

### **ARTICLE III-B – PAID TIME OFF**

The provisions of the Medical Center's Paid Time Off (PTO)/Extended Illness Time (EIT) program are set forth in this Article III-B and in Article IV-B. The Paid Time Off ("PTO") program encompasses time taken in connection with vacation, illness, personal business, and holidays.

All Registered nurses hired or moving into full-time/part-time benefit eligible status on or after January 1, 2010, will participate in the PTO/EIT program in lieu of the benefits provided under Articles III-A (Vacation), IV-A (Sick Leave) and VI (Holidays). In addition, all Registered nurses who were employed as of December 31, 2009, may elect to enroll in the Medical Center's PTO/EIT program in lieu of the benefits provided under Articles III-B (Vacation), IV-B (Sick Leave) and VI (Holidays), on the terms outlined in Paragraph H of this Article III-B.

- A. Accrual. - Each regular full-time and part-time Registered nurse regularly scheduled to work an average of at least twenty-four (24) hours per week shall accrue PTO as follows:
1. From and after the Registered nurse's most recent date of employment until the nurse's fourth (4<sup>th</sup>) anniversary of continuous employment — 0.0924 hours per compensable hour, not to exceed eighty (80) compensable hours in each two (2) consecutive workweek period (approximately twenty-four (24) days of PTO per year with one-hundred and ninety-two (192) hours' pay for a full-time nurse);
  2. From and after the Registered nurse's fourth (4<sup>th</sup>) anniversary of continuous employment until the nurse's ninth (9<sup>th</sup>) anniversary of continuous employment—0.1116 hours per compensable hour, not to exceed eighty (80) compensable hours in each two (2) consecutive workweek period (approximately twenty-nine (29) days of PTO per year with two-hundred and thirty-two (232) hours' pay for a full-time nurse);
  3. From and after the Registered nurse's ninth (9<sup>th</sup>) anniversary of

continuous employment—.1308 hours per compensable hour, not to exceed 80 compensable hours in each two (2) consecutive workweek period (approximately thirty-four (34) days of PTO per year with two-hundred and seventy-two (272) hours' pay for a full-time nurse).

4. For regular Registered nurses on schedules consisting of three (3) days each week, with each workday consisting of a twelve (12)-hour shift, or four (4) days each week, with each workday consisting of a nine (9)-hour shift, the accrual rates in paragraphs 1, 2 and 3 immediately above will be changed to 0.0963, 0.1155, and 0.1347 hours, respectively, per paid hour, not to exceed seventy-two (72) paid hours per two (2)-week pay period.
  5. Accrual will cease when a Registered nurse has unused PTO accrual equal to one and one-half (1½) times the applicable annual accrual set forth above.
  6. If a Registered nurse quits and is reemployed within twelve (12) months, the nurse's "most recent date of employment" will be calculated as if the quit had not occurred.
  7. Notwithstanding the eligibility for PTO accrual set forth above, all Registered nurses employed as of the ratification date of this Agreement shall be eligible to enroll in the PTO/EIT program even if they hold a position of less than .6 FTE.
- B. Compensable hour. - A compensable hour under paragraph 1 above shall include only hours directly compensated by the Medical Center, and shall not include overtime hours, hours while on layoff, standby hours not actually worked, hours compensated through third (3<sup>rd</sup>) parties, hours paid in lieu of notice of termination, or hours while in temporary or resource nurse status.
- C. Rate of pay. PTO pay will be computed at the Registered nurse's regular hourly

rate of pay, including applicable differentials provided by appendices hereto, at the time of use.

D. Use of PTO.

1. Accrued PTO may not be used until the Registered nurse has been continuously employed for at least six (6) months, except in the case of a mandatory Low Census (if requested by the nurse).
2. PTO must be used for any absence of a quarter hour (1/4) or more, except that the Registered nurse may choose to use or not to use PTO for time off (a) in the event of Low Census under Article XVI.G, or (b) for leaves of absence under applicable family and medical leave laws if the nurse's accrued PTO account is then at forty (40) hours or less.
3. A Registered nurse who has accrued PTO sufficient to cover all hours which the nurse would otherwise be scheduled to work in a week of seven (7) consecutive days may apply such PTO to cover all regularly scheduled hours during each such week and will not be required to work during such week(s). A nurse may take accrued PTO covering less than one (1) week.
4. PTO may be used in addition to receiving workers' compensation benefits if EIT is not available, up to a combined total of PTO, EIT (if any) and workers' compensation benefits that does not exceed two-thirds (2/3) of the Registered nurse's straight-time pay for the missed hours.
5. PTO may not be used when the Registered nurse is eligible for Medical Center compensation in connection with a family death, jury duty, witness appearance or EIT.

- E. Pay upon termination. - Accrued but unused PTO will be paid to a regular Registered nurse upon termination of employment, provided (1) the nurse has

been continuously employed not less than six (6) months and (2) such PTO has not been forfeited as provided in the Employment Status article of this Agreement.

F. Holidays. - On the observed holidays of New Year's Day, Memorial Day, Martin Luther King Jr. Day (commencing in 2023), Independence Day, Labor Day, Thanksgiving Day and Christmas Day, the following will apply:

1. When a Registered nurse is scheduled to work an observed holiday and requests time off, PTO will be used for the time off. However, if the nurse, with the manager's approval, works (or if the nurse requests but is not assigned to work) a substitute day in the same workweek, the nurse is not required to use PTO for the holiday.
2. Registered nurses working in units that are closed or have a low census on observed holidays will be paid PTO during the period of closure unless the Registered nurse requests to take the time as unpaid.
3. If a Registered nurse works on an observed holiday, the nurse will be paid one and one-half (1 ½) times the nurse's straight-time rate and will retain accrued PTO hours for use at another time.
4. If an observed holiday occurs on a Saturday or Sunday, Registered nurses in departments that are regularly scheduled only Monday through Friday and/or in Surgical Services or procedural units will observe the holiday on the Friday or Monday that is closest to the holiday and designated by the Medical Center.
- ~~5. In the Main Operating Room, if an observed holiday occurs on a Sunday, nurses in that department will observe the holiday on the Monday that is closest to the holiday.~~

6.5. A night shift will be deemed to have occurred on an observed holiday only if a majority of its scheduled hours are within the holiday.

7.6. If an observed holiday occurs before completion of a regular Registered nurse's first six (6) months of employment and the nurse does not have sufficient PTO hours accrued, the PTO hours used for the holiday under this Section will be charged against the next PTO hours accrued by the nurse.

G. Enrollment in PTO/EIT program. - Registered nurses shall be eligible on an annual basis to enroll in the Medical Center's PTO/EIT program, as set forth in Articles III-A and IV-A of this Agreement.

1. Upon enrollment, all accrued but unused vacation time shall be deposited in the Registered nurse's PTO account, and all accrued but unused sick leave hours shall be deposited in the nurse's EIT account.
2. Registered nurses may also elect to remain subject to the vacation-sick leave-holiday program set forth in Articles III-A, IV-A and VI. Nurses employed as of the date of ratification of this Agreement shall have the right, if they so choose, to remain subject to this program for the duration of their continuous employment at the Medical Center.
3. Registered nurses who enroll in the PTO/EIT program may not subsequently opt out of the program.