

## MEMORANDUM OF AGREEMENT

### I. Parties to the Agreement

The parties to this Memorandum of Agreement (MOA) are Multnomah County, Oregon, hereinafter referred to as the "County," and Local 88, of the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, hereinafter referred to as the "Union."

### II. Policy:

Corrections Health provides medical services to incarcerated inmates on a twenty (24) hour a day, seven (7) days a week basis, year-round. In order to provide uninterrupted, high-quality services, it is necessary for Corrections Health to maintain minimum staffing levels at all times for specific medical positions. To this end, it administers a special vacation holiday time-off request policy and procedure. This policy does not apply to sick leave. This policy applies to Community Health Nurses, Medication Aides and Mental Health Consultants in Corrections Health. These policies and procedures are in addition to applicable County Policy and Collective Bargaining agreements. This does not apply to vacation leave taken for emergency leave or preventative care under AFSCME Article 8.

### III. Procedure:

Minimum Staffing guidelines have been established to meet the needs of a twenty four (24) hour, seven (7) day a week operation. Management reviews schedules and time off requests adhering to the established staffing guidelines outlined in each time off method in the sections below. It is the responsibility of Corrections Health Leadership to ensure adequate staffing to meet patient care and access needs.

There are two methods of requesting time off for vacation and holidays, and specific periods of time covered by each method. These periods of time and methods are defined as Non-Prime Time Vacation and Holidays, and Prime Time Vacation and Holidays.

#### A. Non-Prime Time

Non-Prime Time Vacation and Holidays occur outside of prime time periods and include holidays that do not fall within the prime time periods. These timeframes are January 2 - May 14 and September 16 - December 14. There are no restrictions for length of time, providing the accrued vacation/holiday hours cover the request.

1. Requests are considered based on the minimum staffing guidelines described below. These numbers are based primarily on the needs of safe and efficient operations and the availability of absentee relief. Lead nurses are included in these staffing guidelines, but FMLA/OFLA leaves are not.

2. Requests are generally approved on a first come first serve basis when submitted in the time off request period described in the approval process.
3. If multiple requests are received at the same time, requests are approved on the basis of class seniority, using the unit's posted seniority lists.
4. All available staff (i.e. on-call, part-time, staffing agencies, those willing to work extra) are utilized in order to grant time-off requests with consideration for cost to the program and appropriateness of coverage.
5. All requests for scheduled time off must be submitted to Central Support by completing the Time Off Request Form by the 15th day of the month prior to the month the absence is requested. Example: A time off request for the month of April must be received by March 15th.
6. Requests received after the 15th of the month, but two weeks prior to the requested time off, will be considered on a case by case basis and subject to supervisor approval. Short notice time off requests (less than two weeks) will not be approved if overtime for coverage is required.
7. A request for vacation/holiday time off is not automatically approved. Employees should not make travel arrangements until the leave request is approved and a confirmation email is received.
8. Employees are notified by e-mail about the status of time off request (granted or denied) by central support or management within two weeks of the date the request was submitted. Once a request had been approved, it will be reflected on the calendar. If the request is not reflected on the schedule, then it has not been approved.
9. Minimum Staffing Guidelines: These numbers are based primarily on the needs of mandatory posts and safe and efficient operations; also the availability of relief staff is considered. These minimum staffing guidelines apply to the following positions: Community Health Nurse (RN), Medication Aide (CMA), and Mental Health Consultant (MHC). There are no minimum staffing guidelines for non-medical staff. Exceptions to these staffing levels can be approved by the Program Managers or the Director. FMLA/OFLA leaves are not included in the minimum staffing guidelines. Lead Nurses are included in the staffing guidelines listed below and are included in the RN count.

Minimum Staffing Count by Position and Location

| Location | RN  | CMA   | MHC   |
|----------|---|---|---|
| JDH      | Weekdays<br>Day - 1<br>Swing -1<br>Night -0   | Weekdays<br>Day - 0<br>Swing -0<br>Night -0   | Weekdays<br>Day - 1<br>Swing -0<br>Night -0   |
|          | Weekends<br>Day - 1<br>Swing -1<br>Night -0   | Weekends<br>Day - 0<br>Swing -0<br>Night -0   | Weekends<br>Day- 0<br>Swing -0<br>Night -0    |
| MCDC     | Weekdays<br>Day - 6<br>Swing 5<br>Night -3    | Weekdays<br>Day - 2<br>Swing -2<br>Night -0   | Weekdays<br>Day - 2<br>Swing - 1<br>Night - 1 |
|          | Weekends<br>Day - 5<br>Swing -5<br>Night -3   | Weekends<br>Day - 2<br>Swing -2<br>Night -0   | Weekends<br>Day- 1<br>Swing- 1<br>Night- 1    |
| MCIJ     | Weekdays<br>Day - 3<br>Swing -3<br>Night -2   | Weekdays<br>Day - 2<br>Swing - 2<br>Night - 0 | Weekdays<br>Day - 1<br>Swing - 0<br>Night - 0 |
|          | Weekends<br>Day - 3<br>Swing - 3<br>Night - 2 | Weekends<br>Day - 2<br>Swing - 2<br>Night - 0 | Weekends<br>Day- 1<br>Swing - 0<br>Night - 0  |

**B. Prime Time Requests**

Prime Time Vacation and Holidays covers two periods of peak time, wherein a high volume of requests are generally received for time off.

Summer prime time is defined as May 15 through September 15. The maximum vacation time off is three weeks (fifteen work days), taken all-together or in any combination of three full work-week week blocks. This period includes the following holidays: Memorial Day, Independence Day and Labor Day.

Winter prime time is defined as December 15 through January 1. The maximum vacation time off is one workweek. The workweek in Corrections Health is Monday through Sunday. This period includes the following holidays: Christmas Eve, Christmas Day, and New Year's Day.

1. Prime time vacation and holiday time off requests are approved on the basis of class seniority, using the unit's posted seniority lists.
2. All available staff (i.e. on-call, part-time, staffing agencies, those willing to work extra) are utilized in order to grant time-off requests with consideration for cost to the program and appropriateness of coverage.
3. Employees should indicate the order of priority when making multiple requests for a prime time period.
4. Prime time vacation approvals are subject to Minimum Staffing Guidelines. Staffing numbers are based primarily on the needs of safe and efficient operations and the availability of absentees' relief. These minimum staffing guidelines apply to the following medical staff positions: Community Health Nurse (RN), Medication Aide (CMA), and Mental Health Consultant (MHC). There are no minimum staffing guidelines for non-medical staff. Exceptions to these staffing levels can be approved by the Program Managers or the Director. FMLA/OFLA leaves are not included in the minimum staffing guidelines. Lead Nurses are included in the RN count. The Lead Nurse and the Resource Nurse may be utilized as staff nurses during prime time periods or holidays if approved by the Program Manager. This maximizes the number of staff eligible to take time off.

Minimum Staffing Count by Position and Location

| Location | RN  | CMA   | MHC   |
|----------|---|---|---|
| JDH      | Weekdays<br>Day - 1<br>Swing -1<br>Night -0 | Weekdays<br>Day - 0<br>Swing -0<br>Night -0 | Weekdays<br>Day - 1<br>Swing -0<br>Night -0   |
|          | Weekends<br>Day - 1<br>Swing -1<br>Night -0 | Weekends<br>Day - 0<br>Swing -0<br>Night -0 | Weekends<br>Day- 0<br>Swing -0<br>Night -0    |
| MCDC     | Weekdays<br>Day - 6<br>Swing 5<br>Night -3  | Weekdays<br>Day - 2<br>Swing -2<br>Night -0 | Weekdays<br>Day - 2<br>Swing - 1<br>Night - 1 |
|          | Weekends<br>Day - 5<br>Swing -5<br>Night -3 | Weekends<br>Day - 2<br>Swing -2<br>Night -0 | Weekends<br>Day- 1<br>Swing- 1<br>Night- 1    |
| MCIJ     | Weekdays<br>Day - 3<br>Swing -3<br>Night -2 | Weekdays<br>Day - 2<br>Swing -2<br>Night -0 | Weekdays<br>Day - 1<br>Swing - 0<br>Night - 0 |
|          | Weekends<br>Day - 3<br>Swing -3<br>Night -2 | Weekends<br>Day - 2<br>Swing -2<br>Night -0 | Weekends<br>Day- 1<br>Swing - 0<br>Night-0    |

5. Prime time vacation requests are submitted by employees through an electronic Prime-Time Sign-up during the bidding period for each prime time period. Following are the timelines for communication, bidding and the posting of schedules:

Summer Prime Time: An announcement is sent to all staff no later than February 1st detailing instructions and deadlines on the Summer prime time vacation bidding process. Summer prime time vacation bidding begins February 15th and

concludes by March 1<sup>st</sup>. The schedule with approved vacations and holidays will be finalized and posted no later than March 15th. Any requests submitted after the end of the bidding period will be considered under the Non-Prime Time Vacation and Holiday time off process.

Winter Prime Time: An announcement is sent to all staff no later than August 1st detailing instructions and deadline on the Winter prime time vacation bidding process. Winter prime time vacation bidding begins August 15th and concludes by September 1st. The schedule with approved vacations and holidays will be finalized and posted no later than September 15th. Any requests submitted after the end of the bidding period will be considered under the Non-Prime Time Vacation and Holiday time off process.

- a. If the request is denied the supervisor will provide the reason for denial in writing. If the request is denied, the employee may participate in a shift exchange (TX) or re-submit request with suggested coverage.
- b. A request for vacation/holiday time off is not automatically approved. Employees should not make travel arrangements until the leave request is approved and a confirmation email is received.
- c. Worksite schedules are updated daily, and are live and accessible to any Multnomah County employee by accessing a shared google document on google drive. The schedules are administered by Central Support and are subject to approval by Corrections Health Managers and Supervisors. The schedules also reflect approved vacation and holiday time off. Once a request had been approved, it will be reflected on the employee's worksite schedule. If the request is not reflected on the schedule, then it has not been approved.

#### **IV. Special Conditions**

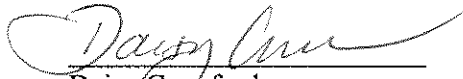
- A. Management and staff work collaboratively to maximize frequency of approved requests. However, when submitting requests meeting any of the criteria below, the requesting staff is ultimately responsible for securing his/her own replacement when requests are submitted less than fourteen (14) calendar days in advance.
- B. Employees must have enough accrued paid leave at the beginning of the requested leave period to cover the entire leave request. Special circumstances may be reviewed on a case-by-case basis.
- C. Additional time off is allowed by Shift Exchange (TX). Trading time, hour for hour between regular status employees who are oriented and familiar with the job assignment and facility. Management retains the right to deny a proposed trade if it is

not consistent with business operational interests.

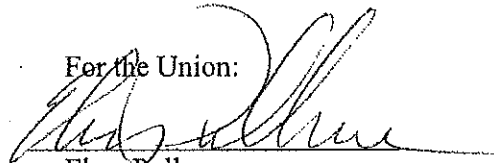
- D. If a time off request is denied, the employee may 1) participate in a shift exchange (TX); or 2) re-submit the request with suggested coverage. The resubmitted request is then reviewed with consideration for cost to the program and appropriateness of coverage. The employee will be notified by e-mail of the decision within one week of the date the request was re-submitted.
- E. In the event that a staff wishes to cancel a previously approved time-off request, s/he may do so at any time if another staff member has not been assigned to the shift. If another staff has been assigned, a cancellation will be allowed only if initiated 48 hours in advance of beginning of their shift.

Agreed to this \_\_\_\_\_ date of April 28, 2017.

For the County:

  
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Daisy Crawford  
Sr. Labor Relations Analyst

For the Union:

  
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Eben Pullman  
Council 75 Representative