

# **Memorandum of Understanding**

## **Job Transfer / Bid Process For the RiverBend Emergency Department Reorganization**

**July 29 and 30. 2015**

Pursuant to the provisions of Section 14.3, the Oregon Nurses Association (“Association”) and Sacred Heart Medical Center (“Medical Center”) hereby agree to the following process for the RiverBend Emergency Department (ED) reorganization.

### **I - Job Transfer / Bid Principles**

- (1) The intent of the job transfer / bid process is to move nurses as intact as possible from their current ED position to their post-reorganization position under the terms of this agreement.
- (2) Accordingly, when a nurse has her/his opportunity to transfer / bid, the nurse must take a position on his/her current shift that has the same number of hours per week within a range of plus or minus (+/-) six hours which is equivalent to a change in FTE of (+/-) .15, if such position is available. However, mid-shift nurses (start times of 1000, 1100 or 1200) may select any position on days or evenings within .15 hours of their current FTE.
  - Day shift nurses must select a position with a 0700 start time if available
  - Mid-shift nurses (start times of 1000, 1100 or 1200) must select a position with a 0700, 1100 or 1500 start time if available
  - Evening shift nurses must select a position with an 1100 or 1500 start time if available
  - Nurses with a 1800 start time must select a position with a 1500 or 1900 start time if available
  - Night shift nurses must select a position with a start time of 1900 or 2300 if available
- (3) If no positions are available within the range of plus or minus six hours per week, a nurse must select any one of the available position(s) on their shift as defined above or, any position on another shift within (+/-) .15 FTE.
- (4) Per diem nurses will bid last and may choose any per diem position on any shift based on seniority.

### **II – Seniority**

- (1) Seniority for job transfer / bid purposes is house-wide seniority, not unit seniority.

- (2) The March 2015 quarterly seniority list for ED nurses will be utilized for the reorganization. This seniority list will be posted on the bulletin board located outside the ED locker rooms and emailed to all nurses and will remain available throughout the job transfer / bid process.
- (3) Internal transfers that accepted ED positions prior to the announcement of the reorganization on April 29<sup>th</sup> will be able to use their housewide seniority for bidding purposes. These nurses will be added to the March seniority list that is posted and emailed.
- (4) Any nurses that accepted positions in the ED after the April 29<sup>th</sup> date (internal/external) will bid last. Any internal transfers shall bid first in housewide seniority and external hires shall bid in order of hire dates. All of this will occur in Round One.
- (5) Any seniority disputes will be resolved by agreement between SHMC and ONA. Nurses will be advised to review their seniority, FTE and other information for accuracy.

### **III – Vacant Positions**

- (1) Displaced Nurses (as defined in Section VII below) will be able to bid on any position that utilizes their displacement rights in Round Two of the bidding process. This will occur in seniority order on July 30, 2015.
- (2) ED Nurses can transfer / bid on any vacant positions, in Round Three of the transfer/bid process. Nurses who elect to transfer to a new position in Round Three may be held in their current positions for two cycles or until October 4, 2015 (see section IV)
- (3) After the Round Three process is completed, remaining vacant positions on the position list will be posted for bidding / filling under the terms of Article 13 – Filling of Vacancies. These positions will be posted according to current process utilized by Sacred Heart and may not all be posted immediately following the reorganization process.

### **IV – Special Considerations**

Both parties agree that an exception to 13.9 “Assumption of Duties of New Position” may apply to internal candidates that select a new position in Round Three. This exception will be based on skill mix and safe patient care needs. If management is unable to fill sufficient vacancies on a shift or hire sufficient travel nurses to safely staff the shift, a nurse may be held in their current position for up to two cycles after the July bidding process. However, these nurses will assume the duties of the new position no later than October 4, 2015.

13.9 Assumption of Duties of New Position. Once a vacancy has been filled, and unless an alternate transfer date is mutually agreed upon, (1) a nurse to be transferred within the same unit shall assume the duties of the new position no later than the end of the four (4) week cycle following the cycle in which

acceptance occurs, and (2) a nurse to be transferred to another unit shall assume the duties of the new position no later than the end of the second four (4) week cycle following the cycle in which acceptance occurs.

## **V – Job Transfer / Bid Process**

- (1) SHMC and ONA have set July 29 from 0700-1900 (review appointment list to verify these times) as the date for Round One of the job transfer / bid process and July 30 from 0830-1230 as the date for Round Two, the displacement bidding.
- (2) The job transfer / bid process will be conducted in order of the nurse's seniority. This means the most senior nurse selects first, the second most senior next, and so on until all nurses have had an opportunity to transfer / bid. Nurses will be scheduled for transfer / bid appointments in this order.
- (3) Nurses who will participate in the job transfer / bid process will be given notice of the post-reorganization positions by hours and shift and the rank order of seniority of the nurses by no later than July 15. The appointment information will be posted in the unit, emailed to nurses and mailed to nurse's homes.
- (4) Nurses will indicate their pattern preference immediately after selecting their position during Rounds One and Two, or after accepting a position in Round Three. Adjustments in patterns may be made after the reorganization in reverse seniority order. After the reorganization, management will retain the right to change patterns as necessary to meet the needs of the unit utilizing the provisions of Article 8.6.4 Deviation from Anticipated days off.

The job transfer / bid process shall occur in order of **the following Steps:**

### **Round One (July 29) –**

- A. When a nurse has her/his opportunity to transfer / bid, the nurse must take a position on their current shift that has the same number of hours per week within a range of plus or minus (+/-) six hours which is equivalent to a change in FTE of (+/-) .15 hours, if such position is available. However, mid-shift nurses (start times of 1000, 1100 or 1200) may select any position on days or evenings that's within .15 hours of their current FTE.
  - Day shift nurses must select a position with a 0700 start time if available
  - Mid-shift nurses (start times of 1000, 1100 or 1200) must select a position with a 0700, 1100 or 1500 start time if available
  - Evening shift nurses must select a position with an 1100 or 1500 start time if available
  - Nurses with a 1800 start time must select a position with a 1500 or 1900 start time if available
  - Night shift nurses must select a position with a start time of 1900 or 2300 if available

- B. If no positions are available within the range of plus or minus six hours per week, a nurse must select any one of the available position(s) on their shift as defined above or, any position on another shift within (+/-) .15 FTE.
- C. Per diem nurses bid last and may choose any per diem position on any shift based on seniority.
- D. During Round One of the bid/transfer process, all displacements of shift length, shift start time or FTE as defined in Section VII (below) will be recorded. Any nurse that is displaced will be informed of their rights and scheduled to bid on remaining vacant positions on July 30 in seniority order.

### **Round Two – Displaced Nurses Rebid opportunity to fill remaining vacant ED Positions**

In Round Two (July 30), each displaced nurse, in order of seniority, will be given the opportunity to view the list of remaining vacant positions. The nurse may choose to retain the position she/he selected in Round One, or may select a new position if that position restores one or more of her/his displacement rights. Regardless of the nurse's choice, all unexercised displacement rights shall be preserved per Section VII (below).

### **Round Three – Internal posting of remaining vacant positions**

Once Rounds One and Two of the bid/transfer process are completed, all remaining vacant positions will be made available to Riverbend ED nurses. The Nurse Manager will notify the staff by email of the remaining vacant positions, and then the ED nurses will be given 7 days to apply for these vacant position(s). Only ED nurses who have participated in the bid/transfer process may apply for these vacant positions. The position(s) will be offered to the applicants in order of house seniority beginning with the most senior with any displaced nurses able to utilize their displacement rights.

## **VI - Remaining Vacancies**

After the Round Three process is completed, remaining vacant positions on the position list will be posted for bidding / filling under the terms of Article 13 – Filling of Vacancies. These positions will be posted according to current process utilized by Sacred Heart and may not all be posted immediately following the reorganization process.

## **VII – Rights of Displaced Nurses**

- (1) All unit start times will change by one hour to align with start times throughout the Medical Center. This change in start time will not generate displacement rights for nurses.
- (2) A nurse shall be considered displaced if, in Round One, she/he involuntarily selects a position with a different start time, shift length or FTE than she/he held

prior to the job transfer/bid process because a position with the same start time, shift length and FTE is not available.

- (3) A displaced nurse has the right to apply to any regular nurse posted position she/he is qualified for that returns her/him to the shift start time, shift length or FTE from which she/he was displaced. The displaced nurse shall be given such position before all other nurses. If two or more displaced nurses give such notice for the same position, the displaced nurse with the greatest house-wide seniority shall be given the position.
- (4) If a nurse is displaced from her/his shift start time, shift length and/or hours, she/he may exercise this right up to three times – once to return to her/his shift start time and a second time to return to her/his FTE and a third time to shift length, unless the nurse is able to return to all three at the same time.
- (5) This displacement right shall begin at the conclusion of Round One of the job transfer/bid process and conclude on September 6, 2016.

SACRED HEART MEDICAL CENTER

OREGON NURSES ASSOCIATION

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Date: 7/17/15

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