

Caring For Hospital Attire At Home: Court Rejects Hospital Employee's Fair Labor Standards Lawsuit.

An MRI tech sued the hospital where he worked claiming the US Fair Labor Standards Act and state law entitled him to be paid for time at home washing and ironing the hospital scrubs he owned which he wore at work.

He argued for time-and-one-half for overtime, as the time he worked at home on his attire was in addition to his forty-hour work week.

The tech also asked for his case to be certified as a class action lawsuit representing other similarly-situated hospital employees.

The evidence put forward as the basis for the lawsuit was the hospital's dress code which applied across the board to all hospital employees, technicians, nurses, administrators and clerical personnel who wore hospital attire or regular clothing on the job.

The dress code required clothing worn on the job to be clean, neat, pressed, in good repair and appropriate in size, and prohibited clothing that was soiled, wrinkled, noticeably worn, too tight, too loose or see-through or revealing.

Employee Maintaining Own Clothing Not Performing Service For the Employer

The US District Court for the Eastern District of Michigan dismissed the case.

The telling point for the Court was that the attire this employee wore at work was his own clothing. Although the scrubs were medical garb that his employer required him to wear, the scrubs were the employee's own personal property and did not belong to his employer.

Exactly the opposite result has been reached where employees have been required to take home uniforms belonging to their employers and wash and iron them to be worn on the job.

Time spent at home caring for employer-furnished work attire is considered time spent in service to the employer for which employees are entitled to be compensated. The Court could point to no case precedent in the healthcare field, but did find guidance in legal decisions involving fast-food workers. **Whaley v. Henry Ford**, ___ F. Supp. 3d ___, 2016 WL 1161392 (E.D. Mich., March 24, 2016).

Immunizations: New Vaccine Information Statements For Meningococcal ACWY And HPV.

On April 20, 2016 the US Centers for Disease Control and Prevention (CDC) announced the availability of new vaccine information statements which are now in final mandatory form for Meningococcal ACWY and 9-valent HPV (Human Papillomavirus) vaccines.

Use of the most current updated version of these materials is mandatory beginning July 1, 2016.

The CDC's April 20, 2016 announcements in the Federal Register are available at:

<http://www.nursinglaw.com/CDC042016a.pdf>

<http://www.nursinglaw.com/CDC042016b.pdf>

The CDC's own website is <http://www.cdc.gov/vaccines/hcp/vis/index.html>

Beginning July 1, 2016 US healthcare providers who administer Meningococcal ACWY and HPV vaccines are required to use the newest updated versions of the CDC's vaccine information materials.

Vaccine information materials for vaccines for which vaccine information materials are required are available from the CDC at <http://www.cdc.gov/vaccines/hcp/vis/index.html>

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The CDC's website provides comprehensive information on the legal requirements for vaccine information materials including accepted methods by which the materials may be provided to a patient, parent or guardian and the CDC's recordkeeping requirements for healthcare providers.

The CDC's website also provides the texts of the vaccine information statements themselves for some twenty-one routine and seven non-routine immunizations.

Links are provided to information from the CDC as to current recommendations for immunizations.

The public can sign up to receive email updates directly from the CDC on the subject of vaccines.

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