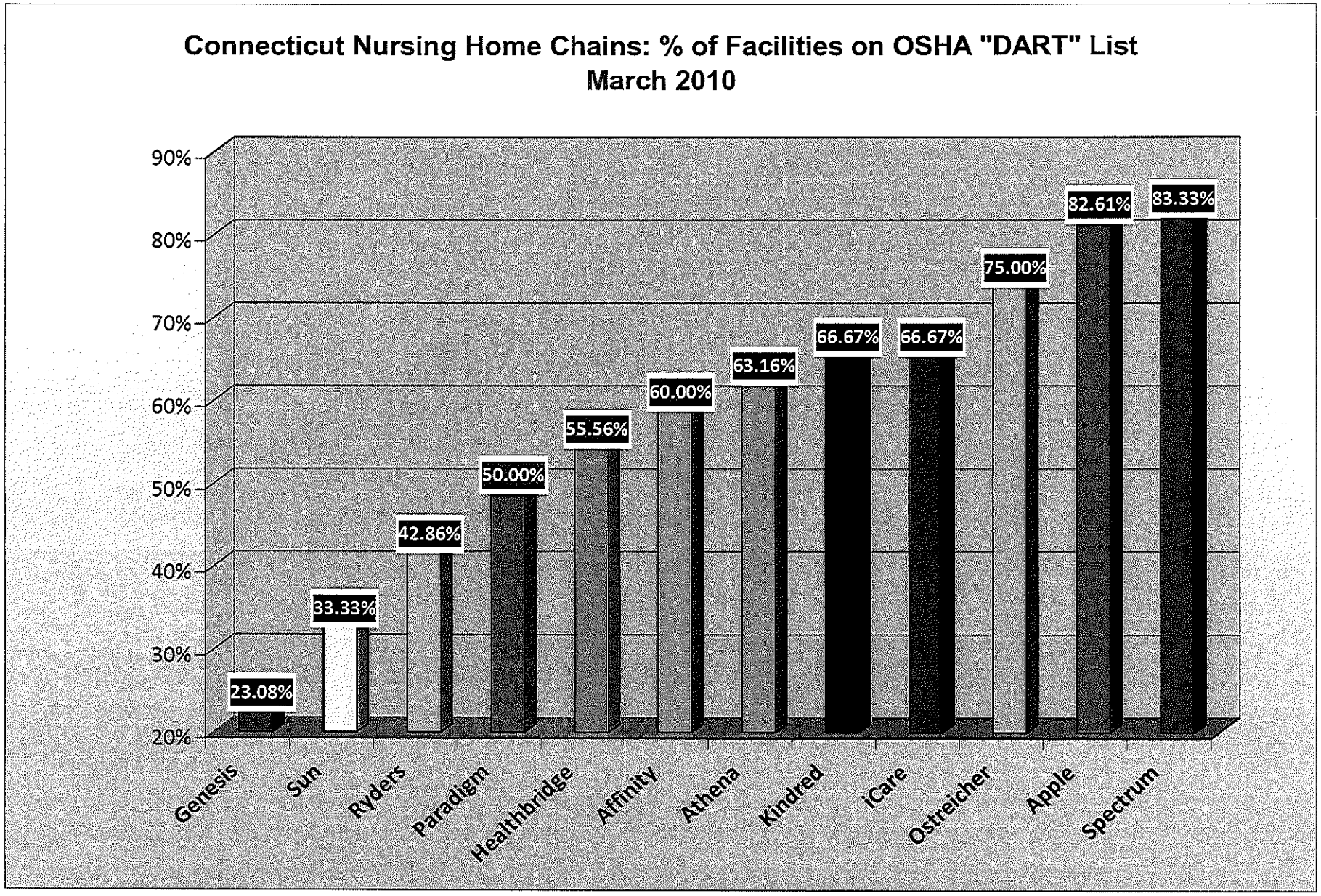
When we surveyed our members about health and safety practices they described a host of problems including reports of inadequate training on hazardous chemicals - including training in which employees who were quizzed on policies were given the answers by the employer. We were told of inadequate training on the handling of bloodborne pathogens, and chronic problems with leaks and slippery floors.

In order to compare our information with concrete data generated within these institutions we made routine requests for records from Spectrum Healthcare. These requests were for injury records that Spectrum is required to provide to us by law. Time after time information that was provided was late or incomplete. To cite just one example, we requested individual injury records from Spectrum on February 5th. According to the law Spectrum has seven days to provide them to union representatives. We just received them

last week – after four months. Had we not complained to OSHA, which wrote strongly worded letters threatening inspections, I have no doubt we would still be waiting.

We are concerned about the health and safety of our members as well as the health and safety of those who are currently working in the facility. And we know that in health care, when worker safety is compromised, patient safety is compromised. We will be following up our concerns by filing formal notices of alleged health and safety violations with OSHA.

But we can't depend on any one government agency to settle this problem. That's one important reason that we are here today – to share this important public safety information with you. It is our joint responsibility to address these issues to protect workers and patients alike


Connecticut Nursing Home Chains: % of Facilities on OSHA "DART" List
March 2010
90%
80%
70%
60%
50%
40%
30%
20%
23.08%
33.33%
42.86%
50.00%
55.56%
60.00%
63.16%
66.67%
66.67%
75.00%
82.61%
83.33%
Genesis
Sun
Ryders
Paradigm
Healthbridge
Affinity
Athena
Kindred
iCare
Ostreicher
Apple
Spectrum