ARTICLE 15 - SENIORITY

A. Continuous Employment — The performance of all scheduled hours of work, including time off because of vacation, paid sick leave, and authorized leaves of absence, which has not been interrupted by the occurrence of the following:

1. Termination, except for a nurse clinician who resigns their position in the bargaining unit and is rehired within twelve (12) months of their resignation date.

2. Layoff for lack of work which has continued for twelve (12) consecutive months.

B. Seniority.

1. Seniority shall mean the length of continuous employment as a clinician home health or hospice nurse or clinical liaison nurse by Providence Home Health and Hospice in the Portland Metropolitan Service Area, including of a type covered by this Agreement (“covered employment”) for nurses clinician hired as of January 1, 2007.

2. For home health and hospice nurses previously employed in that capacity by Providence Portland Medical Center (PPMC), Providence Saint Vincent Medical Center (PSVMC), or Providence Newberg Medical Center (PNMC) through December 31, 2006, seniority shall mean the length of continuous employment as a nurse by Providence Health System beginning with the nurse’s employment by PPMC, PSVMC, or PNMC.

3. All seniority will be computed on the basis of hours paid at straight time rates or higher.
4. For purposes of paragraph A.1. above, seniority is the length of continuous employment less the nurse’s clinician’s time worked outside of a position currently included in the bargaining unit.

C. Bidding on Shifts and Assignments. All other things being equal, qualified senior nurses clinicians will be given first opportunity for both assignment (including float or case management roles and assigned territories) and shift preference within their areas of experience and qualifications. A qualified nurse clinician who has worked at least one (1) year continuously in a nursing clinical unit as of the time when the nurse clinician applies for a vacancy on another shift or assignment within that nursing clinical unit will be deemed to have seniority for this purpose equal to their seniority as defined in B above, plus the length of service in the nursing clinical unit. When all applicants for the vacancy who do not come within the preceding sentence have been eliminated from consideration for any reason under this Article, the remaining applicants for the vacancy will be deemed to have seniority for this purpose equal to their seniority as defined in B above.

D. Vacancies and Promotions.

1. When Home Health and Hospice intends to fill a general duty vacancy or promotional position within the bargaining unit, it will email all bargaining unit nurses clinicians in addition to posting the vacancy electronically for no less than seven (7) days and shall not fill the vacancy, except temporarily, for seven (7) days beginning with the date when first posted. The posting shall state the position (including float nurse or case manager role and assigned territory, if applicable), shift and FTE. A nurse clinician who desires to fill such vacancy may apply in writing and, if the nurse clinician applies during such seven (7) day period, shall be eligible for the opportunity under C above. A nurse clinician who applies in writing for the vacancy within six (6) months before it is posted shall be deemed to have applied during the seven (7) day period. Vacant unit positions shall be offered first to employees within Home Health and Hospice who are
qualified for the job and make timely application for the opening. Corrective
action may be considered as a factor in determining whether an applicant is
qualified. In cases where applicants’ experience and qualifications are
substantially equal, the principle of seniority shall be the deciding factor.

2. No vacancy under this Article will be deemed to exist when Home Health
and Hospice and a regularly scheduled nurse clinician mutually agree, not more
than once per calendar year, to increase or decrease the nurse’s clinician’s
scheduled hours per week by no more than one (1) shift. If two or more nurses
clinicians on the same shift of a patient care clinical unit are willing to enter into
an agreement under the preceding sentence, the most senior such nurse
clinician will be given preference, provided the nurse clinician is qualified and the
extra hours, if any, will not result in scheduled overtime hours.

E. Home Health and Hospice will post a seniority list, sorted by clinical unit, on
Home Health and Hospice’s nursing intranet site. The seniority list will include the name
of each nurse clinician and the nurse’s clinician’s total number of seniority hours and
seniority start date.