



UNAC/UHCP

United Nurses Associations of California/Union of Health Care Professionals

UNAC/UHCP is affiliated with NUHHCE, AFSCME and the AFL-CIO

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July 11, 2023

The Honorable Jen Kiggans, Chairwoman
The Honorable Frank Mrvan, Ranking Member
Subcommittee on Oversight and Investigations
Committee on Veterans' Affairs
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Kiggans and Ranking Member Mrvan:

On behalf of the 32,000 members of the United Nurses Associations of California/Union of Health Care Professionals (UNAC/UHCP), which is part of the National Union of Hospital and Health Care Employees (NUHHCE) and is affiliated with the American Federation of State County and Municipal Employees (AFSCME), I request this letter be included in the record for the July 12 hearing on pending legislation.

UNAC/UHCP is proud of our nurses who care for veterans and military personnel at the Jerry L. Pettis Memorial VA Medical Center in Loma Linda, CA and the Naval Medical Center in Balboa Park, CA. All of these nurses have been on the front lines fighting COVID and subject to the elevated risk to their own physical and mental health. The VA must focus on recruiting and retaining staff to significantly increase its capacity to provide veterans exposed to burn pits, Agent Orange, and other toxic substances the specialized care they have earned under the PACT Act.

The challenges of adequate staffing at VA facilities are real. Our report, [The True Cost of Being A Hero](#) (2021), documents the mental health strains in nursing and health care. An overwhelming majority of Registered Nurses (RNs) and other crucial health care professionals are stressed out, burned out, anxious, exhausted, depressed, traumatized, and unable to get a good night's sleep. Despite years of investments in education and certification, these workers have found themselves forced to think about leaving the professions they love for their self-preservation.

Our report on [The Dangerous Impact of the National Nursing Shortage](#) (2022), discusses the looming exodus of nurses – one-third of the 3 million registered nurses in the United States will depart the bedside in the coming decade, and not enough new nurses are coming in to meet the growing demand for care – unless we make immediate changes to how we recruit, retain and respect these essential front-line caregivers.



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We oppose the “Restore Department of Veterans Affairs Accountability Act” (H.R. 4278) because it will undermine the rights of registered nurses and others at the VA to advocate for their patients and profession. The bill subjects nurses and other VA workers to political whims and potential scapegoating in terms of disciplinary action which will only serve to demoralize the workforce and undercut the VA’s ability to retain and recruit nurses. Specifically, we oppose H.R. 4278 because it would:

- Override carefully negotiated Collective Bargaining Agreements.
- Reduce the level of evidence needed to terminate an employee to “substantial evidence” from the “preponderance of evidence” standard, so that an employee could be fired for misconduct even if the majority of evidence favors the employee.
- Apply retroactively to employees for any infraction committed since the original enactment of the Accountability Act in 2017.
- Strip away established and settled court law since 1981, requiring agencies to consider key mitigating factors when determining the reasonableness of a disciplinary penalty for a federal employee.

In conclusion, we urge Congress to support VA nurses and other workers in having a say on their job. Nurses deserve to be able to collectively bargain for fair treatment and due process, as well as to know that they will be protected from being blamed for system-wide failures beyond their control or when they speak out for their patients and their profession. We urge you to oppose H.R. 4278.

Sincerely,

A handwritten signature in black ink that reads 'Charmaine S. Morales'.

Charmaine S. Morales, RN
UNAC/UHCP President