

1 UNION PROPOSAL
2 ARTICLE 7 – ANNUAL PAID LEAVE
3

4 A. Annual Paid Leave (APL).

5 Full-time Nurses and Part-time Nurses will earn Annual Paid Leave (APL) at the rates
6 described in Section C. Annual Paid Leave is time earned by a Nurse and may be used to
7 take scheduled or unscheduled time off as described in Legacy policies, except as
8 modified below.
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10 B. Initial APL

11 Newly hired Nurses and Nurses previously employed by Legacy who are (re)hired into an
12 APL-eligible position will receive an initial (frontloaded) APL balance of 40 hours.
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14 Nurses eligible for an initial APL balance will not accrue additional APL until they have
15 worked enough eligible hours to accrue hours equal to the initial frontloaded amount.
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17 C. The APL Accrual Rates.

18 Eligible Nurses will accrue APL at the following rates

Months of Service	Accrual Rate (per hour worked)
0-60	0.1385
61-120	0.1501
121-180	0.1616
181-240	0.1732
241-above	0.1847

19 There is no maximum accrual.
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21 APL accrues on:

- 22
- 23 • hours worked in the pay period;
 - 24 • paid time off taken as APL;
 - 25 • overtime and call worked;
 - 26 • both voluntary and required time off, paid or unpaid, taken due to reduced workload;
 - 27 • paid jury duty and bereavement leaves;
 - 28 • education, meetings, and orientation time; and
 - 29 • temporary light duty work assignments.
- 30

31 APL *does not accrue* on:

- 32 • compensation that does not include hours paid at a minimum of the employee's base
- 33 rate (e.g., standby hours or pay);
- 34 • unpaid leaves of absence or unpaid time due to layoff;
- 35 • the value of accrued APL paid as a cash payment (APL "cash out");
- 36 • APL lump sum payments on termination;
- 37 • severance hours;

- paid benefits such as education assistance, flexible credits, and mileage reimbursement;
- disability pay, including STIS and LTIS;
- gifted paid leave hours;
- workers' compensation benefits; and
- remuneration received as bonus or commission.

When a Nurse becomes eligible for a higher accrual rate, the new rate begins on the first day of the pay period in which the Nurse's anniversary date falls.

D. Vacation Requests and Granting.

1. Vacations will be granted in a fair and equitable manner. If a vacation request is denied, the Manager will provide a written explanation.
2. The shared governance committee of each department will work with the department Manager to determine the minimum and the maximum number of Nurses that can be off of each shift in their department at a given time.
3. Nurses are personally accountable to ensure APL funds are sufficient to meet needs of vacation request. If approved vacation is taken without sufficient APL due to post-approval attendance issues, the Manager will discuss circumstances with the Nurse. This includes requesting vacations based on annual accrual rate.
4. Vacation approval will occur on a twelve- (12-) month rolling calendar. Requests will be accepted twelve (12) months from the start of the vacation request.
5. Requests will not be approved until the appropriate twelve- (12-) month window based on the date of the first day of the vacation request. Requests prior to the twelve- (12-) month period will be denied and require resubmission during appropriate vacation request time.
6. Requests for time off in the June 1 to September 30 and December 18 to January 2 "prime time" periods will be limited to two (2) consecutive weeks. Requests greater than two (2) weeks may be granted on a limited basis per Manager discretion.
7. Vacation requests during a published schedule will be granted based on Manager discretion.
8. Once granted, a vacation request may not be rescinded by the Hospital. Nurses may withdraw their vacation request before the schedule that encompasses their vacation is posted. If a Nurse withdraws their vacation request after the schedule is posted, it will only be honored if there is a staffing need on the unit.
9. If a Nurse's unit is on a patterned weekend rotation, Nurses cannot be required to find coverage for their shift if a vacation falls on their weekend rotation shift. Vacation requests cannot be denied for the sole reason that they fall on weekend rotation shift.

10. If multiple requests for vacations occur, the Manager will consider time of request, attendance, previous approvals, length of vacation requested, and staffing levels. Vacation should be granted by the outlined criteria, not primarily on length of service.

11. Length of vacation request (single day or week requests) and granting thereof, will be determined at the unit/department level. For example, units may utilize shared governance to determine if singular day off or partial weeks may be granted only after full-week requests have been approved.

E. Attendance

Regular, consistent, and predictable attendance is an essential requirement of nursing work at Legacy Mount Hood. Nurses are expected to be at work, ready to work, at their designated starting time, and to return from breaks and meal periods on time. Tardiness is defined as not being at work and ready to work, at the Nurse's designated starting time, or not returning from break or meal period by the end of the scheduled break or meal period. Meal periods and breaks are to be taken in accordance with the provisions of this Agreement, department policy, and applicable law.

Nurses are required to be on time for and in attendance during 95% of regularly scheduled work hours, measured quarterly. Unscheduled tardiness and absences in excess of 5% of regularly scheduled work hours will be considered excessive and may result in corrective action, up to and including termination of employment. In the instance of an unavoidable delay in transportation, Nurses should inform manager/supervisor of the situation immediately.

For the purposes of calculating attendance, all protected hours of absence (i.e., Oregon Paid Leave first 40 hours of absence, FMLA) will not count toward a Nurse's attendance rate.

Nurses may use hours worked on overtime, on-call, standby, and LSI shifts to make up for unscheduled tardiness and absences on regularly scheduled work hours. Overtime, on-call, standby, and LSI shifts shall count toward a Nurse's number of total hours worked at the rate of one-and-a-half (1-1/2) times regular work hours.

Attendance rates shall be tracked on Hospital Human Resources software (e.g., MyTime) in lieu of monthly reports.

For the purposes of determining whether a Nurse has worked 95% of their regularly scheduled work hours in a quarter, reports will be generated on March 31, June 30, September 30, and December 31. Only Nurses whose attendance has dropped below 95% in a that quarter will be subject to corrective action, up to and including termination of employment.

It is the Nurse's responsibility to notify their manager or designee, in a timely manner each day, if they are unable to work. Nurses shall follow the procedures specific to the department for calling in to report absences. Nurses who do not report to work for seven

1 (7) consecutive scheduled days, and do not contact their manager or designee, are
2 considered to have voluntarily terminated their employment. Single days of absence
3 without contacting a supervisor (“no-call, no-show”) is highly unacceptable and may be
4 subject to discipline.