

**Good Samaritan
Regional Medical Center
and
Good Samaritan
Home Health**

September 6, 2016 until June 30, 2019

ARTICLE 16. GRIEVANCE PROCEDURE

- A.** Problems arising in connection with the application or interpretation of the Agreement shall be submitted as a grievance in accordance with the procedures of this Article; provided however it is the express intent of the parties that grievances be adjusted informally whenever possible and at the first level of supervision. The time limits contained in this procedure may be extended by mutual agreement of the Employer and the Association. Grievances may be, by mutual consent of the parties, referred back for further consideration or discussion to a prior step or advanced to a higher step of their grievance procedure.

Dismissal grievances must be filed in writing within the first fourteen (14) days following the dismissal and shall be initially filed with the VP of Patient Care Services or designee.

1. Step One: The employee shall first submit a written grievance, signed by the employee directly involved in the occurrence on which the grievance is based, to his/her Assistant Department Manager (ADM) within fourteen (14) days of the time when the employee should reasonably have known of the occurrence on which the grievance is based, but in any event within

forty-five (45) days following the occurrence of the matter being grieved. The ADM will discuss the matter with the nurse.

2. Step Two: If a satisfactory agreement is not reached within fourteen (14) days of the discussion at Step One, the employee shall have fourteen (14) additional days to reduce the grievance to writing and submit it to the Department Manager, (unless the Department Manager heard the grievance at Step One, in which case the nurse should proceed to Step Three).

The Department Manager will meet with the nurse to consider the grievance within fourteen (14) days. The department manager will respond to the grievance, in writing, within fourteen (14) days of the Step Two meeting.

- 3 Step Three: If the grievant is not satisfied with the Department Manager's response or has not received a response within the timeframes set forth above, the employee shall have fourteen (14) additional days to reduce the grievance to writing and submit it to the Vice President of Patient Care Services who shall endeavor to settle the complaint. At this step, the employee may seek the assistance of the Association in presenting his/her case. Within fourteen (14) days after presentation of the grievance to the Vice President of Patient Care Services, the parties shall schedule a meeting to be held at a mutually convenient time (which may be outside the fourteen day period) to attempt to resolve the matter. The Vice President of Patient Care shall issue a written response to the grievant and the Association within fourteen (14) days following the meeting. Home Health Nurses will file step (3) three grievance directly to Vice President of Operations.

The Association may initiate a grievance and direct it initially to the Vice President for Patient Care Services if the issue affects the rights or benefits of a group of nurses within the bargaining unit.

4. Step Four: If the grievant is not satisfied with the resolution at Step Three, the employee shall have fourteen (14) additional days to refer the written grievance to the Medical Center President/CEO or designee. A meeting with the Medical Center President/CEO or her/his designee will be held within fourteen (14) days of receipt of the referral, who will issue a written response to the grievant and the Association within fourteen (14) days following such meeting.
5. Step Five: If the issue is not resolved at the President/CEO level, then the Association may, within fourteen (14) days of the President's/CEO's decision request that the Medical Center participate in non-binding mediation through the Federal Mediation or Conciliation Service. If the Medical Center does not agree to mediation or if mediation does not result in resolution of the grievance, the Association may, within fourteen (14) days of the Medical Center's decision not to participate in mediation or within fourteen (14) days of the mediation session, refer the grievance to a neutral party selected from a list of names supplied by the Federal Mediation and Conciliation Service. The decision of the neutral party as arbitrator shall be binding upon the parties and each party shall pay one-half (1/2) of the arbitrator's fee. The arbitrator shall not have authority to add to, modify or detract from the provisions of this Agreement.
1. Only disciplinary grievances may be placed in a nurse's personnel file.

B. As used in this Article, 'days' shall mean calendar days.