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January 3, 2022

**VIA ELECTRONIC MAIL**

Edward Smith, Esq.  
Executive Director  
District of Columbia Nurses Association  
1220 12th Street, SE, Suite G10  
Washington, DC 20003

*Re: NLRA 10-day Notice of Picketing/Strike*

Dear Mr. Smith:

Yesterday, you sent a 10-day notice of picketing/strike to Howard University President, Dr. Wayne Frederick and Howard University Hospital (“HUH”) CEO, Anita Jenkins. In a telephone conversation with the undersigned, you stated that the pickets are part of a national day of protest of understaffing of nurses by the National Nurses United and that you would inform the press that the District of Columbia Nurses Association (“Union” or “DCNA”) and HUH were in contract mediation.

Just last week, on behalf of the Union, you agreed to participate in mediation in an effort to resolve our differences and reach a new collective bargaining agreement. You also agreed to ground rules that neither DCNA nor HUH would issue notice of an intent to strike, picket or engage in a lockout unless and until the mediation process concluded without reaching a new collective bargaining agreement. This reversal leaves us with no faith that we can rely on you to keep your word.

In addition, we have several grave issues with the Union’s notice and its dangerous and irresponsible plan.

First, you have not addressed the apparent consequences that pickets patrolling HUH’s perimeter protesting nurse understaffing will have on HUH, the University community, and the residents and patients who are served by HUH. Any picket sign or comment about unsafe or understaffed nurses will *send a message to all of those groups that HUH has such issues* and will force us to respond.

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Second, placing a picket line (small or large) on our perimeter may influence bargaining unit employees and others to call out from work and/or to strike in support of this so-called national protest. You have not given us any assurances that the Union will publicly inform the bargaining unit to refrain from calling out or striking immediately. This failure requires us to mobilize for a work stoppage.

Third, your notice is grossly negligent as it comes in the middle of another COVID crisis in the city and at HUH. The Union should be taking all action to minimize disruption to our patients.

For all of these reasons, and some others which we omit, we are requesting that the Union reconsider this irresponsible action. The Union certainly has other locations besides HUH at which it can send the same message of national protest here in Washington, DC.

We are giving the Union until 5:00 p.m. today to reverse this notice.

If the Union does not take this step, we will cancel the mediation and take all actions which are within our rights.

Sincerely,



Jeffrey J. Pargament  
Stephen M. Silvestri

cc: Dr. Wayne Frederick, President  
Anita Jenkins, CEO  
Florence Prioleau, Esq., General Counsel  
Eileen Shaw, RN, DCNA Chair