

**Department of Health Services
Los Angeles County - University of Southern California
Medical Center**

L. BUCKINGHAM
Executive Director

SOL BERNSTEIN, M.D.
Medical Director

FOTINE D. O'CONNOR, R.N.
Director, Nursing Services
and Education



Affiliated with
UNIVERSITY OF
SOUTHERN CALIFORNIA

SCHOOL OF MEDICINE
SCHOOL OF DENTISTRY
SCHOOL OF PHARMACY

Mar. 27, 1994

Sol Bernstein, MD
GH - 1110

Re: Update of timekeeping grievance from March 1993.

Dear Sol,

You recall that about one year ago you denied my grievance regarding Dr. Goldstein's restrictions on my work schedule. He decreed that I had to work my 40 hour week eight hours per day, Monday to Friday and only at the Medical Center. My colleagues who are paid by USC do not have these restriction. Any deviation must be pre-approved which he has not been willing to do. Remember that even my additional hours attending on the medical wards have been approved only after a grievance to your office.

As you know the day to day time demands in clinical medicine vary significantly and unpredictably. I have done my best to arrange my schedule so that I work eight hours a day Monday to Friday. However, there are invariably days that I work more than eight hours and other days that I work less. Although I no longer arrange my schedule to work at home, I invariably get after hours calls from the hospital or from patients at home that require my time.

In order to write a book on health care reform, I scheduled myself to work at home, using up some of my overtime accrued. The problem is that I get just as many calls requiring just as much time whether I work at home or at the hospital. For example the enclosed telephone log for October 1993 shows that I initiated 30 or more calls on hospital related business per day at home while using overtime accrued (the last two weeks of the month). This does not include the hospital related calls in to my home. Even though this may take four or more hours per day, I receive no compensation. I requested that Dr. Goldstein assign other staff members of the General Internal Medicine Section to become familiar with the Cancer Pain Service, but he has declined to do this. I remain on call 24 hours per day, every day.

Compounding this situation is a virtual doubling of the new consults coming to the Cancer Pain Service in the past year (increasing from 20 to 40 new patients per month). Although we now have two medical residents seeing the in-patient consults, this

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additional service volume has significantly increased my time demands.

Over the past year, I have kept careful records of the unreimbursed time resulting from this new policy. From January 1993 to March 15, 1994, I worked 234 1/2 hours for which I have not been compensated by LAC + USC Medical Center. I am bringing this to your attention so that you can reconsider your denial of my grievance from last year. I am also requesting reimbursement for the \$6000 in attorney's fees that it cost me to defend myself, my career and the Cancer Pain Service from Dr. Goldstein's management policies.

I look forward to your response.

Sincerely,



David Cundiff, MD

cc: Patric Mayers, LLD