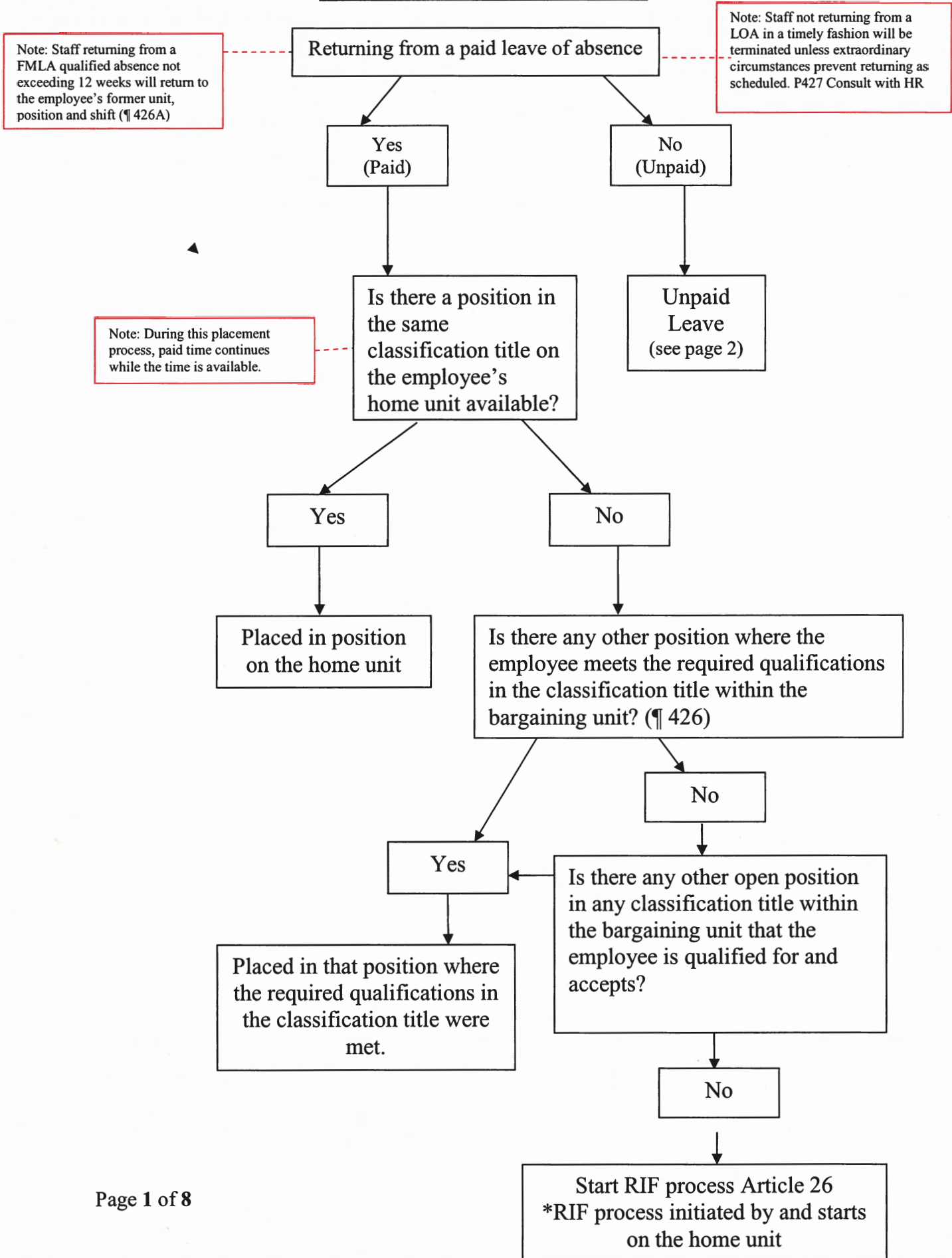
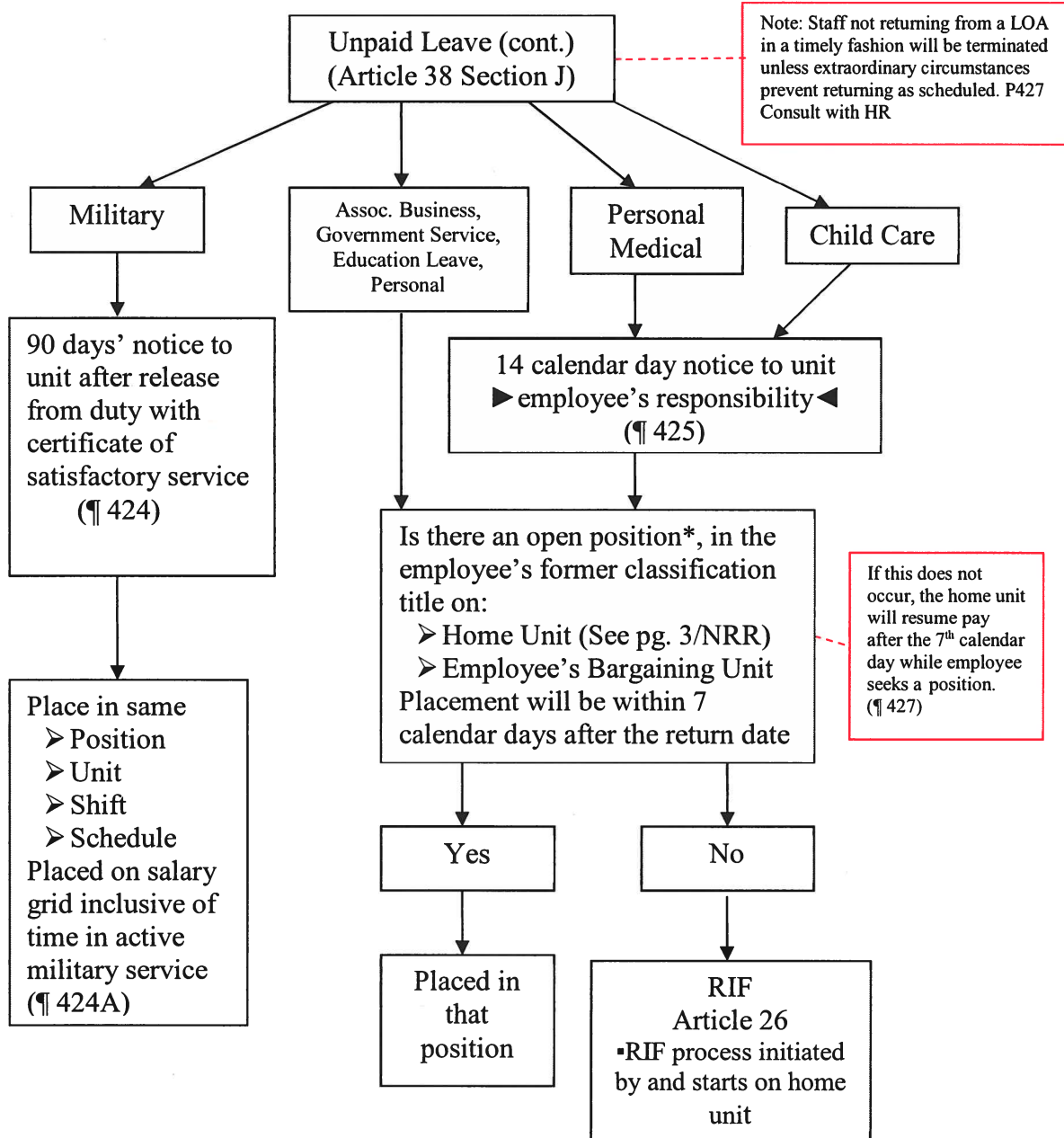


## RN RTW Without Restrictions



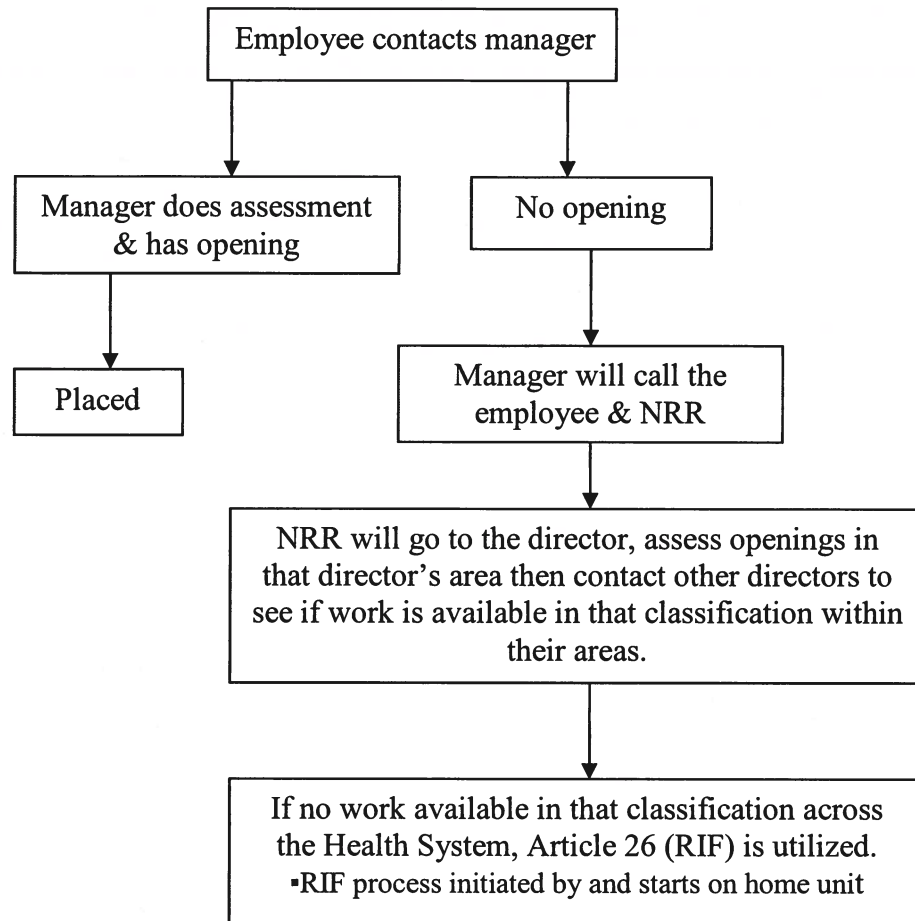
## RN RTW Without Restrictions



\* Helpful Hints to consider

- Managers will assess for # of open hours in their unit
- Evaluate temps. & CSR Hrs.
- Assess for unfilled budgeted position
- Are you aware of any open hours related to anticipated leaves?
- RTW – RN has priority over a transferring RN any time before the transfer offer has been accepted.
- Contingent external offers are withdrawn if Welcome Letter has not been sent.

## How Nursing Recruitment and Retention (NRR) gets involved?



### Placement Sequence

- Manager places locally with Director assistance as needed
- Placement within Director's area with assistance from Nurse Recruitment
- Nursing Recruitment and Retention partners with all Directors to review all positions in the appropriate classification

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### Definitions and Articles:

- 1) Placed: The process which a position and placement is achieved with direction/consultation from the Director of the area of the staff in question
- 2) Classification Titles are:
  - Framework RN = Level A to Level F
  - RSAM (N3) = Specific Titles e.g. Flight Nurse Specialist, Ed. Nurse Coordinator, etc.
  - Pay Grades N4, NP, N5, or N6 = Specific Titles, e.g. Clinical Nurse Specialist, CRNA, Cert. Nurse Midwife, Nurse Practitioner, etc.

[Per 2018 CBA]

**ARTICLE 26  
REDUCTION OF THE WORKING FORCE & RECALL PROCEDURES**

(See all Paragraphs (243-268) regarding full RIF implementation)

249. A reduction of the work force shall be by and from each classification within a unit in accordance with the following procedure:

250. Probationary employees in an affected classification within a unit shall be removed from the classification before a non-probationary employee, provided that the employees remaining in the classification have the ability to perform the work, which remains or will remain in the unit.

251. Thereafter, employees in the affected classification within a unit shall be removed from the classification in order of seniority, beginning with the employee with the least seniority, provided that the employees remaining in the classification have the ability to perform the work, which remains or will remain in the unit. Employees on personal leave of absence, excluding medical, FMLA and military, whose positions are being held will be included for reduction-in-force in seniority order with other employees on that unit. Those returning from medical, FMLA and military will begin reduction-in-force process, if applicable, upon return.

252. In the event that a Per Diem employee is employed in a unit, a non-probationary employee, who is to be removed from any unit, shall have the option of replacing the Per Diem employee, contingent upon ability to perform the work available. An employee exercising this option does not become a Per Diem employee.

253. A removed, or about to be removed, non-probationary employee shall receive priority consideration for positions in their own clinical area, including priority over all other employees. "Priority consideration" means that an employee who has been subject to a reduction-in-force, who has the required qualifications, will be placed even if an external candidate is determined to be more qualified. Priority consideration will apply for a period of two (2) weeks from the date of notification of reduction in force. Thereafter, the employee will have priority consideration as defined in Paragraph 247 (over applicants for employment). Priority consideration for positions will occur in the following order:<sup>1</sup>

- 1) Regular job openings in the same classification.
- 2) Regular job openings in the same pay grade.
- 3) Regular job openings in each succeeding lower pay grade.

253A. An employee with the required qualifications as defined in Article 27 will be placed in a regular job opening, if any, prior to any other applicant for employment. Prior to

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<sup>1</sup> See Paragraph 247

placing an employee in a lower pay grade, the University will attempt to place the employee in the same pay grade first.

**ARTICLE 30**  
**EXTENDED SICK TIME**

SECTION A. FULL-TIME EMPLOYEE

336. A full-time employee who has at least two (2) full years of continuous service and has eighty (80) hours of continuous sickness and injury absence will be eligible for not more than one thousand fifty-six (1056) hours of Extended Sick Time income, paid at full pay and one thousand fifty-six (1056) hours of Extended Sick Time paid at one-half the employee's pay. If the employee's two (2) year anniversary occurs at some time during the eighty (80) hours access period, then the employee is eligible for extended sick time. The Extended Sick Time hours are pro-rated to the employee's appointment fraction. It is renewable on the first (1st) of the month of their seventh (7th) anniversary and every five (5) years thereafter.

For those employees hired prior to February 2, 1996, the EST eligibility and one-time renewal date is February 1, 1998. Renewal is every five years thereafter from the date of February 1, 1998. Extended Sick Time hours do not renew during a leave of absence or any period of absence due to illness or injury covered by this Article. Eligibility for Extended Sick Time income hours, which would have otherwise renewed, is deferred until the employee returns to active employment. Active employment shall mean the return to the employee's appointment fraction for no less than 30 consecutive days.

337. This Extended Sick Time income will be available to an eligible employee only after continuous hours of disability absence following an original eighty (80) continuous hours of sickness or injury absence, prorated by appointment fraction. Intermittent absences may count toward the two-week qualifying period if the absences are related to the same illness or injury and with appropriate medical documentation. Thereafter, other accrued hours of PTO income may be used and paid. Each illness or injury shall be independent of any other injury or illness and require completion of the eighty 80-hour period above, except as provided in Section D. of this Article.<sup>2</sup> An employee who returns to work during the qualifying period for a work trial, recommended by the University, and is unsuccessful, will have prior related absences count toward the two-week qualifying period. Once an employee is eligible for access to his/her extended sick time income, eligibility will continue for all other absences related to the same illness or injury.

SECTION B. PART-TIME EMPLOYEES

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<sup>2</sup> See Intent Note for Paragraph 325

338. A part-time employee appointed to work eight (8) or more hours per calendar week and who has at least two (2) full years of continuous service shall be eligible for Extended Sick Time income providing the employee meets the eligibility requirements of Section A on a pro-rated basis dependent on the employee's appointment hours which shall be directly proportionate to the eligibility requirements of a full-time employee. The number of hours of Extended Sick Time income payable as provided in Section A. shall be directly proportionate to the maximum hours of Extended Sick Time income for which a full-time employee is eligible.

### SECTION C. ELIGIBILITY FOR EXTENDED SICK TIME PAY

338A. The University reserves the right to request a second medical opinion and abide by that opinion when determining eligibility for Extended Sick Time income. The University and the employee will mutually agree upon the physician to perform the evaluation and to abide by the second opinion. An employee, who is asked to see a physician for a second medical opinion, will be informed of their rights to contact the Association. The examination and report will be without cost to the employee. Until the second opinion is received, the employee's physician statement will prevail in determining eligibility for Extended Sick Time income.

If the University requests that the employee provide any medical records from the employee's health care provider(s) or from institutions or facilities providing care, the employee may request reimbursement for the cost, if any, of copying the requested records.

338B. Arbitrary failure or refusal to follow accepted medical practice in treating a sickness or injury shall be reason for discontinuing or withholding Extended Sick Time income.

338C. Nothing in this Article requires an employee to disregard the medical care plan of the employee's physician. Eligibility for Extended Sick Time incomes will be determined as provided in Paragraph 338A.

338D. An evaluation for LTD eligibility will be completed before the EST benefit is exhausted. It is understood that not all evaluations can be initiated without some notice from the employee.

## **ARTICLE 38 LEAVES OF ABSENCE**

### **FAMILY MEDICAL LEAVE ACT (FMLA)**

410A. The Family Medical Leave Act (FMLA) refers to a Federal law which provides for benefit continuation and the ability return to work in the same position for employees with twelve (12) or more months of service and 1250 worked hours who are absent for up to twelve (12) weeks due to a qualifying event.

The first day of an employee's absence to care for a service member with a serious injury or illness designates the 12-month period during which the employee is entitled to be absent from work for up to 26 weeks. The benefit begins at the first day of paid or unpaid

absence related to a qualifying event. An absence for an FMLA qualifying event will be counted toward an employee's 12 or 26 weeks of eligibility under the FMLA from the beginning of the employee's FMLA eligible leave of absence. The absence does not need to be consecutive and the benefit is limited to twelve (12) weeks in a twelve (12) month period.

410B. Qualifying events are consistent with those events, which would qualify an employee for a personal medical, childcare, military service, qualifying exigency, care of a covered service member or family medical leave of absence, as described in this Article.

410C. In addition to FMLA coverage as outlined in Paragraph 410A, the University and the Association have agreed that health benefits will be extended for the first twelve (12) weeks of a childcare leave of absence immediately following the use of Extended Sick Time.

410D. The employee will be required to provide appropriate notice and documentation to support an FMLA qualifying absence. Written notice will be provided to an employee that an FMLA qualifying absence will be counted toward the employee's twelve weeks of eligibility. Employees will provide as much advance notice as possible of an extended time off work for purposes of staffing and scheduling.

410E. Medical reports and records made or obtained by the University and other medical information are confidential and shared only on a need-to-know basis. Such records are kept in a separate file and are not part of the employee personnel file.

## **SECTION J. RETURN TO ACTIVE EMPLOYMENT**

423. Return to active employment prior to the expiration of any leave of absence, or any extension, shall be at the option of the University. The University, at its option and without cost to the employee, may require that a physician or physicians examine the employee before returning the employee to active employment. If returning from a personal medical, childcare or family medical leave within twelve (12) weeks, the designated physician may not be a University employee.

424. In addition, and in order to be eligible to return to active employment, an employee returning from a military leave of absence must have a certificate of satisfactory service and apply for re-employment within ninety (90) calendar days after release from duty. Employees who are hospitalized and simultaneously released from the military must apply for re-employment within ninety (90) calendar days following release from the hospital.

424A. An employee eligible to return from a military leave of absence will be placed in the same position, shift, unit and schedule. In addition, time while on active duty will count in placement on the salary grid.

425. In addition, and in order to be eligible to return to active employment, an employee returning from a personal medical or childcare leave of absence must provide, at least fourteen (14) calendar days prior to the end of the leave, a statement from the employee's

physician releasing the employee to return to work, except that this shall not apply in the case of a childcare leave of absence granted for an adoption, fostering or custody.

426. At the conclusion of a leave of absence an employee eligible to return will be placed in an available open position in the employee's former classification title, assuming the ability to perform the work available. Except as provided in Paragraph 426A, if the employee does not have the ability to perform work or if there are no available positions in the employee's former classification, the employee will be placed on reduction-in-force and placed in accordance with Article 26.<sup>3</sup>

426A. An employee returning from a paid or unpaid absence related to an FMLA qualifying event (including extended sick time, PTO, personal medical, childcare or family medical leave of absence) not exceeding twelve (12) weeks from the first day of paid or unpaid absence will be returned to the employee's former position.

426B. In regard to a Long-term Disability leave (Para. 413) and at the time the Human Resources Department is notified that an employee may no longer qualify for long-term disability (LTD), there will be a joint meeting of the Association and the University, which will also include Nurse Recruitment and Retention, and Human Resources, to discuss the conditions of return to active employment and options for work trial placement. The discussion will include an assessment of the employee's abilities, skills, competencies, and any additional needs or reasonable accommodations to ensure successful return to active employment with all parties. This individualized assessment and the return to work plan will be based on the individual's circumstances with input from unit/departamental leadership.

426C. A joint workgroup which will include HR, Nursing Administration, Nurse Recruitment and Retention, Benefits-LTD, and the Association will convene to develop a detailed return to work process from LTD for all members, as well as the creation of a database as provided in Paragraph 343E within 90 days of ratification of this agreement (10.10.2018).

427. If the leave was for a fixed period of time, and the return is timely, the employee's placement will be within seven (7) calendar days after the end of the date. If the return is not timely, the employee will be terminated unless extraordinary circumstances beyond the control of the employee prevented the employee from returning as scheduled, except that continuation of the reasons that the employee was granted a leave shall not be an extraordinary circumstance. If the employee was able to (1) seek a leave extension prior to the leave expiration or (2) notify the University that the return would not be timely, but did not, this exception to termination shall not apply.

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<sup>3</sup> See Intent Note Paragraph 426