This week, the Legacy Administration notified ONA they would be exercising their right to lay off employees in the system. It is unclear if every layoff is truly necessary, as we don’t have full transparency on the Legacy system’s budget. Regardless, Legacy has the right to pursue this action; however, even if Legacy can lay off ONA members, they are required to do so in a fair process that was negotiated with nurses. Non-union staff may be arbitrarily laid off without fairness or protections in place for how this occurs.

Your ONA leaders have quickly jumped into action not only in supporting a fair process, but in advocating for and partnering with management to work on ways to reduce or eliminate as many layoffs as we can. We are somewhat relieved to report that management has been hearing from people who may be interested in volunteering to take severance packages or FTE reductions that could avoid full layoffs from occurring.

From the time Legacy purchased Silverton Hospital in 2016, the administration made it clear they wished to remove all layoff protections from our collective bargaining agreement. During the first negotiations we had with Silverton in 2016, the protections around the layoff process became one of our biggest disagreements with management and one of our biggest accomplishments as a union to retain these rights. The 2018 negotiations rolled around, and not only was the administration hopeful ONA would no longer exist at Silverton, but they fought us every step of the way to again remove our layoff protections. In negotiations, we repeatedly asked them if they had actual layoffs planned and they said no. It didn’t make sense why they would hold up our entire negotiation over something they had no plans to do. And now, a few months later, it is quite clear how very important these protections are and how vital it was that 93 nurses voted YES to keep their union at Silverton Hospital.

So, what exactly did we protect and what will our union contract provide to nurses facing these layoffs?

1. **Stop the layoffs:** Most importantly, we are working as a union to advocate for steps to avoid layoffs! This is our highest priority. We have already been in talks with the administration requesting they look for volunteers for full-time staff to drop to part-time, vacant positions not to be filled, and to explore retirement/severance package options. We are hopeful that this may avoid all (or nearly all) of the layoffs facing our members.

2. **Seniority:** Layoffs will be based on seniority, so management can’t layoff the nurses with the most experience and the highest on the step system just to save extra money. Our departments rely on skill and expertise to keep an even skill mix on shifts and protect the safety of our patients. Please check the seniority list [here](#) and let us know if you see any errors on the list. (You can find this list on the ONA/SIL bargaining...
Legacy Announces Layoffs (Continued from Page 1)

unit webpage at www.OregonRN.org/page/90

3. Bumping rights: If you receive a layoff notice, you have the right to bump the least senior nurse in your unit, or the least senior nurse in the hospital, if you can meet the unit specific competency standards for that position after a one-week orientation. If you are bumped, you have the right to join the recall list and to accept any vacant position you are qualified for in the hospital after it has been posted for five days.

4. Recall: Nurses who are laid off or bumped will go on a recall list for one year and have the right to positions they are qualified for after they have been posted. They can also work on-call for the hospital while on the recall list. If census increases again, the work that you used to do cannot be done by a temp, resource pool nurse, or contracted nurse. Legacy must create a position again to cover that work that you would have recall protections for.

5. Severance: Any nurse receiving a layoff notice has the right to 20 days’ notice or three weeks of pay if they would like to join the recall list for one year. If the nurse chooses not to join the recall list, they have a right to Legacy employee transition benefits that could include up to 16 weeks of pay depending on how many years of service the nurse has (one week of pay per year of service). Read more about that benefit HERE (found on the ONA/SIL bargaining unit webpage, under “Legacy Policies).

To read the full text of our layoff protections in the collective bargaining agreement, CLICK HERE, or visit the ONA/SIL bargaining unit webpage on ONA’s website: www.OregonRN.org/page/90

From the ONA/SIL Contract

Article 10: Employment Status

4. Layoff or Workforce Reorganization: The Hospital retains the right to determine whether a permanent or prolonged reduction in or restructuring of personnel is necessary, the timing of such reduction or restructuring, the number of FTEs to be affected, and in which departments a layoff and/or restructuring will occur.

If the Hospital determines that a layoff in personnel or a restructuring is necessary, Nurses shall be laid off in the following order: (1) Nurse(s) within the affected unit who volunteer for layoff (2) in order of seniority (inverse order) within the affected shift and unit (for purposes of this section only, nurses whose start time is within two hours of the start time of the impacted shift will be considered to be on the same “shift”) (3) affected Nurses to be laid off may then choose to bump either the least senior nurse within the same nursing unit or the least senior nurse in the Hospital, if the Nurse is qualified to meet the unit-specific competency standards after no more than one week of orientation. Any nurse who is displaced under this paragraph will have the option of accepting any vacant position for which she is qualified in accordance with the following paragraph, or be placed on the recall list.

Open Positions: If there are any open bargaining unit position(s) at the time a layoff is announced, the position shall be posted in accordance with Section (F) in this Article. If the position remains vacant after five days, the position shall be made available to nurses facing layoff.

5. Recall: Nurses shall be recalled in seniority order. The Hospital shall offer all open and available bargaining unit positions to nurses on recall for which they are qualified if such positions remain open after the regular posting period provided for in Section 10 (G). Nurses on recall may refuse positions offered if the position is on a shift that is different from the nurse’s assigned shift at the time of layoff. Nurses shall have one right of refusal. Upon return, a recalled nurse will retain seniority, step wage and benefit accrual level in effect at the time of layoff. A nurse on the recall list may elect to work as an on call nurse for a period of up to 90 days without having that work impact her position on the recall list. Notice of this election must be made to the Hospital within ten (10) days of the notice of layoff. After expiration of the 90-day period, the displaced nurse may elect reclassification to on call status and will be removed from the recall list. Pursuant to Article 10, Section H(1), any recall rights expire twelve months after layoff.

6. Notice: The Hospital shall provide the Association and affected nurse(s) with at least twenty (20) calendar days’ notice prior to a layoff or provide three weeks’ pay to the affected nurse(s).

Workforce Reorganization: The provisions of this
section shall apply in the event of a work force reorganization that does not involve layoffs. A workforce reorganization shall include staffing changes resulting from a merger or consolidation of two or more units, increases or decreases in FTE status among bargaining unit members, and changes of positions within a seniority pool.

Performance of Remaining Work: The work remaining after a workforce reduction shall be performed by currently employed nurses until the Hospital determines that recall shall be initiated. The Hospital may employ laid off Nurses who retain recall rights as On-Call Nurses to perform available work, and such laid off nurses who have indicated their availability to perform this work will be offered it before the work is offered to temporary, Resource Pool or contracted nurses. The foregoing section shall not apply to laid-off nurses who do not retain recall rights.

Severance Pay: The parties agree that bargaining unit nurses may participate in Legacy’s Employee Transition Policy under the same conditions as nurses in the same or similar classifications at other hospitals within the system. Any nurse who elects to participate in Legacy’s Employee Transition Policy will waive any recall rights they may have under this Article 9 and any recall or internal applicant status rights they may have under this Article 10.

2019 ONA NURSE LOBBY DAY

Join hundreds of nurses and nursing students at the State Capitol in Salem. ONA will provide resources, materials and training to all attendees. First-time participants are welcome.

- Meet your state legislators
- Learn more about 2019 legislative issues that affect nurses and our patients
- Learn how to effectively lobby decision makers
- Advocate for priority legislation and issues like patient health care access, workplace safety and advanced practice scope
- Receive continuing nursing education contact hours

Oregon Nurses Association is accredited as a provider of continuing nursing education by the American Nurses Credentialing Center’s Commission on Accreditation.

Where are the Layoffs Happening?

Foot Clinic: Legacy is closing the clinic completely. There is one 0.5 FTE ONA position affected.

S.T.E.P.S.: Legacy is closing the Woodburn S.T.E.P.S. clinic and merging the nurses back into our Silverton S.T.E.P.S. clinic. There is a loss of 1.5 FTE in STEPS that we are hopeful can be covered through severance and attrition.

Emergency Department: Legacy is cutting back the Emergency Department by 1.2 FTE reduction. They will be eliminating the 15:00 swing shift positions and shifting those folks elsewhere. The FTE reduction can hopefully also be mediated by volunteers for a severance package.

FBC: Legacy is cutting back the Family Birth Center Lactation Services by 0.55 FTE. We are also hopeful this can be mediated by a volunteer taking a severance package.

Other layoffs impacting RNs workload: We’ve heard that all FBC CNAs are laid off, 2 COS people in S.T.E.P.S. were given notice they will be laid off April 1, and we’re not sure how many more ancillary staff may have or will get notices. It is vital that nurses speak up if the loss of ancillary staff increases their workload to a point that RN staffing levels need to be adjusted in staffing plans to maintain safety and professional standards in your units.

Please contact your staffing committee representative, or the staffing committee nurse co-chair, Jeanna Thurston, if you have a concern. In general, after this restructuring and loss of staff, any department that ends up with RNs that have concerns about safe staffing levels should speak with your ONA elected staffing committee representatives about whether your unit is still following its staffing plan and/or if changes need to be made to that plan.

ONA STAFFING WORKSHOP

March 4, 2019
5-8 p.m.
Silverton, OR

Please join the ONA nurse practice consultants on Monday, March 4 from 5-8 p.m. for a Staffing Workshop.

We will be discussing best practices for developing a staffing plan and providing education on how you can review your plans to ensure they meet the requirements of the staffing law.

This workshop is FREE for all ONA members!

Please CLICK HERE, or go to: www.OregonRN.org/events for more details!