



March 9, 2011

Dear Evergreen RN:

We are writing to inform you of a settlement in the lawsuit filed by the Washington State Nurses Association ("WSNA") and Evergreen Hospital. Last September, WSNA filed a state court lawsuit against Evergreen Hospital for Evergreen's failure to pay registered nurses for missed rest breaks, failure to assure that nurses receive their rest breaks, and failure to maintain a record keeping system of missed rest breaks.

We are delighted to inform you that Evergreen has agreed to settle the lawsuit on terms that will permanently and positively change the way rest breaks are handled at Evergreen. Evergreen will begin recording and paying for missed rest breaks, and will pay some back pay for its failure to pay for rest breaks in the past. Evergreen will also adopt procedures in each of its units to assure that RNs are able to take their rest breaks during their shifts while at the same time ensuring patient safety with adequate staffing. WSNA hopes that Evergreen's new system will set the standard for other hospitals in Washington to follow! As a result of the settlement, WSNA has dismissed its lawsuit against Evergreen.

In the next few days, you will receive a letter from Evergreen, along with a check for your portion of the settlement. Evergreen agreed to pay a total of \$375,000 to settle the lawsuit and your portion of that amount is dependent on the number of hours you worked during the past three and one-half years. Those who worked full-time during this period will receive about \$300.

You have the option of participating in this settlement, or choosing not to participate in this settlement. If you chose to participate, you must accept the check that Evergreen will send you and release your right to sue Evergreen for failure to provide you with rest breaks. If you want to pursue your own lawsuit, or be a participant in another lawsuit against Evergreen for backpay, you must return the check to Evergreen. Your check represents wages, and Evergreen has deducted payroll taxes. If you do not want to waive your right to sue Evergreen for missed rest breaks, you must return the check to Evergreen within 60 days of receiving it.

You may view the settlement online on WSNA's website by going to the Evergreen unit page or by typing www.wsna.org into your browser. If you have any questions, you may call: Sara Frey, BSN, RN WSNA Nurse Representative at 206-575-7979, extension. 3039.

Again, we are delighted that Evergreen has demonstrated a commitment to ensuring that RNs receive their rest breaks. We look forward to working with you to ensure that Evergreen's training program for its new rest break procedures are successful, and that all RNs receive their rest breaks.

Sincerely,

Christine Himmelsbach

Christine Himmelsbach, MN, RN
Assistant Executive Director of Labor