ONA Proposal to MCHD 1.25.22

ARTICLE 2 DEFINITIONS

1. Continuous Service
Means uninterrupted employment with Multnomah County subject to the following provisions:
   A. Continuous service shall include uninterrupted employment with another governmental agency accomplished in accordance with and subject to ORS 9 236.610 through 236.650.

   B. For purposes of determining length of service prior to July 1, 1975, an interruption in employment of fourteen (14) months or less shall constitute continuous service, in addition to those individually documented cases previously approved by the Board of County Commissioners, the Chair, or Employee Services counsel.

   C. For purposes of determining what constitutes a break in employment after July 1, 1975 continuous service is terminated by voluntary termination, involuntary termination due to expiration of a layoff list, or discharge for cause.

2. Countywide Seniority
The period of an employee’s continuous service with Multnomah County, as calculated in accordance with Article 14, Section 2.B.

3. Essential Employee
An employee who has been designated as “essential” as is required to report for duty regardless of facility closure or curtailment of some or all County operations in accordance with the provisions of Article 15, Section 8.

4. Full-Time Employee
An employee regularly scheduled to work thirty-two (32) or more hours per week if on an eight (8) hour per day schedule; or an employee regularly scheduled to work thirty
(30) or more hours per week if on a ten (10) hour per day schedule.

5. Full-Time Equivalency (FTE):
The number of hours that:

A. an employee in Corrections Health is regularly scheduled to work during their fourteen (14) consecutive day FLSA period, averaged per week, and then divided by forty (40), or

B. an employee in all other programs/clinics is regularly scheduled to work during two (2) consecutive FLSA workweeks, averaged per week, and then divided by forty (40).

For example, the FTE for an employee regularly scheduled to work an average of forty (40) hours over two (2) consecutive FLSA workweeks is 1.00; for an employee regularly scheduled to work an average of twenty (20) hours over two (2) consecutive FLSA workweeks is .50.

6. Initial Trial Service Employee
An employee serving a six (6) month period of initial trial service to determine the employee’s suitability for continued employment, such period to begin on the date of the employee’s appointment from a certified eligible list. During the period of initial trial service, the employee may be dismissed without recourse to the grievance procedure if, in the opinion of the employee’s supervisor, the employee’s continued service would not be in the best interest of the County. A dismissed employee shall be afforded, upon request, an opportunity to discuss their dismissal with the Department Director or the Department Director’s designee(s).

If an initial trial service employee is granted a transfer to another division within the Health Department, the employee may be subject to an additional six (6) month initial trial service period.

7. Job Class Seniority
The total length of accumulated service with the affected job classification for purposes of shift and vacation bidding, and lateral transfers within the classification. Seniority is calculated in accordance with Article 14, Section 2.A.

8. Job Sharing
Job sharing position means a full-time position that is held by two (2) employees on a shared basis, thus each employee works .5 FTE.

9. Limited Duration Appointment
   A. Limited duration appointments may be made for special studies or projects of uncertain or limited duration, which are subject to the continuation of a grant (excluding grants for currently on-going programs like Early Childhood Services, etc.), contract, award or special funding (special funding is defined as funding that is designated as limited in duration with the possibility of no continuation beyond a budget cycle). Such appointments shall be for a stated period not exceeding two (2) years but may expire earlier. Limited duration employees shall be scheduled on a full time or part time basis and receive benefits and union representation per this agreement.

   B. A newly hired employee in a limited duration position is excluded from layoff rights since the employee’s appointment from the outset is determined to be time, task and work unit limited. Newly hired employees appointed under this section will only accrue seniority pursuant to Article 14, Section 2.B.7.

   C. A regular employee appointed to a limited duration appointment shall be reinstated to a position in the employee’s former classification for purposes of layoff or when the limited duration appointment ends. Regular status employees will continue to accrue seniority as if in their regular assignment. Limited duration appointments shall be made only with the agreement between the Association and Labor Relations.

10. Managerial Employee
Means a person who formulates policy or has a major role in the administration of policy; provided that such role is not of a routine or clerical nature and requires the exercise of independent judgment.

11. On-call Employee
An individual hired to perform sick, vacation, or variable load relief work on a sporadic basis when, in the County's judgment, no other form of appointment is practicable.

12. Part-Time Employee
An employee regularly scheduled to work at least twenty (20) hours per week or .5 FTE, but less than full-time.

13. Change in Classification Trial Service

Upon accepting a job classification with more advanced healthcare credentialing, a regular employee will serve a new six (6) month trial service period to determine the employee's suitability for continued employment in the classification to which they were hired. The new trial service period will begin on the date of the employee's appointment to the new classification. If the employee is not successful during this new trial service, they will be offered their previous position if it is available. If it is not available, they are eligible for transfer to a position in the classification that they previously held. If no positions are available, then the employee will have recourse to the bumping procedure as described by Article 14- Seniority, Layoff and Filling of Vacancies.

13. Regular Employee
The status a classified employee acquires after successful completion of the initial trial service period for the particular position to which the employee was appointed. A classified employee is an employee in County service who is not in a temporary or on-call position.

14. Supervisory Employee
An employee having authority in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or having responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection therewith, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgement.

15. Temporary Employee
A non-regular employee. The County agrees to notify the Association when any temporary employee has worked three (3) months.

17. Trial Service Period for Transfers

A trial service period applies when a regular employee begins a new work assignment in a different department (such as an ICS nurse going to corrections). The employee will serve a trial service period of one-hundred twenty (120) days to demonstrate their ability to fulfill the requirements of the assignment. At any time during a trial service period, an employee who does not satisfactorily fulfill the requirements of the assignment, and their prior work assignment is vacant, shall be returned to their previous work assignment. If there are no vacancies, then the employee will be placed in accordance with Article 14, Seniority, Layoff, and Filling of Vacancies. Such determination of satisfactory performance within the one hundred twenty (120) day trial service period will be made by management. If the employee’s previous position is not filled, the employee may elect to return to their previous work assignment.