

ONA Proposal
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ARTICLE 8 – HOURS OF WORK

(This a response to management's last proposal on 8/5/25)

Workweek.

The workweek begins Sunday at 12:01 am and ends Saturday at midnight.

• Workdays.

The basic workday shall be eight (8), ten (10) or twelve (12) hours.

The Employer and an individual Nurse may mutually agree to workdays other than eight (8), ten (10) or twelve (12) hours. Such agreement shall be in writing. The Employer reserves the right to cancel such agreements by giving written notice of at least thirty (30) calendar days to the affected Nurse. If a Nurse in an existing ten-hour (10-) or twelve-hour (12-) position is medically unable to perform ten (10) or twelve (12) hours of work (supported by a fitness-for-duty evaluation), an eight-hour (8-) position may be considered if staffing needs can be accommodated.

• Overtime

Overtime compensation shall be paid at one and one-half times (1 ½) the Nurse's regular rate of pay, for all hours worked in excess of one of the following:

• Hours Worked in Excess.

Hours worked in excess of the Nurse's basic workday (8, 10, or 12) in accordance with the Nurse's pay plan will be paid at the overtime rate.
Approved shifts of less than eight (8) hours as posted on the work schedule will not incur overtime until a minimum of eight hours is worked.

• Hours in Excess of Forty.

Hours worked in excess of forty (40) hours in a workweek (or eighty

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(80) in a pay period for Nurses on an eight (8)-and-eighty (8)-and-(80) schedule).

Overtime shifts must be approved by the Nurse's manager or designee in advance, except in emergencies.

- **Rest Periods.**

One fifteen-minute (15-) rest period shall be allowed during each four-hour (4-) period of employment. Managers shall ensure rest periods occur in accordance with Oregon law, which currently states rest breaks shall be as close to the middle of the four-hour segment as possible. Managers and Nurses shall be responsible for working together to ensure rest periods occur. When a nurse is unable to take a meal or rest period, the nurse will notify the manager and/ or charge nurse who will make a reasonable effort to have the nurse relieved. This will occur in advance when feasible, otherwise it will be reported in the rest period attestation.

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One 15- minute rest period can be added to the 30- minute meal period or two 15- minute rest periods can be combined.

- **Meal Periods.**

Nurses who work (6) hours or more shall be offered to ~~entitled to~~ take a meal period of 30 uninterrupted minutes. During the meal period, Nurses are relieved of duty and will attempt to use a badge reader to clock in/ out in real time for their meal periods at the badge reader closest to their work area. If the Nurse is unable to successfully clock in/out using a badge reader, the Nurse shall notify the appropriate channel for escalation.

Managers or their designee shall ensure that ~~schedule~~ Nurses' meal and rest periods occur and provide relief as necessary. The manager and/ or designee will make substantial efforts to ensure a Nurse providing meal and

rest break relief does not have a concurrent patient assignment. Managers, Charge Nurses and/or Nurses shall be responsible for working together to arrange suitable meal periods and take reasonable efforts to ensure the meal and rest periods are taken without interruption. Nurses who are unable to take a meal period ~~as a result of patient load~~ shall be paid for the time worked. It is the Nurse's responsibility to manage their time so that the ~~scheduled~~ meal period can be taken except in emergency situations (e.g. Codes). Meal periods may be scheduled between the second and ninth hour worked, depending on the length of the shift and the needs of the department.

- Break Relief Nurses.

A Break Relief Assignment will relieve Nurses with patient assignments for rest and meal breaks without additional assigned duties (when providing break relief). A Break Relief Assignment is given to a Nurse that holds a position on that unit or floats to other units to provide breaks and meals coverage. A Break Relief Assignment shall only be assigned to a Nurse that holds competencies and is qualified to work in that assignment. Units can also use alternative break relief processes as long as they are approved by the nurse staffing committee. An approved process must allow for uninterrupted meal and rest periods. In accordance with Oregon law, Unity shall provide meal and rest break assignments to Nurses qualified for the assignment.

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- a. Nurses will not be assigned to the break relief nurse role until they feel proficient in handling the assignment and they have been employed at Unity for at least four (4) months.

- **Notice for Low Census.**

Whenever possible in the assignment of low census, the Employer shall notify Nurses that they are not needed for a scheduled shift no later than two (2) hours prior to the Nurse's scheduled shift. A reasonable effort by the

Employer would include an attempt to contact the Nurse by telephone at the number listed by the Nurse. If the two (2) hour notification is not met, the nurse will be compensated two (2) hours of their base hourly rate for the inconvenience.

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If the Employer has not notified the Nurse that they are not needed for their scheduled shift with less than 2 hours notice and they report to work for their shift and they show up for work, they Nurse shall be offered the opportunity to work for a minimum of two (2) three (3) two (2) hours. A Nurse may elect to forego this work opportunity and take the time off with (utilizing APL) or without pay (Absent Facility with Pay (AFP) or Absent Facility Without pay (AFN)). The two-hour (2-) two (2) three (3) hours -minimum shall not apply if the Employer has made a reasonable effort to notify the Nurse in advance not to report for work on that shift.

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• Minimum Shift Pay.

Nurses shall be paid a minimum of two (2) three (3) two (2) hours' pay for each shift worked unless the Nurse volunteers to take the time off without pay. This minimum shift pay provision shall apply to mandatory staff meetings that a Nurse is required to attend outside of a scheduled shift. This minimum shift pay does not apply to voluntary meetings, committee meetings, education, or investigatory meetings.

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• Low Census.

When patient census and acuity create a need to reduce Nurse staffing after the schedule has been posted, individual Nurses will be subject to low census pursuant to Legacy policy and the following order:

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1. Agency and travelers when contract allows.
2. Legacy Shift Incentive (LSI) in overtime
3. LSI

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4. Call worked/Overtime

5. Employees working an extra shift non-overtime who are requesting AV (time off without using APL)

6. Volunteers requesting cancellation including resource pool (AV requests)

7. Late AV requests received after the 6-hour mark but granted to avoid mandatory cancellation

8. Employees working an extra shift not in overtime (i.e. part-time employees working an additional shift on straight time pay).

9. On-call/per diem/supplemental staff

10. Regularly scheduled employees, working regularly scheduled hours in rotation by cancellation percentage. If more than one (1) employee has the same cancellation percentage, last cancellation date will be used to determine which person will be cancelled for that shift.

11. Regularly scheduled employees, working regularly scheduled hours that are capped are cancelled in rotation by cancellation percentage. If more than one (1) employee has the same cancellation percentage, last cancellation date will be used to determine which person will be cancelled for that shift.

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In the application of the factors relating to low-census decisions, the primary considerations shall be the maintenance, at all times, of safe patient care, continuity of care by the Nurse currently assigned to such activities, and the maintenance of adequate nursing staff to serve Unity patients. The appropriate mix of skill sets, certifications required to care for the immediate patient census and continuity of nursing care will be evaluated and determined by Unity supervisors/manager/Charge Nurse.

• **Departmental Nursing Staff Meetings.**

Attendance by Nurses at Departmental nursing staff meetings ~~is not required~~ ~~are voluntary~~, and Nurses shall be compensated at straight time for attending

such meetings, unless the Nurse is entitled to overtime pay in accordance with Article 8(C), above. Nurse Managers will schedule each departmental meeting for their department and communicate the schedule in advance. Nurses who do not attend the departmental nursing staff meeting will read the minutes for that staff meeting within fourteen (14) calendar days of posting, during their work time. A manager may approve a Nurse additional paid

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time to review meeting minutes Attendance at voluntary departmental nursing staff meetings will not be referenced in corrective action or referenced negatively in performance evaluations.

• **Scheduling Procedure.**

Full-time and part-time Nurses shall declare their availability in accordance with Simplicity Guidelines. After all full-time and part-time Nurses have declared their availability, the schedule will be balanced to meet unit needs. The schedule will be finalized and posted for full-time and part-time Nurses at least six (6) weeks in advance. Prior to posting of the schedule, a full-time or part-time Nurse may not be scheduled above or below their FTE. After the schedule is posted, on-call Nurses will sign up for remaining available shifts to meet their minimum work requirement. Unity shall follow Legacy policy scheduling any remaining open shifts after the schedule is posted, until seven (7) days before an unfilled scheduled shift. At seven (7) days prior to an unfilled scheduled shift, Unity shall broadcast the shift availability to qualified bargaining unit and Resource Pool Nurses. Within six (6) days of an unfilled scheduled shift, Unity shall follow Legacy policy for broadcasting available shifts. Once a schedule is posted, it shall not be changed without mutual consent.

Request Day Away ("RDA") are days indicating a Nurse's unavailability to work. Nurses are allowed to have six (6) RDA requests during each 6-week scheduling period. The Employer will make reasonable efforts not to schedule a Nurse to work on a day they have designated as one of the six RDA days per scheduling period.

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• **Pay for Call Worked.**

Nurses on standby (scheduled or unscheduled), in addition to their standby pay, shall receive time and a half of their regular rate of pay for call worked (defined as time worked when called back from standby). Call Worked begins when the Nurse reports to Unity, ready for work. If a Nurse is called into work

from standby, they will receive a minimum of ~~three (3)~~ four (4) hours pay regardless of hours worked.

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Floating:

The Employer may float a Nurse to another unit and will follow this criteria:

1. Nurses may be floated within their cluster, as those clusters are defined by the PES, Inpatient and Adolescent units, as long as the floating individual does not cause their home unit staffing plan to be violated. A Nurse may be floated to only one other Unit per shift. A Nurse shall receive patient care assignments consistent with their skills and competencies. Floating within a cluster will be rotated as equitably as possible. Managers will float Nurses based on the following order:

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- a. Traveler/ contract Nurses
- b. Resource pool Nurses
- c. On Call/ per diem/ supplemental nurses
- d. Core Nurses based on the last furthest float date

2. Before a Nurse is floated to a unit outside their cluster, they will receive an orientation to cover safety and general needs in any unit they are qualified to float to. In order to receive a direct care patient assignment, the nurse must be fully cross trained and receive patient assignments commensurate with their skills and competencies. If that assignment is not available, the nurse will then be assigned to a BHT/ BHA role.

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- 2-3.
1. A nurse may decline their cross trained status by providing five (5) days written notice to their manager. The manager will relay this information to house supervisors and other members in management

prior to the end of the five (5) day period. Once a Nurse provides timely notice of the declination of cross training status, every effort will be made not to float the Nurse to an area outside their cluster in which they no longer an active cross-training status.

3-4.

4-5. If out of cluster and the nurse is asked to float, the nurses can decline and be placed on standby/ be flexed.

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5-6. When floating a Nurse outside their home cluster, the Hospital will make reasonable attempts to float Nurses equitably by rotating such assignments when more than one Nurse has the required competency to float to another unit.

6-7. Nurses who are in their introductory period, shall not be floated to another unit without the agreement of the Nurse.

7-8. RN Residents: Nurses in their residency enrolled in the Legacy RN residency program shall follow the programs policy/ guidelines .

9. The Hospital will maintain a record of float assignments at a unit-based level. Float assignments will be tracked for each unit so that assignments are distributed as equitably as possible. A Nurse's cross-trained status will be tracked in MyTime. Each unit will maintain a log of the last float date for RNs.

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Weekend Work.

For work on the weekend, the Employer will make an effort to have Nurses who work twelve-hour (12-) shifts work no more than every third weekend, and Nurses who work eight-hour (8-) shifts no more than every other weekend. A nurse required to work every third weekend may use APL for four (4) shifts off on a scheduled weekend per calendar year, in accordance with APL guidelines, without being required to obtain coverage by other Nurses. A nurse required to work every other weekend may use APL for six (6) shifts off on a two (2) scheduled weekends per calendar year to be

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~~designated six (6) months in advance~~, without being required to obtain coverage by other Nurses. The time off requests will be in accordance with the APL process/ vacation request process (enter Article and #). Only one (1) Nurse per shift and unit may exercise this option on any particular weekend. The weekend is defined as beginning at 2300 on Friday and ending at 2330 on Sunday. Weekend differential is paid based on the majority of hours worked within that timeframe and is paid only for hours worked.

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~~No Pyramiding.~~ (moved to compensation)

~~There shall be no pyramiding of one and one half (1 ½) or greater premiums. No pyramiding means that once one hour (1) has been deemed payable under one premium it may not be counted again in determining whether such a premium should be paid for any other hour, including overtime. For purposes of a premium not counting towards overtime, LSI is not included, and the premium must be paid at one and half times (1 ½x) or above.~~

Legacy Shift Incentive (LSI): Nurses in the bargaining unit are eligible to receive LSI in accordance with Legacy policy applicable to non-bargaining unit nurses ~~(see our separate proposal on LSI)~~

Absences.

~~Nurses shall not be issued corrective action for poor attendance for use of eight (8) or less shifts (full or partial) per calendar year (for Nurses working twelve hour (12) shifts; twelve (12) or less for Nurses working eight hour (8) shifts) of unscheduled APL, or other sick or unscheduled time, that are not otherwise protected by state or federal law, so long as Legacy notice requirements are met.~~

[Move to the TA'd APL section for absences]

Standby (on call) absences will be treated like a shift absence. On call nurses who do not fulfill their minimum shift requirements as described in Article 3, section J will face the same progressive corrective action

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process as regular nurses. If there are not enough shifts available to meet the requirements, that will not count against the nurse. Managers will reach out to on call nurses to help them fulfill their minimum requirements.

- **Notice for Absences.**

Nurses are expected to provide advance notice of any absences as soon as possible, but no later than at least ~~three (3) three (3)~~ hours prior to the start of the scheduled shift.

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