

## **Article XVIII – SENIORITY AND JOB POSTING**

- A. Definition of Seniority. - Subject to paragraph 1 below, a Registered nurse's seniority shall continue to be computed from the time of their last continuous employment by the Medical Center in any capacity within the bargaining unit, based on the date on which the Registered nurse started bargaining unit work. In situations where seniority is the determining factor and seniority dates are the same, the seniority will be determined by a witnessed coin toss.

1. Resource nurses.

- a. A resource nurse's seniority will be calculated based on the sum of their last continuous employment by the Medical Center as a resource nurse, at the rate of one (1) year of seniority for every three (3) completed years of employment as a resource nurse. Partial years will be credited, if needed, at the rate of one-third ( $1/3^{\text{rd}}$ ).
- b. Seniority for any Registered nurse moving between resource and non-resource bargaining unit positions will be based on total employment in a bargaining unit position (with the 1:3 calculation for time as a resource nurse, as noted above).

- B. Break in Seniority. Seniority shall be broken and terminated if a Registered nurse:

1. Quits unless reemployed within twelve (12) months.
2. Is discharged for just cause.
3. Is laid off for lack of work for twelve (12) consecutive months.
4. Is absent from work without good cause for three (3) consecutive working days without notice to the Medical Center.
5. Fails to report for work promptly without good cause after an accident

or illness when released to return to work by physician.

C. Job Postings. - All vacancies and new positions shall be posted for seven (7) calendar days. The notice shall state the position, shift, unit and number of days per week of the available position.

1. The Medical Center may temporarily fill the position during the posting period with a person of its choosing.
2. A Registered nurse who desires to change shifts or to move to another position in the Medical Center will submit an application for that position.
3. Managers will ~~make a good faith effort to~~ communicate the posting or anticipated posting of positions to Registered nurses working on the unit where a position will be posted. Such communication may be by email, staff meeting minutes, announcements, or other regularly used methods of communication.

4. Positions will be awarded to the most qualified Registered nurse, except as reflected in 4a below. The qualifications considered will be documented skills, ability, experience, and performance, and peer interview panel feedback. When equally qualified Registered nurses bid for a position, it will be awarded to the senior candidate.

- a. For Acute Care RN, Fellow and Resident Nurses positions: If all of the candidates who apply within the 7-day posting window have applied to a position within their home Nursing unit cluster (as defined in Article 8) which would result in a shift or FTE change in the same position, the decision will be made on the basis of seniority. Start date may be subject to skill mix transition plan.

4.5. The Medical Center may post vacancies available only to external new graduate Registered nurses.

5.6. A Registered nurse may not use seniority to bid on another position

within the department for one (1) year after beginning a fellowship.

6-7. To exercise seniority, the senior Registered nurse must agree to work the number of days or weeks of the vacant position. A Registered nurse who has left the bargaining unit may not use their seniority to gain reemployment and/or transfer back into a bargaining unit position. If a Registered nurse returns to a bargaining unit position, seniority may then be used as set forth in Article XVIII 1.B.

D. Charge Nurses. - Seniority shall prevail in advancement to Charge Nurse vacancies, only provided the performance (skill, experience, qualifications, and consistent use of High Reliability Organization (HRO) principles of the Registered nurses are equal. Incorporating peer feedback, the Medical Center shall be the judge of the relative performance of the Registered nurses. Said judgment shall not be arbitrarily or capriciously exercised.

~~Participation in the interview and selection process of charge nurses is highly encouraged among unit-based Registered nurses. Unit-based registered nurses shall participate in the interview and selection process of charge nurses.~~

Registered nurses are also encouraged to provide constructive feedback about charge nurses and utilize their chain of command for any unresolved issues or concerns.

E. Agency or Travelers. - There will be a posted bargaining unit position for each posted traveler position within a cluster (within a unit in the perinatal and surgical clusters) where each guaranteed agency nurses or travelers is being used to perform bargaining unit work other than to fill bargaining unit positions because of any combination of unplanned leaves of absence and known seasonal fluctuations.

F. Transfers. - A Registered nurse is encouraged to communicate with their manager regarding the Registered nurse's desire to move to a different nursing unit within the Medical Center. The Registered nurse's manager will not prohibit a

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Registered nurse from making or requesting an otherwise permitted transfer, and the provisions of Sections C and D of this Article will apply regarding such transfer requests. To be eligible to submit a transfer request to a different unit, a Registered nurse must (1) have held their current position for at least six (6) months, unless agreed to by the Human Resources Director, and (2) have no disciplinary actions in the six (6) months prior to the request. A department head, supervisor, or hiring manager may not prohibit a nurse from making a request for transfer or to transfer.