

Name: Pharmacy Husband

Dear President Manoukian and Commissioners for the NH Board of Pharmacy:

I am writing to echo your concerns relating to the health and safety of both consumers and professional pharmacists and to support your proposed rule changes to Ph 500 and Ph 700, which would address working hours and working conditions for pharmacists. I cannot be present at your hearing, but please read this aloud on my behalf.

I have a somewhat a unique perspective. My wife is a pharmacist who works for a large chain, and I am operations professional with over two decades of operational experience. I have toured production facilities throughout the US and as far away as China, but never have I encountered anything so out of line with international work standards as the labor practices of the major pharmacy chains. Apple is routinely skewered for its use of "sweatshops" in China. Yet the conditions my wife works under are actually worse, and her experience is typical of most major chains.

But let me be more specific. The major pharmacy chains, such as CVS, Rite Aid, and Walgreens, operate within a published code of ethics. They actually require their vendors to comply with the International Labour Organization's standards for working time and breaks. Any of their suppliers operating elsewhere in the world, for example, must allow their workers multiple breaks during a twelve hour shift - yet my own wife frequently works 12 hour shifts on her feet without even one break.

I did pursue an inquiry to try to find out why OSHA was permitting these conditions, and ironically, the answer was that pharmacists were an "exempt" class of workers. Because my wife sweated an advanced educational degree, she is not protected by OSHA, and is now being subjected to working conditions that are worse than are typically found in third-world countries. If you think about it, it is kind of crazy that the person responsible for ensuring patient safety (the pharmacist), is not given the same right to a break that every technician working in a pharmacy is afforded.

My wife has stood on her feet for 10-12 hour shifts for over fifteen years. I have personally seen the toll it has taken on her neck and back. She has trouble with her feet hurting, not only after she gets home but on her days off.

But the toll these insanely demanding working conditions take on pharmacists is only half the story - the other issue is the risks to the public caused by exhausted and overworked pharmacists.

On a typical day, my wife fills and checks hundreds of prescriptions. A single mistake can literally be fatal. Over her 15 year career, she has filled millions of prescriptions, and has an outstanding safety record.

But for the first time in her career, my wife finds herself worrying - "Did I fill that properly?"

Every year, for the last fifteen years, the number of pharmacy hours in each store has been reduced, and every year, the number of prescriptions per store has risen. Pharmacists were made "exempt" from labor practice laws during a period before the massive consolidations in the industry - at a time when individual pharmacists owned their own stores.

But those days are gone. The major chains are squeezing more work out of less help year after year, and our pharmacists - and their patients - are getting caught in the crossfire.

Across a range of industries, there is ample evidence that error rates increase with long shifts, especially without breaks. The major chains know this. My wife's employer actually requires her to carry out certain higher-risk functions at the beginning of her shift - for obvious reasons.

On top of fatigue, you have the issue of increasingly aggressive performance metrics, and even reprimands and firings for "failing to meet the numbers". My wife has seen pharmacists be pulled into the office with supervisors (sometimes not even pharmacists) to be grilled on their rate of output.

After one such meeting, a pharmacist friend of my wife's, who is both a careful and productive, emerged in tears and went home. At the time, my wife was not even sure if she would even be back.

When I used to work in a factory that made aerospace parts, shift production quotas were forbidden - not because the corporation was kind-hearted, but because studies showed error rates went down when we allowed workers to pace their efforts. This stew of unrelenting pressure and extraordinary physical fatigue is the perfect recipe for prescription errors, yet we ask pharmacists to perform in this incredibly stressful environment every day - in a world where medicine itself is increasingly complex.

Pharmacists need to be responsible for their work, and every pharmacist I know takes real pride in their work. But today, the corporate parents need to take responsibility, too. As a business leader myself, I could not imagine asking anyone to work in the conditions that these chains are asking their pharmacists to endure. They need to "walk the talk" and demonstrate leadership, by following the same practices themselves that they expect of their suppliers.

You will note that this note is being submitted anonymously. My wife is not a whiner, nor a complainer, and would not want to be regarded as such. She works hard for her employer, then works hard as a mother of two at home. We depend on her income, and she did not want to risk having her name associated with these comments. But after watching her suffer for years, I could not but insist on writing this note myself.

Attached to this note are some helpful reference materials related to this matter. Please continue your efforts to address these issues in New Hampshire, and feel free to forward this information to other states, who may be leading similar initiatives to correct these issues.

Sincerely,  
The Husband of a Local Pharmacist

#### Relevant Information and Links

Corporate Codes of Conduct for Selected Major Retailers:

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[http://info.cvscaremark.com/sites/cvscaremark.com/files/2011\\_CVS\\_Caremark\\_CSR-Report\\_Secured.pdf](http://info.cvscaremark.com/sites/cvscaremark.com/files/2011_CVS_Caremark_CSR-Report_Secured.pdf)

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[https://www.riteaid.com/www.riteaid.com/w-content/images/company/governance/code\\_of\\_ethics.pdf](https://www.riteaid.com/www.riteaid.com/w-content/images/company/governance/code_of_ethics.pdf)

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<http://files.shareholder.com/downloads/WAG/686743208x0x145604/14561bf9-f748-4a6e-a9ea-ba2489876aed/ethics.pdf>

An excerpt from the CVS Code of Conduct is pretty typical (page 67): "The policy conforms with the conventions of the International Labour Organization (ILO) and International Labor Organization (ILO) and requires that working conditions are safe and fair."

"The same principles that apply to suppliers are also reflected in our workplace policies and practices, and in the CVS Caremark Code of Conduct. We believe every employee is entitled to a safe and healthy work environment."

International Labor Standards. International Labor Organization: <http://www.ilo.org/global/lang-en/index.htm#a1>

Working Time Standards:

<http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/working-time/lang--en/index.htm>

Note that generally the standards require compliance with local laws for breaks, etc., and so without that being prescribed for pharmacists in the US, the chains are technically not out of compliance, even though they are clearly out of compliance with the spirit of these standards.

An Example of Apple Labor Practices in China that are drawing wide criticism. See Forbes article from September 12, 2012, "Apple's New Foxconn Embarrassment", which was prompted by a journalist who snuck into a plant making the iPhone 5, and meticulously recorded living conditions.

One excerpt: "The journalist's all-night shift lasted 10 hours with only one break for dinner". Note that these Chinese factory workers actually get two one-hour breaks in a 12 hour shift, and local pharmacists for major chains often work 12-14 hours without a single break.

<http://www.forbes.com/sites/susanadams/2012/09/12/apples-new-foxconn-embarrassment/>