

ARTICLE 17 - GRIEVANCE PROCEDURE

17.1 Time Limits Generally. All time limits in this Article will be Monday through Friday only and may be extended by mutual consent, confirmed in writing.

17.2 Grievance Defined. A grievance is a dispute arising out of the interpretation or application of this Agreement. Each grievance must identify the Articles and Sections of the contract which have allegedly been violated, specifically outline the facts and events on which it is based and the requested remedy. A grievance may be filed by the Association or a nurse under the following procedure regarding disputes which arise during the term of this employment agreement. A probationary new hire RN may use the grievance procedure to contest discipline, or other alleged contract violations, but will not be entitled to process a grievance to arbitration, or to continue a grievance on discipline post-termination.

17.3 Procedure for Processing Grievances. Except in unusual circumstances (for example, when a problem directly relates to a supervisor's perceived misconduct, when the supervisor has issued the discipline being grieved, or when it relates to an issue a supervisor has no involvement with or no authority over), an RN should present problems which may generate a grievance to his/her immediate supervisor for resolution before filing a formal grievance. The Association grievance officials will communicate this responsibility to all potential RN grievants. Grievances shall not be heard at Step 1 or Step 2 by any Hospital official who had a decision-making role with respect to the particular discipline being grieved. The parties recognize that it is best to fully resolve issues through such discussions whenever possible.

Informal fact-finding resolution of potential or actual grievances. Prior to the Step 1 hearing (or the Step 2 hearing with respect to grievance issues that may be presented initially at Step 2), the parties may choose to meet in a fact-finding meeting, and/or to determine possible resolution of a grievance. The same sort of meeting may occur with respect to an issue that may, but has not yet, given rise to the filing of a formal grievance. The Hospital will agree to suspend the ten (10) day grievance filing time

restrictions (specified in the Step 1 procedures) when the ONA timely requests such a meeting on such an issue.

The Step 1 and Step 2 Hospital official's obligation is to take a fresh, unbiased look at all grievance issues, exercising neutrality and fairness. If a pre-hearing investigation of a fact or issue is deemed appropriate by such official, both management and the ONA will be asked about the fact or issue.

At either Step 1 or Step 2, the Hospital may conduct further factual investigation. When this occurs, the Association will be notified of the results, and be provided an opportunity for input, rebuttal, or challenge with respect to the newly discovered information before the Step 1 or Step 2 written decision is finalized.

Step 1: Vice President for Nursing RRMC. If a nurse or the Association decides that the problem should be treated as a grievance, the grievant and an Association representative will submit the grievance in writing to the supervisor, whom the nurse understands to be the "immediate supervisor" and the Vice President for Nursing RRM or designee.

The nurse has ten (10) days from the date that he or she had knowledge of, or should have been aware of, a contract violation upon which the grievance is based, to file the grievance.

The immediate supervisor and the Vice President for Nursing RRM or a designee, will meet with the grievant and Association representative within ten (10) days to hear the grievance. All filed grievances will receive a Step 1 hearing, with the Hospital reserving the right to question whether the matter is a proper (for example, under Section 16.4) or timely grievance. A written response will be rendered to the grievant and the Association within ten (10) days.

Association grievances will be submitted within the times described above to the supervisor whom the nurse understood to be the immediate supervisor involved in the dispute with a copy to the Vice President for Nursing RRMC.

Step 2: Human Resources. If the nurse is dissatisfied with the response under Step 1, the grievance may be presented to the Chief People Officer or designee. The grievance, with a written outline detailing the matter, will be delivered or mailed to the Chief People Officer or designee within ten (10) days of the receipt of the “Step 1” response or within ten (10) days from the expiration of time allowed for response. The requested remedy will be added to the written grievance by the Association before submitting the grievance to the Chief People Officer. The Chief People Officer or designee and the same representative for Patient Care Services present at the “Step 1” hearing will meet with the grievant, local bargaining unit representative and Association representative within ten (10) days from the receipt of the grievance with remedy. Together, they will attempt to resolve the grievance. The Chief People Officer will render a written decision within ten (10) days from such a meeting.

When a nurse is terminated and presents a grievance of the matter to be considered, the grievance hearing may, at the discretion of the Association, be conducted at “Step 2”.

Either party may bring additional individuals (limited to Hospital employees or Association officials) to a Step 1 or Step 2 meeting whom either party believes may contribute to the investigation or resolution of the grievance, for example, witnesses, persons involved in making prior decisions with respect to the incident being grieved, etc. The parties will communicate in advance to identify the individuals who will attend such meetings. Association or management officials may also attend such meetings in order to learn how the grievance process works with mutual consent, including consent of the grievant.

Step 3: Arbitration. If the issue is not settled on the basis of the foregoing procedure, the Association may submit the issue to arbitration by notifying the other party in writing within ten (10) days from receipt of the written response in Step 2, or if the written response is not received within that time period, within ten (10) days from the expiration of time allocated in Step 2 for the response.

17.4 Resolution of Physician-RN Conflicts. The appropriate clinical manager will try to resolve professional or interpersonal conflicts between RNs and physicians in an amicable way.