

# National Nurses United Master Contract Training For RNs



# Article 1: Recognition and Coverage

- NNU is the sole representative of bargaining unit RNs, regardless of whether they are a dues paying member

## Article 6: RN Rights

- Communications will be clear, reasonable and constructive and conducted in private where appropriate
- Information sharing by Department representatives regarding conduct and performance should be on a need to know basis, which includes email

# Article 6: RN Rights:

- Right to join NNU
- Right to NNU representation
- Right to meet/consult with NNU:
  - During scheduled break or meal period, or
  - With supervisory permission while on duty time
  - Off Duty anytime
- Right to meet in nearby non-work areas

# Article 6: RN Rights

Right to NNU representation (not all inclusive)

- Weingarten Right
- AIB
- Counseling if more than one manager present
- Assignment Despite Objection (ADO)
- RNs may request NNU assistance and/or representation at any time during the reasonable accommodation process.
- RNs are entitled to NNU representation throughout the entire drug testing process.
- Any time the RN is entitled a personal representative, the union may serve as the personal representative at the election of the RN and the union

# Article 6: RN Rights:

- Weingarten Rights Defined

In any examination of a RN by the Department (or any agency acting as an agent of the Department) in connection with an investigation, the RN has a right to NNU representation if he/she reasonable believes that the examination may result in disciplinary action, and NNU representation is requested by the RN



# Article 6: RN Rights

- RNs will be notified of their Weingarten rights:
  - **Annually**
  - **In connection with any Weingarten investigation**
- The Department must tell the RN of their right to Union representation at the beginning of any Weingarten meeting
- If the RN requests NNU representation, the Department may delay or reschedule the meeting, if necessary, in order to give NNU an opportunity to be present



## Article 6: RN Rights:

- Disciplinary actions will be timely.
- If a RN is called to a meeting with a manager or supervisor, the RN will be told the subject, location, time and if they have a right to a NNU representative.

# Article 6: RN Rights

## Counseling:

- A counseling does not constitute a disciplinary action
- RNs can file a grievance if dissatisfied
- Generally, counselings are kept for 6 months

## Article 6: RN Rights

- to review transcripts or recordings
- to expect zero tolerance for violence and inappropriate behavior in the workplace from employees, patients and the public
- to privacy i.e., work-related misconduct for searching bags, lockers, etc.
- unlawful and conflicting orders procedure

# Article 6: RN Rights

## Group Meetings

- Formal meetings require reasonable advance notice to NNU with the opportunity to be present
- RNs may request a group meeting with the Department and NNU to discuss workplace issues
- RNs may request meetings with NNU (only) to discuss representational issues on duty time
- Supervisor approval for release is required

# Article 7: Advanced Practice Registered Nurses (APRN)

- Adequate support to manage work assignments
- APRNs may offer suggestions in assignment of collaborating physicians
- APRNS may be granted AA or LWOP to attend training to receive Continuing Educational Units

## Article 8: Seniority

- Standardized seniority definition: EOD for Title 38 at the local facility
- NNU and each work unit will be provided quarterly seniority rosters by Time and Leave
- These rosters will be provided, maintained and accessible to all RNs

## Article 9: Work Unit

- Bargaining unit RNs in a physical area or clinical function if physical area not applicable
- Forms the basis for leave solicitation, OT, Details, Floats, etc.

# Article 10: Holidays

- Selection period from September 1<sup>st</sup> thru 30<sup>th</sup>, posted on November 15<sup>th</sup> for following year.
- Scheduling process below
  - Priority 1 – Peer negotiated arrangement
  - Priority 2 – RNS that did not have that holiday off the previous year
  - Priority 3 – Seniority

# Article 10: Holidays

- If detailed/reassigned, the Department will allow the affected RN(s) to keep their previously approved Holiday request, unless no other qualified RN is available to perform the assignment. This includes the utilization of alternative staffing methods.

# Article 11: Leave and Absences

- RNs are responsible for planning and managing their leave balance and usage
- Leave programs will be fair and uniform, not arbitrary or capricious
- Leave will not be denied based solely on leave balance
- Denial of leave will not be used as a form of discipline

# Article 11: Leave and Absences

- Sufficient leave weeks will be available to ensure that RNs can take 5 weeks or 26 days, annually
  - In the rare occurrence that this time is not available, the Department will notify NNU to meet and discuss the matter
- Portions of this Article concerning the process for yearly annual leave solicitation are subject to local negotiation beginning leave year 2016, after 2 full leave years

# Article 11: Leave and Absences

- Between August 15<sup>th</sup> and August 30<sup>th</sup> of each year, the Department will notify the RN of the following: carry over, use or lose regulations, etc.
- If a RN is in a use or lose status after September 15, they will not receive any special consideration for approval
- Leave will be approved or disapproved within 5 days of the request or prior to the leave use, whichever comes first

# Article 11: Leave and Absences

## **A new process for annual leave solicitation:**

- RN submit requests Sept 1 - Sept 30
- Decision from supervisor no later than Oct 15 and approved leave calendar posted in unit
  - **Priority 1: Peer negotiation**
  - **Priority 2: RN that did not have the AL time off in the preceding year**
  - **Priority 3: Determined by qualified seniority**

# Article 11: Leave and Absences

- Unplanned leave (incidental) are requests not made during the planning period
- Unplanned leave will be approved or disapproved at the time of the request
- There will always be a leave granting official available 24/7 to act on requests
- The RN must have or will have leave balance for the request to be approved

# Article 11: Leave and Absences

- Will make every effort not to change days off in conjunction with leave
- Two days off before and after a week of leave
- Every effort will be made to honor previously approved leave

# Article 11: Leave and Absences

- When CT is requested instead of SL it will be approved when possible
- In effort to minimize SL usage, the Department will attempt to accommodate RNs who request a change in work schedule in advance for medical/dental appointments

# Article 11: Leave and Absences

- To request SL leave, it is the RN's obligation to make **one** phone call to an established number
- In the unlikely event that the RN does not speak to a supervisor and leaves a voice message, the RN may be called back by a Department representative regarding the SL message

# Article 11: Leave and Absences

- RNs can self certify illness but the Department MAY require a medical certificate or other administratively acceptable evidence within 15 days of their return to duty
- Frequency or the amount of SL used or leave for which acceptable documentation has been provided, will not be the sole factor(s) for determining SL certification

# Article 11: Leave and Absences

- A RN on SL certification may request a review of SL usage every 3 months
  - Written decision if certification can be withdrawn
  - Otherwise, the review will be every 6 months

# Article 11: Leave and Absences

- **All New:** Provisions made for RNs work capacity during pregnancy, provisions made for family member to attend child birth.
- Possible designated parking spaces for pregnant RNs at the local level.
- Up to 16 weeks of Maternity/Paternity leave

# Article 11: Leave and Absences

- For emergency use of FMLA, a family member or other responsible party may make the request and the request will be timely reviewed for approval.
- Leave will be approved or disapproved within 5 days of the request or prior to the leave use, whichever comes first.

# Article 11: Leave and Absences

- The Department should excuse, without charge to leave, brief tardiness/absences of up to 59 minutes which are infrequent and for good cause.
- If a RN is on LWOP less than 30 days, he/she will be returned to their position.
- Court leave will be granted for jury duty or as a witness in proper circumstances.

# Article 12: Details, Floats, & Temporary Assignments

- Details will be for 30 days and will be extended in 30 day increments, no > 1 yr
- RN will receive written notice of assignments > 7days
- Least senior to most senior if no volunteers
- If floated for 15 min or more, name goes to the bottom of the list-counts as their float time whether volunteer or not



# Article 13: Work Schedules

- The Department shall encourage and support RNs having meaningful input to their schedules through the use of wish lists or preferences, self scheduling, peer negotiated scheduling, or similar methods as determined by the Department
- If the proposed schedule meets staffing needs as determined by the Department, requests for days off/on should be honored

# Article 13: Work Schedules

- Subject to direct patient care needs:
  - RNs will be granted two weekends off in a four week period unless otherwise requested by the RN
  - RNs who normally work every weekend in a 4 week period will have 2 days off consecutively twice in a four week period.



# Article 13: Work Schedules

- The schedule is to be posted 4 weeks in advance and in 4 week increments
- Specific language about weekends, tour rotations, consecutive days on/off, on-call and breaks

# Article 14: Overtime (OT) & Compensatory Time (CT)

- RN s have to request CT in writing otherwise it will default to OT pay at the end of 26 weeks
- RNs should use CT as soon as possible or risk forfeiture
- There is a procedure for Voluntary Overtime and if there is a tie, it is resolved by seniority.
- A RN can cite legitimate reasons for not performing involuntary OT (illness, extreme fatigue, unique dependent care issues etc.)

# Article 14: Overtime (OT) & Compensatory Time (CT)

- The Department may require RNs to work OT hours if:
  - the work is a consequence of an emergency that could not have been reasonably anticipated;
  - the emergency is non-recurring & is not caused by or aggravated by the inattention of the Department or lack of reasonable contingency planning by the Department;
  - the Department has exhausted all good faith, reasonable attempts to obtain voluntary workers;
  - the RN has critical skills and expertise that are required for the work; and,
  - the work involves work for which the standard of care for a patient assignment requires continuity of care through completion of a case, treatment, or procedure.

# Article 15: Work Assignments & Objection to Work Assignments (ADO)

- RNs will receive hand off reports on duty time
- The revised ADO form is in the Appendix
- RNs will not face intimidation or reprisal for providing input, questioning an assignment or filing an ADO
- ADOs can be on the ADO form, email or other written memo and is considered a communication tool between the parties
- RNs will be advised of a clear chain of command for staffing decisions

# Article 21: Uniforms, Appearance & Professional Identification

- RNs that are issued uniforms will be issued at least five complete sets of uniforms
- RNs who do not wear uniforms in the clinical setting will be issued at least four lab coats
- RNs have the right to NNU representation if the Department asserts that they are not adhering to the dress code
- When the Department does not allow the RN to wear a uniform to and from work, the RN will be provided up to 10 minutes to change into and out of the uniform



# Article 21: Uniforms, Appearance & Professional Identification

- RNs who work in non-uniform areas will be temporarily provided with a uniform when placed on a float or detail to an area where a uniform is required
- RNs may be provided a “loaner” uniform if it is asserted they are in violation of the dress code policy
- RNs may continue to wear NNU scrub top with insignia or can wear NNU embroidered on other uniforms

# Article 22: Vacancy Announcements

- Posting of vacancy announcement changed to 10 days
- Seniority will serve as the tie breaker for two equally qualified candidates
- Shadowing policy provides for where a selected RN can shadow a current RN for up to 4 hours in the area/unit
- All applicants will be notified of selection or non-selection in writing
- Efforts will be made to transfer the RN within 60 days of selection

# Article 23: Professional Development & Education

- RNs will have a reasonable amount of duty time for preparation for In-services and programs
- RNs may use internet access for nursing research and to do their clinical jobs while on duty time
- Mandated training will be provided on duty time
- RN can request flexible work schedules that will accommodate the RN's academic needs

# Article 23: Professional Development & Education

- RN expertise develops from novice to expert. For informational purposes only see Benner in Appendix B.
- RNs can request assistance in creating a Personal Development Plan to aid in achieving a higher rating or career goals

# Article 27: Safety, Health & Environment

- **New:** NNU has the right to review and/or look into a RN complaint of potential/actual unsafe, unhealthful working conditions and assist the RN in filing a report or initiating a report on the RNs behalf.
- RNs must report unsafe conditions and the contract has provisions for imminent danger situations
- The Department will make every effort to utilize the RN's professional knowledge, skills, and abilities when making a limited duty assignment.

# Article 27: Safety, Health & Environment

- RNs may obtain emergency diagnosis and initial treatment for injuries or illness that becomes necessary during the RN's working hours as available at the facility
- Upon request, annual physical examinations will be provided with screenings that may consist of blood tests, urinalysis, EKG, and any other tests as determined by the local facility provider

# Article 28: Workplace Violence Prevention

- Workplace violence is an occupational and security issue as well as a potential criminal issue and is not tolerable in the Department
- RNs will be trained on the process of documenting and reporting workplace violence
- The Department will take action to investigate and stop all workplace violence immediately

# Article 28: Workplace Violence Prevention

- All RNs have the right to police protection and enforcement of court orders
- RNs may request escorts to cars parking
- Provide communication devices for work outside of the facility
- Provide copies of any documents relating to any incident of workplace violence

# Article 29: Investigations

- Investigations include routine fact findings and preliminary inquiries
- Section 2 only applies to formal investigations, which are AIBs
- If NNU is not immediately available for a Weingarten meeting, the Department will delay or reschedule the meeting for a reasonable amount of time

## Article 29: Investigations

- If the RN is the subject of the investigation, they may request and receive a written copy of the Charge Letter of the AIB
- The RN's testimony will be provided to the RN and their NNU representative upon request.
- Once completed, the subject of the AIB will be given notice of the outcome and may request a complete copy of the AIB report

# Article 30: Surveillance & Monitoring

- Data collected from current or future systems will not solely be able to use in disciplinary action
- RNs who are the subject of a search for misconduct will be afforded their Weingarten rights
- Steps will be taken to protect the RN's privacy and avoid any undue embarrassment during the search

# Article 31: Disciplinary & Major Adverse Actions & Non-Disciplinary Actions

- Where appropriate, coaching, mentoring and education should be done before or instead of discipline
- Generally, giving a proposal or decision letter does not require a NNU representative to be present
- Disciplinary actions will be taken as soon as practicable

# Article 31: Disciplinary & Major Adverse Actions & Non-Disciplinary Actions

- Admonishments and reprimands may be removed after 6 months. If not removed, the deciding official will meet to discuss their decision, upon request
- When proposing an action, Management should consider the recency of any past disciplinary actions
- Two copies of evidence folder will be ready at the time of the proposal
- If the Department official is unable to hear the RNs reply within the specified period then the extension will be automatic

# Article 31: Disciplinary & Major Adverse Actions & Non-Disciplinary Actions

- The Department may reassign RNs during investigations or the pendency of discipline
- In reassignments, the Department will take into consideration the impact of the resulting assignment to the RN as well as the relationship between the temporary assignment and their previous work assignment

# Article 32: Alternative Dispute Resolution (ADR)

- RN participation in ADR is voluntary
- A settlement agreement is not final until NNU signs
- NNU can observe if not representing the RN to maintain the integrity of the contract.

# Article 35: Workers Compensation

- DOL is responsible for Worker's Compensation decisions
- The Department will not request the RN to release their medical records
- The Department will make a reasonable effort to grant a requested light duty assignment
- The Department will determine whether a RN can be provided light duty assignments consistent with the RN's qualifications and medical limitations

# Article 35: Workers Compensation

- Online access to the online medical provider research tool
- The Department will not place a RN on SL certification for absences directly related to an approved OWCP claim
- Light duty assignments are not permanent in nature and are provided to the RN in writing
- The Department is not required to create positions for temporary light duty assignments

# Article 37: Dependent Care

- Includes relationship by blood or affinity
- RNs will be allowed time to arrange dependent care related to unexpected additional hours of duty
- Allows RNs to make occasional brief contact with dependent care providers as long as it does not interfere with patient care delivery

# Article 38: Appointment Authority Changes

- An explanation of the change in rights and benefits will be provided verbally as well as in writing so that the RN can ask questions and gain clarification.

# Article 39: Official Records & Protection of Identifiable Information

- RNs can review these records and request 2 free copies of all personally identifiable records
- RN can enter concise comments if in a disagreement with any record
- RNs will receive a copy of any supervisory note created within a reasonable time frame

# Article 42: Employee Assistance Program

- Includes temporary reassignment during rehabilitation
- Not intended to shield a RN from disciplinary or major adverse action