

## ARTICLE 11 – SENIORITY

### A. **Seniority Defined**

Seniority is defined as length of service with the Hospital from the employee's date of hire as calculated by credited hours. Employees receive credited hours for seniority as follows:

1. **Full Time Employees**

Full Time employees shall be credited with eighty (80) hours per pay period. During any leave of absence, only hours paid will be credited towards seniority.

2. **Part Time Employees**

Part Time Employees shall be credited with one (1) hour for each hour paid or cancelled at the Hospital's request.

3. **Per Diem Employees**

Per Diem employees shall be credited with (1) hour for each hour paid.

4. **Exceptions to the Definition & Application of Seniority.** The seniority of an employee in the following classifications is the employee's date of hire.

- a. Laboratory Technician Assistant I and II, including Lead Laboratory Technician Assistant
- b. Clinical Pharmacist and Clinical Pharmacist – Night
- c. All applications of seniority for these classifications [\(exclude per diems\)](#) will be without regard to FTE status.

5. **Tie Breaker for Seniority.** In the event two (2) employees have equal seniority, seniority priority will be determined by (1) the date of hire; and if the dates are the same, (2) the employees' W-4 Form date; and if the dates are the same, (3) the employees' date of application for employment.

6. **Seniority Lists.** Seniority lists shall be prepared by the Employer effective March 31<sup>st</sup> and September 30<sup>th</sup> and provided to the Union no later than three (3) weeks after those dates. [With the exception of number 4 above, in each Department, there shall be three \(3\) seniority lists, a list for Full-Time employees, a list for Part Time employees, and a list for Per Diem employees. As used in this Agreement, the words "department" and "unit" have the same meaning.](#)

7. **Credit for Prior Seniority.**

An employee who leaves the bargaining unit and returns, without having terminated his/her employment, shall be credited with his/her prior seniority.

### B. **Seniority Applied**

1. **Application of Seniority by Department (or Unit Grouping), Classification and Status.**

Application of seniority shall be by department. (See below). Seniority shall be applied within each department by job classification as follows: First to Full Time employees, second to Part Time employees and third to Per Diem employees.

For Nursing Assistants only, application of seniority shall be by Unit Groupings, as defined below.

[For Unit Assistants, application of seniority shall be by Unit Groupings, with the exception that Labor & Delivery, Mother Baby, and NICU shall be excluded from Unit Grouping.](#)

2. **Seniority Not Applicable during Introductory Period.** Seniority shall have no application for an employee until he/she has completed his/her Introductory Period.

C. **Transfer and Promotions.**

1. **Posting of Vacancies.** The Hospital shall post a notice of any vacancy for a period of five (5) days from the date of notice of such vacancy. Any employee will be eligible to apply for a vacant position with preference given to employees who transfer within the same job classification.
2. **Seniority Among Applicants.** In the event there is more than one (1) applicant for a vacancy, seniority within the same job classification shall prevail, provided that [active discipline may be considered there is no difference between the applicants with respect to active discipline.](#) However, in the case of a promotion or transfer outside one's classification, the Hospital shall have the ability to exercise its judgment with respect to skills, ability, and performance history. Otherwise, seniority shall prevail.
3. **Evaluation Period.** For each employee who fills a vacancy there shall be an evaluation period of thirty (30) days. At any time during the thirty (30) day period, the employee may return to his/her previous position at either the employee's or Hospital's request.
4. **Transfer Defined.** A transfer within a classification is defined as a.) a change in shift or assignment within a department or b.) a change in department.

D. Transfer Limits

1. **Twelve (12) Month Waiting Period for an Employee Returning to His/Her former Position.** If an employee transfers and returns to his/her former position within the Evaluation Period, the employee may not transfer again for a period of twelve (12) months from the date of his/her return, unless otherwise approved by the Employer.
2. **Twelve (12) Month Waiting Period for an Employee to Bid into a Different Classification.** An employee is not eligible to bid into a different classification until she/he has worked twelve (12) months in his/her position, unless otherwise approved by the Employer.

E. **Floating**

Employees may be floated as needed to maintain safe patient care. Floating will occur according to job classification, skill and required qualifications. In the event there are two (2) employees with equal skills, the less senior employee will float. When floated, the float staff will be given preference when possible such that the employee will not be primarily responsible for patients with specialty needs unusual to their skill level but may participate as a team member performing routine duties associated with their job classification. [Nursing Assistants and Unit Assistants may be floated within and across unit groupings before the Hospital will be required to consider cancellations for those employees.](#)

Training/Orientation. Appropriate training and/or orientation in other units regardless of Unit Grouping will be given to Nursing Assistants who may be more likely to float.

F. **Call Off/Call In Procedures For All Employees and Drop Days/Daily Cancellations**

1. **Daily Cancellations and Accrual of PTO and Sick Leave.** Because the Hospital may have sudden drops in workload/patient census, there may be a need for temporary reductions in staffing for the shift of a day or several days, not to exceed a period of three (3) calendar weeks. Such days are referred to as drop days or cancelled days and shall be recorded and credited as days paid for purposes of accrual of benefits. Employees will have the option to use PTO or drop time if cancelled involuntarily. If the employee accepts voluntary cancellation, he/she will be required to use PTO.
2. **Notice of Call Off.** Personnel not required to satisfy the staffing needs will be contacted as early as possible as but no later than one (1) hour before the beginning of their assigned shift.
3. **Call Off/Call In Logs.** Contact of an employee for a call off/call in will be demonstrated by recording the method of contact (phone call, verbal, or message) on a log maintained in the department. The log will indicate the date, time of day, and method of contact. This log will be maintained for six (6) months. In the event the employee does not receive notice of call of and the Hospital can demonstrate by entry on the log that a reasonable attempt was made to contact them, the Hospital is under no obligation to pay reporting pay.
4. **Failure to Accept Call for Call In.** When an employee does not personally accept a call for call in, the employee is deemed unavailable and Hospital has the right to call the next employee on the list.

G. **Call Off and Call In For Nursing Assistants and Unit Assistants**

1. [In the event of call off, seniority shall be applied by job classification based on skill and qualifications in their Unit Grouping. In the event of call in, seniority shall be applied by job classification based on skill and qualifications first within their Unit Grouping and](#)

then outside their Unit Grouping. Employees will be called off in reverse order of seniority in categories (i) through (vii) as follows:

- i. Employees receiving overtime/double time)
- ii. Volunteers (must use PTO)
- iii. Registry/Travelers
- iv. Employees working extra shifts
- v. Per Diem employees
- vi. Part Time employees
- i.vii. Full Time employees

2. **Bumping the Least Senior Employee.** An employee who has been called off may bump the least senior employee scheduled in the Unit Grouping within (12) hours of the call off, unless such bumping would cause the employee to receive overtime /premium pay on that or any subsequent day.

H. **Call Off and Call In (Except Nursing Assistants and Unit Assistants)**

1. **Call Off and Call In by Seniority (Except Nursing Assistants & Unit Assistants).** In the event of call off or call in, seniority shall be applied by job classification based on skill and qualifications in the department to which they are regularly assigned. Provided that the employees in any department or Unit Grouping have the skill to perform the work to be done, employees will be called off in reverse order of seniority in groupings (i.) through (vii.) and recalled by seniority in groupings (vii.) through (i.) as follows:

- i. Employees receiving overtime/double time)
- ii. Volunteers (must use PTO)
- iii. Registry/Travelers
- iv. Employees working extra shifts
- v. Per Diem employees
- vi. Part Time employees
- vii. Full Time employees

2. **Bumping the Least Senior Employee.** An employee who has been called off may bump the least senior employee scheduled in the department (or Unit Group for Nursing Assistants only)department within (12) hours of the call off, unless such bumping would cause the employee to receive overtime /premium pay on that or any subsequent day.

I. **Definition of Unit Grouping.** As used in this Article, the term "Unit Grouping" shall apply to The following Unit Grouping for Nursing Assistants and Unit Assistants as follows: will be used solely for the purpose of employees' exercising their seniority for temporary call offs, call-ins, and floating. In those cases, the least senior employee in a classification in a Unit Group will be called off.

1. General Care Beds Unit-Grouping.

Medical/Surgical \_\_\_\_\_ Pediatrics  
Ortho Neuro Spine \_\_\_\_\_ Labor & Delivery/Mother Baby (excluding Unit  
Comprehensive Cancer Care Assistants)  
Patient Care Resources NICU (excluding Unit Assistants)

2. Monitored Beds Unit Group.

Telemetry Heart Center  
OCU ER  
ICU Outpatient Surgery

**J. Distribution of Additional Available Hours.**

1. Additional available hours will first be offered by the Employer, by classification, in seniority order, to the most senior employee who has made himself/herself available by entering the appropriate information in the scheduling system/procedure, provided that no overtime pay will be incurred.
2. Per Diem Employees. Thereafter, if additional available hours remain, they will be offered to per diem employees in accordance with the terms of this Agreement.
3. In order to be eligible for overtime work, employees must make themselves available by entering the appropriate information in the scheduling system/procedure, by classifications and department in seniority order.
  - a. If the Hospital first becomes aware that overtime work is required on the same day that the overtime work is needed, the Hospital will offer the overtime work in the following order:
    - i. First ask working employees in order of seniority to remain beyond their scheduled shift.
    - ii. Next, the Hospital will ask employees within that classification who are also scheduled to work on that day to come in early.
    - iii. Next, the Hospital will offer the overtime work to employees within the classification.
    - iv. Finally, if no employees within the classification are willing or available to work overtime, then the Hospital may offer the overtime work to employees outside of that classification who possess the requisite skills and qualifications.
  - b. If the Hospital first becomes aware that overtime is required at least one full day in advance of when overtime is needed, the Hospital will offer overtime work by seniority within the classification using the methods set forth in Section I (1) and I (2), above. If no employees within the classifications are willing or available to work overtime, then the Hospital may offer the overtime work to employees outside of that classification who possess the requisite skills and qualifications.

K. **Departments.** For ~~purposes of~~ this Article, the following is a list of the current departments for the Hospital:

General Accounting	Patient Registration	Patient Financial Services
<a href="#">Patient Care Resources</a>	Wound Care	
Case Management	Nutrition Services	Coffee Shop
Diagnostic Imaging	Respiratory Care	Materials Management
Laboratory	Surgery	
Endoscopy	Pharmacy	Environmental Services
Telecommunications	Cardiology / Cath Lab	Medical Records/HIM
Emergency Department	Outpatient Services	Interpreters
Transport	Mammography	Rehabilitation Services
Telemetry	Heart Center	ICU/CCU
Observation Care Unit	Medical/Surgical	Ortho Neuro Spine
Comprehensive Cancer Care	<a href="#">SSPD</a>	<a href="#">Labor &amp; Delivery</a>
<a href="#">Mother/Baby</a>	<a href="#">NICU</a>	<a href="#">Pediatrics</a>

1. **Classification.**

a.) Each job classification shall have a separate seniority list. However, the following groups of classifications are considered one (1) classification for purposes of the application of seniority provided the employee in a specific classification is qualified to perform the duties of the other classification(s) in her/her group.

<b><u>Group I</u></b>	<b><u>Group II</u></b>	<b><u>Group III</u></b>	<b><u>Group IV</u></b>	<b><u>Group V</u></b>
Cardiac Sonographer I	Cath Lab Tech I	Pharmacy Tech I	Radiology Tech I	Sonographer I
Cardiac Sonographer II	Cath Lab Tech II	Pharmacy Tech II	Radiology Tech II	Sonographer II
	Cath Lab Tech III		Radiology Tech III	Sonographer III
				Sonographer IV

**Group VI**

- [Respiratory Care Practitioner Certified](#)
- [Respiratory Care Practitioner Certified – NICU](#)
- [Respiratory Care Practitioner Registered](#)
- [Respiratory Care Practitioner Registered - NICU](#)

b.) The classification in the following groups are considered separate classifications for purposes of seniority:

<b><u>Group I</u></b>	<b><u>Group II</u></b>
Diet Clerk I	Unit Assistant I
Diet Clerk II	Unit Assistant II

c.) The following groups of classifications are considered one (1) classification for purposes of the application of seniority provided the employee in a specific classification is qualified to

perform the duties of the other classifications(s) in his/her group. Movement to the higher paid classification within these groups is automatic based on the employee attaining the requirements of that higher paid classification:

**Group I**

Medical Records Specialist II  
Medical Records Specialist III

**Group II**

Tech Assistant I  
Tech Assistant II

**Group III**

Transcriptionist II  
Transcriptionist I

**L. Reduction in Force of Three (3) Weeks or More and Recall**

1. **Reduction in Force.** If it becomes necessary to conduct a reduction in force, defined as an indefinite layoff of three (3) weeks or more, the Employer will meet and confer with the Union regarding the reduction in force, the existence of any practical alternatives to avoid an indefinite layoff, and the effects of any such reduction in force. Seniority for a reduction in force shall be Hospital-wide within a job classification. Reducing the number of employees by classification will begin with any registry/agency employees, and then the Employer will reduce the number of employees by classification by seniority in the following order:
  - i. Part Time employees
  - ii. Full Time employees
2. **Recall.** Employees will be recalled by classification based on seniority at the time of reduction in force. Laid off employees will remain on the recall list for (1) year.
3. **Mutually Agreed, Alternate Procedures.** Nothing contained in this Article shall prevent the parties from mutually agreeing to alternate arrangements or procedures in conducting a specific reduction in force.