

NEGOTIATED SETTLEMENT AGREEMENT ON SETTING DIALYSIS ROSTERS

The Quarterly (14 week) Dialysis Roster will be prepared in accordance with the below listed procedures.

A Roster Committee shall be composed of one or more, and not to exceed three Nursing management staff and two Union representatives (assigned by the Union President).

A blank roster will be posted seven weeks prior to the upcoming quarter, this will give staff advanced notice and the opportunity to submit their preference request. Normally, there will be no changes to the blank roster after it is posted. If there is a change, management will notify the Union in writing to discuss the changes.

Any employee failing to submit a shift request form by the posted cut off date, shall be considered to have no preference.

Shift requests may be for any reason, if school is a priority please attach schedule. Requests shall be granted in order of seniority.

Seniority is defined in Article 19 of the Master Agreement.

Staff must use the shift request form to apply for a post. Staff are encourage to put in for the number of posts that equals their seniority number. For example: number 9 on the seniority roster should select 9 posts. Staff are encouraged to also place shift or day's off preference on their form, should all the posts on their shift request be filled. Failure to fill out proper request will result in the Roster Committee deciding where to place the staff member.

The roster committee will meet and formulate the roster assignments no later than five weeks prior to the effective date of the quarter change. The completed draft will be posted immediately and all staff will have one week to submit any complaints or concerns. No later than the following Wednesday, Management and the Union will meet to discuss the complaints or concerns received, and make any adjustments as needed.

The Roster Committee will forward the final quarterly roster through the Union Representative, Director of Nursing, AW Medical and to the Warden for final approval. The completed nursing roster will be posted no later than 3 weeks prior to the effective date of the quarter change.

A copy of the approved roster and a copy from the roster committee will be provided to the Union Representative as outlined in the Master Agreement, Article 18, Section d.

It is understood and agreed that conversations which take place during the proceedings of the Roster Committee are confidential in nature and disclosure of the content or nature of these conversations is not to take place. This does not preclude union or management using statements made when procedures are violated.

A Sick and Annual list will be posted in the Nursing Office for the nurses to review and verify accuracy at the time the blank roster is posted. Staff should feel free to notify the Union and address any concern with the administration for clarification.

Non-rotational/non-sick and annual post will be for trainees or students. This post is to allow for flexibility.

Those requesting Sick and Annual posts as their first choice of roster assignments will be assigned Sick and Annual posts as long as such posts are available. Requests shall be granted in order of seniority.

No Nurse will be required to work two consecutive quarter's of sick and annual rotation unless it is their preference on the shift request. Any Nurse who is assigned a Sick and Annual post either through their request or through the normal rotation will be moved to the bottom of the Sick and Annual Rotation list.

RN's & LPN's/TECH's, will share Sick and Annual assignments, in a fair and equitable ratio that represents RN's, LPN's/TECH's.

If Sick and Annual is an alternative choice, that nurse should be assigned Sick and Annual if their other choices are unavailable. Unavailable is understood to mean already assigned, or that the nurse requesting the post does not possess the qualifications necessary to work that post. Seniority will be the tie-breaker.

New employees are routinely assigned to the Sick and Annual Roster for orientation purposes. New employees will be required to work a full quarter of sick and annual, the exception is if a sick and annual post has been filled by seniority. There may or may not be a sufficient cadre to provide adequate Sick and Annual coverage, so experienced staff will have to take their turn on the Sick and Annual Roster.

Ordinarily, scheduled sick and annual relief assignments will be posted at least two weeks in advance.

In compliance with Master Agreement Article 18, section 1. and 5 CFR management will consider special requests based on temporary restrictions, health conditions, injuries, etc, that temporarily render the employee unable to work certain posts and/or shifts.

The roster will have both 8 hour and 10 hour shifts. This will be in accordance with the MEO.

The remainder of any other issues on setting the Nursing Roster will be in accordance with the Master Agreement and Supplement Agreement and should be discussed with the Union prior to setting the Roster.

This agreement will initially be for a one year trial period. During this time period, Management and the Union may evaluate these procedures as needed in order to determine their effectiveness.

In the absence of either party requesting to negotiate changes at the end of this one year period, it is understood these procedures will continue.

It is understood by all, nothing in this agreement shall override the terms of the performance decision resulting from the A-76 streamlined competition conducted for the dialysis functions. Terms of this agreement shall be changed at any time if determined by the Agency Tender Official (ATO) to be in conflict with the terms of the Letter of Obligation (LOO), Most Efficient Organization (MEO), Performance Work Statement (PWS), Quality Assurance Statement Plan (QASP), or any other aspect of meeting the performance terms of the contract.

Les Dye 5-15-06
Les Dye Date
President of local 1612

Karrie Wright 5/18/06
Karrie Wright, RN Date
Representative for the Union

Janet Beyer, ADON 05/18/06
Janet Beyer, ADON Date

Rodney Chandler 5/19/06
Rodney Chandler, AW Date

Robert E. McFadden 5/19/06
Robert E. McFadden, Warden Date