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2 **ARTICLE VII – EMPLOYMENT STATUS**

3 A. Management Rights. It is agreed that the operation of the Medical Center
4 and the direction of the employees, including the making and enforcing of rules to
5 assure orderly, safe and efficient operation, the right to hire, to transfer, to promote, to
6 demote and to lay off for lack of work are rights (the above listing is not all inclusive but
7 indicates the types of matters which belong to or are inherent to management) vested
8 exclusively in the Medical Center and are subject to its sole discretion except as
9 abridged by this Agreement.

10
11 B. Probationary Period. A nurse employed by the Medical Center shall not
12 become a regular employee and shall remain a probationary employee until they have
13 been continuously employed for a period of 180 calendar days. However, the Medical
14 Center may extend, in writing, a probationary period that has been interrupted by a
15 leave of absence for a period not to exceed the length of the interruption.

16
17 C. Cause for Discipline. The Medical Center shall have the right to discipline,
18 suspend or discharge nurses for proper cause. A regular full-time, part-time or resource
19 nurse who feels they have been suspended, disciplined, or discharged without proper
20 cause may present a grievance for consideration under the grievance procedure.

21
22 D. Discipline/Corrective Action.

23
24 1. Investigatory Meetings under the *Weingarten* rule. A nurse has the
25 right to request a representative of the Association be present for an
26 interview by the Medical Center as part of an investigation that might lead
27 to discipline.

28
29 2. Review of Performance Following Discipline. Upon request from a
30 nurse who has received discipline, the Medical Center will review the
31 nurse's performance and provide a written summary addressing the

32 nurse's efforts at resolving the issues that led to the discipline. In
33 responding to such requests, the time between the original disciplinary
34 action and the nurse's request for a follow up review may be taken into
35 account and reflected in the summary. The statement will be given to the
36 nurse and placed in the nurse's personnel file.

37
38 3. Nurses shall not be disciplined based solely upon data from any
39 call light locator systems.

40
41 4. -. Written disciplinary notices and documentation of employee counseling
42 sessions shall be invalid after a period of one (1) year from the date on issuance,
43 except when there are other materials of the same or related nature in which
44 case all related notices and documentation of employee counseling sessions
45 shall be invalid after a period of one (1) year from the date of the most recent
46 related material. These written disciplinary notices and documentation of
47 employee counseling sessions shall be removed from the personnel file upon
48 employee requests.

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50 E. Individual Development/Work Plans.

51
52 1. Development plans or work plans are not disciplinary actions. The
53 goal of a work plan is to provide a tool to enable a nurse to develop skills
54 and/or improve performance.

55
56 2. Work plans will outline job requirements, performance expectations,
57 and objectives. The Medical Center will seek input from a nurse in the
58 development of a plan, but the parties acknowledge that the Medical
59 Center has the right to determine when to implement a plan and to decide
60 on the terms set forth in the development or work plan.

61
62 3. If a plan is in place and there is a significant change in
63 circumstances (e.g., significant change in workload or assignment), the

64 nurse may request an adjustment to the plan to address the changed
65 circumstances.

66
67 4. A work plan will only be referenced in a later corrective action within
68 a one (1) year period after completion of the work plan.

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71 F. Reports to the Board of Nursing. Under normal circumstances, the
72 Medical Center will inform a nurse if the Medical Center is making an official report of
73 the nurse to the Board. Failure to inform a nurse of a report to the Board of Nursing will
74 not and cannot affect any action that might be taken by the Medical Center and/or the
75 Board of Nursing. ~~Interest reviewing~~

76
77 G. Access to Personnel Files. A nurse may review the contents of their
78 personnel file upon request, in accordance with ORS 652.750.

79
80 H. Attendance. The parties acknowledge the importance of nurses arriving to
81 work on time and that reliable attendance is critical to ensuring care for the Medical
82 Center's patients and for good teamwork in the department. Employees are expected
83 not to exceed five (5) occurrences of unscheduled, unapproved absences or tardy
84 events in a rolling twelve (12) month period.

85
86 I. Notice of Resignation. Nurses are encouraged to give as much advanced
87 notice of resignation as possible to facilitate posting and recruitment such that
88 resignations do not negatively impact unit staffing. All nurses shall give the Medical
89 Center not less than two (2) weeks' written notice of an intended resignation. ~~A failure~~
90 ~~to give such notice shall result in a forfeiture of any unpaid vacation compensation.~~

91
92 J. Notice of Termination. The Medical Center shall give regular full-time,
93 part-time or resource nurses two (2) weeks' notice of the termination of their
94 employment or, if less notice is given, then the number of working days within such

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95 period for which notice has not been given shall be paid the nurse at their regular rate of
96 pay; provided, however, that no such advance notice or pay in lieu thereof shall be
97 required for nurses who are discharged for violation of professional nursing ethics or
98 discharged for cause.

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100 K. Exit Interview. A nurse shall, if they so request, be granted an interview
101 upon the termination of their employment.

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ARTICLE VII – EMPLOYMENT STATUS

A. Management Rights. It is agreed that the operation of the Medical Center and the direction of the employees, including the making and enforcing of rules to assure orderly, safe and efficient operation, the right to hire, to transfer, to promote, to demote and to lay off for lack of work are rights (the above listing is not all inclusive but indicates the types of matters which belong to or are inherent to management) vested exclusively in the Medical Center and are subject to its sole discretion except as abridged by this Agreement.

B. Probationary-Introductory Period. A ~~nurse~~registered nurse employed by the Medical Center shall not become a regular employee and shall remain a ~~probationary-introductory~~ employee until they have been continuously employed for a period of 180 calendar days. However, the Medical Center may extend, in writing, a ~~probationary-introductory~~ period should additional time be necessary to evaluate a registered nurse's competency/performance, that has been interrupted by a leave of absence for a period not to exceed the length of the interruption.

C. Cause for Discipline. The Medical Center shall have the right to discipline, suspend or ~~discharge~~terminate ~~nurse~~registered nurses for proper cause. A regular full-time, part-time or resource ~~nurse~~registered nurse who feels they have been suspended, disciplined, or ~~discharge~~terminated without proper cause may present a grievance for consideration under the grievance procedure.

D. Discipline/Corrective Action.

1. Investigatory Meetings under the *Weingarten* rule. A ~~nurse~~registered nurse has the right to request a representative of the Association be present for an interview by the Medical Center as part of

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an investigation that might lead to discipline.

2. Review of Performance Following Discipline. Upon request from a ~~nurse~~registered nurse who has received discipline, the Medical Center will review the ~~nurse~~registered nurse's performance and provide a written summary addressing the ~~nurse~~registered nurse's efforts at resolving the issues that led to the discipline. In responding to such requests, the time between the original disciplinary action and the ~~nurse~~registered nurse's request for a follow up review may be taken into account and reflected in the summary. The statement will be given to the ~~nurse~~registered nurse and placed in the ~~nurse~~registered nurse's ~~personnel~~Human Resource file.

3. ~~Nurses shall not be disciplined based solely upon data from any call light locator systems.~~

~~4. After four (4) years, if no further disciplinary action is applied, the registered nurse may submit a written request seeking that written disciplinary notices be removed from his/her Human Resource file. Any removal of material from the Human Resource file shall be at the sole discretion of the Chief Nursing Officer and Chief Human Resources Officer. Written disciplinary notices and documentation of employee counseling sessions shall be invalid after a period of one (1) year from the date on issuance, except when there are other materials of the same or related nature in which case all related notices and documentation of employee counseling sessions shall be invalid after a period of one (1) year from the date of the most recent related material. These written disciplinary notices and documentation of employee counseling sessions shall be removed from the personnel file upon employee requests.~~

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E. Individual Development/Work Plans.

1. Development plans or work plans are not disciplinary actions. The goal of a work plan is to provide a tool to enable a nurseregistered nurse to develop skills and/or improve performance.

2. Work plans will outline job requirements, performance expectations, and objectives. The Medical Center will seek input from a nurseregistered nurse in the development of a plan, but the parties acknowledge that the Medical Center has the right to determine when to implement a plan and to decide on the terms set forth in the development or work plan.

3. If a plan is in place and there is a significant change in circumstances (e.g., significant change in workload or assignment), the nurseregistered nurse may request an adjustment to the plan to address the changed circumstances.

4. A work plan will only be referenced in a later corrective action within a one (1) year period after completion of the work plan.

F. Reports to the Oregon State Board of Nursing. Under normal circumstances, the Medical Center will make a reasonable effort to inform a nurseregistered nurse if the Medical Center is making an official report of the nurseregistered nurse to the Board. Any action taken by the Medical Center will not be impacted by the Medical Center's Failure-ability to inform a nurseregistered nurse of a report to the Oregon State Board of Nursing. will not and cannot affect any action that might be taken by the Medical Center and/or the Board of Nursing. Interest reviewing

G. Access to Personnel-Human Resource Files. A nurseregistered nurse may review the contents of their personnel-Human Resource file upon request, in

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accordance with ORS 652.750.

H. Attendance. The parties acknowledge the importance of ~~nurse~~registered nurses arriving to work on time and that reliable attendance is critical to ensuring care for the Medical Center's patients and for good teamwork in the department. Registered nurses ~~Employees~~ are expected not to exceed five (5) occurrences of unscheduled, unapproved absences or tardy events in a rolling twelve (12) month period.

I. Notice of Resignation. ~~Nurse~~Registered nurses are encouraged to give as much advanced notice of resignation as possible to facilitate posting and recruitment such that resignations do not negatively impact unit staffing. All ~~nurse~~registered nurses shall give the Medical Center ~~no~~at least two (2) weeks' written notice of an intended resignation. A failure to give such notice shall result in a forfeiture of any unpaid PTO/vacation compensation. The Medical Center will give consideration to situations that would make lack of notice by a nurse excusable.

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J. Notice of Termination. The Medical Center shall give regular full-time, part-time or resource nurses two (2) weeks' notice of the termination of their employment or, if less notice is given, then the number of working days within such period for which notice has not been given shall be paid the ~~nurse~~registered nurse at their regular rate of pay. ~~However, provided, however, that~~ no such advance notice or pay in lieu thereof shall be required for ~~nurse~~registered nurses who are ~~discharge~~terminated for violation of professional nursing ethics or ~~discharge~~terminated for cause.

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K. Exit Interview. A ~~nurse~~registered nurse shall, if they so request, be granted an interview upon the termination of their employment.

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