

**AMENDMENT 1**

**to**

**JOB ACTION STAFFING AGREEMENT**

**between**

**U.S. NURSING CORPORATION AND COUNTY OF SANTA CLARA, dba SANTA CLARA VALLEY HEALTHCARE**

This Amendment 1 (“Amendment”) is by and between County of Santa Clara, dba Santa Clara Valley Healthcare (“Facility” or “County”) and U.S Nursing Corporation (“U.S Nursing” or “Contractor”) and is effective March 31, 2024. This Amendment shall be incorporated into the Job Action Staffing Agreement entered by County of Santa Clara (“County”) and U.S Nursing (“U.S Nursing”) dated February 19, 2024 (“Job Action Staffing Agreement”) as if fully set forth therein. In the event of a discrepancy between the language in this Amendment and the language in the Agreement, the language in this Amendment shall prevail.

WHEREAS, County of Santa Clara engaged U.S Nursing to provide additional staff for a potential Job Action via Job Action Staffing Agreement dated February 19, 2024.

WHEREAS, County wishes to change the workweek hours of Job Action Staff and have the ability to have additional Staff in place after the Job Action.

NOW THEREFORE, the parties agree as follows:

**1. Economic Terms.**

- 1.1. **Hourly Rate.** County of Santa Clara shall pay U.S. Nursing in accordance with the below terms to Amend the Job Action Staffing Agreement:
  - 1.1.1. Staff: 48-hour workweek for Job Action Staff (with such 48 hours being comprised of three 12 hour shifts of clinical work plus one 12 hour shift of orientation, and acknowledging said 12 hour shifts are a minimum of 12 hours and some Staff may work longer). References in Exhibit A, Section 6 of the Job Action Staffing Agreement to a minimum of 5 shifts per week and 5 shifts in subsequent weeks are hereby deleted and of no force and effect.
  - 1.1.2. Post Job Action Staff to stay onsite for one guaranteed 12-hour shift on April 5, 2024 (Post Job Action Staff are currently estimated to number approximately 33, not the total of approximately 1,000 utilized as part of the Job Action Staff). The County shall have the right to place its Post Job Action Staff order by providing an Excel file to U.S. Nursing setting forth the number of staff (with shift and unit assignments) required by the County. Post Job Action Staff order to be placed no later than 12:00pm Pacific Time on April 1, 2024.
  - 1.1.3. Bill Rates will be per the terms of the Endorsement Page/Rate Sheet, Ex A, February 19, 2024.
- 1.2. **Locations.** In the event of a Job Action, the rates listed in 1.1. shall only apply at the following locations:
  - 1.2.1. O’Connor Hospital, 2105 Forest Ave, San Jose, CA 95128
  - 1.2.2. St. Louise Regional Hospital, 9400 No Name Uno, Gilroy, CA 95020
  - 1.2.3. Santa Clara Valley Medical Center, 751 S. Bascom Avenue, San Jose, CA 95128

1.2.4. Any other site provided to U.S. Nursing in writing by County which is owned and operated by County.

1.3. **Staff.** Additional Staff positions provided pursuant to this Amendment shall be filled by U.S Nursing Corporation Staff remaining onsite.

2. **Termination.** This Amendment shall automatically terminate on April 6, 2024 after the end of a Job Action or the settlement of a potential Job Action.

3. This Amendment is the complete and exclusive understanding of the parties regarding the subject matter herein, and supersedes all prior and contemporaneous communications between them, whether oral or written, concerning the subject matter hereof. No part of this Amendment may be waived or modified without the written consent of both parties. This Amendment may be executed in counterparts, each of which shall be deemed an original. The parties may execute and exchange this Amendment by imaged copy or facsimile transmission.

AGREED:

COUNTY OF SANTA CLARA dba SANTA CLARA VALLEY HEALTHCARE

DocuSigned by:  
By: James R. Williams  
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Name: Jame R. Williams

Title: County Executive

AGENCY: U.S. NURSING CORPORATION

DocuSigned by:  
By: Marc Bonora  
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Name: Marc Bonora Marc Bonora

Title: General Counsel \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

DocuSigned by:  
Jennifer Sprinkles  
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Name: Jennifer Sprinkles

Title: Deputy County Counsel