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3/11/09

To: Dr. E. Newton, Emergency Medicine Department Chairman
Dr. S. Hall, CMO LAC+USC Medical Center
From: Department of Emergency Medicine Physician Assistant Staff
Re: Hostile Work Environment and Retaliation

This letter is to document our opposition to the mandated schedule change by Dr. Sean Henderson from a fixed-day schedule to a rotating-day schedule. Dr. Henderson, our supervising physician, mandated this schedule change shortly after a letter of complaint about his hostile and threatening behavior was submitted to his superiors, including you, on 9/08. It is difficult to believe that this is coincidence.

This schedule change will affect the 25 PAs involved in patient care in the DEM. Two meetings were scheduled in February to inform us of the new rotating schedule. The reasons given for this schedule change were:

- 1) too many people working on certain days
- 2) a fixed schedule is "too hard" to work with
- 3) to align the PAs schedule with the nurses
- 4) the "needs of the department"

This news was delivered to us by a staff member, [REDACTED], a nurse practitioner who is not management but who has been "picked" by Dr. Henderson to be in charge of scheduling the PAs and NPs. She is approving and scheduling time off, vacations and doing timecards, in effect supervising the PA staff without the designation in her job description or the accountability a management position holds.

During the staff meeting there was vocal opposition to this schedule change but [REDACTED], our senior PA supervisor and [REDACTED], staff NP, did not allow for any discussion. They also refused an offer by the PA staff members who were there, to present an alternative solution. [REDACTED] went on to say that the schedule change was to be implemented regardless of acceptance and the meeting was for informative purposes only. [REDACTED] said Dr. Henderson could "do whatever he wanted to".

The fixed schedule we have held for over 30 years has successfully covered the "needs of the department". This has been accomplished in the past with fewer staff members and more areas of the department that needed PA staffing. We have added many new staff members as well as 4 new per diem PAs who were hired to "fill in any holes" during time off and vacations. Currently, with less areas to cover and more staff, the change in scheduling is suspect. The only conclusion that can be drawn is that Dr. Henderson is retaliating against the PA staff for our letter of complaint by mandating an unnecessary rotating schedule.

Prior to [REDACTED] Dr. Henderson's term as management team, scheduling changes were handled with communication and the cooperation of the PA staff. We were treated with the respect and professionalism that we have earned as valuable members of the healthcare team. We were included in many

of the major decisions about our practice and felt a loyalty to our department. We have been very successful at retaining experienced employees unlike our nursing counterparts. Since Dr. Henderson, [REDACTED] and Mr. Perez have been in the "supervisor" role they have demonstrated an inability to effectively schedule the PAs and show a complete lack of respect for us as their staff. There is no longer a line of communication, just dictates and threats.

During Dr. Henderson's handling of "PA operation", multiple complaints and grievances have been generated against him, putting in question his competence and integrity as a supervisor. Grievances filed over 8 months ago are still pending and our request for an investigation into this serious matter has gone without any response. Dr. Henderson's demeaning comments, threats and name-calling in the clinical areas are explicitly forbidden by the DHS Code of Conduct and this is underscored in the Joint Commission's, "Behaviors that undermine a culture of safety", Issue 40, July 9, 2008. The many transgression by Dr. Henderson are too numerous to document in this letter. Many of our attending physicians have expressed their want to complain to an investigatory agency about Dr. Henderson's intimidating and disruptive behaviors in the workplace, but they request some level of anonymity because of his long history of retaliation against them by assigning them additional night and weekend shifts when angered.

Some questions that need to be answered:

- 1) Why the scheduling change was done shortly after a letter of complaint about Dr. Henderson?
- 2) Why does the PA schedule need to align with nursing?
- 3) Why is Dr. Henderson allow to show favoritism by assigning a peer to approve time off, do timecards and schedule when we have a supervisor?
- 4) Why is DEM management supportive of a supervising physician with so many current and past complaints against him?
- 5) Why has Dr. Henderson's disruptive behavior been allowed to go on for so long in this department?

Dr. Henderson once boasted to a PA staff member that he was so well connected that there was "nothing you can do about me". This seems to be true. We have exhausted all of our options for resolution to our problem within our county system. We now, respectfully, request an investigation into this ongoing hostility in our workplace from any outside agency. We would welcome a meeting as a group or on an individual basis to discuss possible resolutions.

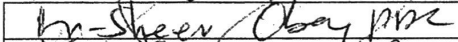

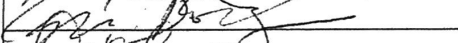



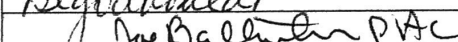
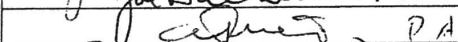
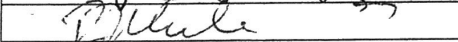
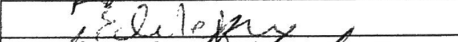

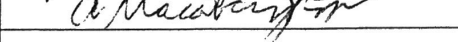
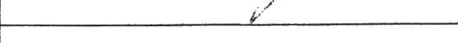
This is a very tough situation for all the PAs in the DEM. We seem to have no rights or recourse; we are at the mercy of the "county system". We are treated unfairly and disrespectfully yet we cannot complain without retaliation. The PA morale is at an

all-time low. The unfair practices by management are wrong and it is taking its toll on the staff, the DEM and ultimately patient care.

Most of the PA staff has worked at LAC+USC Medical Center for many years with minimal "turn-overs" compared to the nursing department. We have prided ourselves on having professional and experienced PAs who teach the medical students, resident and other healthcare students year after year. This loyalty and dedication to the medical center is not for the salary, the private sector offers higher salaries, but we stay for the patients, our camaraderie with our co-workers and our work schedule that allowed us to plan our lives to include further education, raising families and volunteer work. We will suffer, and have suffered losses of experienced personnel due to the ongoing hostile work environment and forced schedule change. Ultimately this will negatively impact patient care.

We hope that someone will look into this serious matter as soon as possible. To speak with all shifts of PAs as well as to speak with the attending physicians.

Respectfully yours,
The DEM PA Staff, LAC+USC Medical Center

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