

## LETTER OF AGREEMENT

### PROVIDENCE MILWAUKIE HOSPITAL INPATIENT MATERNITY UNIT CLOSURE

Providence Milwaukie Hospital (PMH) has made the decision to close its inpatient maternity unit ("the Closure"). As of the date of this Letter of Agreement (LOA ) the expected date of closure is June 1, 2013 ("the Closure"). However, PMH reserves the right to change the closure date as may be required. In this one-time non-precedent setting agreement, the parties agree the Closure will be handled as follows:

- I. Representatives of PMH and the Association will meet to discuss the Closure, and impacted positions (impacted positions: defined as positions being eliminated as a result of the unit closure) as well as options for those who may wish to voluntarily leave (those who may wish to take this opportunity to pursue other interest such as retirement, relocation, etc.). The hospital and union may also discuss scheduling of nurses during the transition period before unit closure. PMH will consider options suggested by the Association, but will not be required to implement the suggested options except for those specified below.
- II. If there are any posted RN positions within PMH between the time of the execution of this agreement and the time of the Closure, PMH will wait to fill such positions with an external applicant until nurses impacted by the Closure have had an opportunity to apply for those positions. PMH may immediately post and fill nursing positions if either (1) it is apparent that the nurses likely to be impacted by the Closure are not qualified; or (2) it is apparent that the nurses likely to be impacted by the Closure have made it known that they are not interested in the positions; or (3) PMH has an urgent need to fill the position for patient care reasons.
- III. PMH will inform other employers within Providence-Oregon of the Closure, and request that they consider hiring the impacted nurses, if any, for any open positions.
- IV. PMH will offer Employee Assistance services to impacted nurses including career counseling, assistance with resume writing, and job interview preparation. In addition, PMH will provide support and instruction, as requested, for the use of the on-line application system.
- V. A directly impacted nurse will be presented the following options:
  - A. Select to transfer to a vacant position at Providence Milwaukie Hospital that the nurse is qualified for.
  - B. Select an On-Call position at Providence Milwaukie Hospital that the nurse is qualified for if any such on call positions are needed.
  - C. Apply for positions at other Providence facilities including full time, part time, on call and share care positions.
  - D. Nurses may elect to exercise their bumping rights per contract. Bumping rights are as follows (language taken from contract):
    1. The maternity unit nurse with the most seniority will have the first choice to displace another nurse in the bargaining unit. (The impacted nurse will be informed of the options and will have 72 hours from the time of notification to exercise the

right to displace the least senior nurse in the bargaining unit.) The displaced nurse may take the position of one of the two least senior regularly scheduled nurses in the same unit who (i) holds a position for which he or she is qualified to perform the work; and (ii) is in the same category of full-time or part-time as the displaced nurse; and (iii) is less senior than the originally displaced nurse (the nurse whose position is thus taken will become the displaced nurse for purposes of the following subsections)

- E. Regular (regular means full-time or part-time as defined in the severance policy) nurses may choose to accept a Severance package effective as of the Closure date.
  - 1. Severance pay will be based on the severance policy applicable to non-represented employees then in effect, except that the nurse will receive severance payments equal to seventy-five percent (75%) of the severance wages available to non-represented employees with the same number of years of service as the nurse. In order to receive severance payments, the nurse will be required to sign PMH's standard severance agreement that includes a release of all claims (including the right to file any grievance relating to the nurse's selection for layoff). Any nurse who chooses severance (including a nurse who chooses severance and then refuses to sign the severance agreement) forfeits any further rights.
  
- F. Nurses who are unable to secure a new position will have recall rights per the contract. Recall rights will continue for up to twelve (12) months.

Accepted:

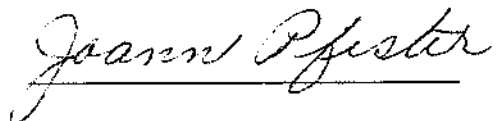
For OFN/ONA,



\_\_\_\_\_  
Jaime Newman, Labor Relations Representative

\_\_\_\_\_  
Date

For Providence Milwaukie Hospital,



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Joann Pfister, Human Resource Director

3/20/13

Date