Memorandum of Agreement  
(Posting Requirements)

I. The Parties

The parties to this Memorandum of Agreement are Multnomah County, Oregon, hereinafter referred to as the "County" and the Oregon Nurses Association, hereinafter referred to as the "Association".

II. Background

In April of 2014 the Health Department increases an ONA covered position from .6 FTE to 1.0 FTE. As a result, the position went from part-time to full-time status. The employee in the position let it been known that she would like to stay in the position, moving her from part-time status to full-time status. The Question was raised, does the department need to post the position. It was not a vacancy nor was it a new position.

The parties in consultation over the matter, agreed that even though the employee wanted to stay with the position and the change in status is neither a vacancy nor a new position; the position should be posted for all to know and also give others who may be interested in the position, an opportunity to apply. The parties also agreed that a MOA should be created to capture the mutual agreement that a change in a positions FTE status should be treated the same as a vacancy and new position as pertains to posting requirements of the parties agreement.

NOW, therefore the parties mutually agree as follows:

III. Terms of Agreement

It is hereby agreed Article 13, Section 7 – Filling of Vacancies is changed as follows:

7. Filling of Positions
   A. Posting
   The County shall post all vacancies, new positions and positions which experience a FTE status change for a period of two (2) weeks, except seven (7) days for Corrections Health, listing the classification, number of hours, days per week, department, and shift of the employment position. The County may waive the initial posting period as recognized herein in the event of an emergency where the position may be filled temporarily for the duration of the emergency or for short periods where a position may be left vacant in preparation for a layoff.
B. Considerations in Selection Process
The County will fill all vacancies, and new positions and positions which experience a FTE status change with first consideration given to qualified County employees over non-employees. The County shall select the most qualified applicant, considering such factors as years of service with the County, as well as clinical experience and educational background relevant to the position. Qualified full-time and part-time employees shall be considered over on-call and temporary employees. The determination of an applicant's qualifications shall not be arbitrary or capricious.

This Memorandum of Agreement will expire upon ratification of the successor labor contract, unless otherwise negotiated.

Agreed to this 20 day of May, 2014

For the Association:

Tresa Cavanaugh
Labor Relations Representative

For the County:

Jim Younger
Labor Relations Manager