

SEIU

COUNTER - PROPOSAL

MAY 23, 2022 1 PM

## SEIU Counter – Proposal

May 23, 2022

1:00 PM

### Hospital's Proposal #2

#### 3.06 Leave Abuse

SEIU **REJECTS** the hospitals proposal

SEIU offers the following Counter Proposal

- Article 3.06 Leave Abuse SEIU propose to increase the number of occurrences in the category of Absence and Tardy in the following way:
- We propose that when a full-time employee has incurred five (5) occurrences, within a twelve-month period, the hospital will notify the employee through verbal communication. The hospital will also document the verbal communication by providing the employee with an email or other document. This requirement must be met before an employee can receive additional disciplinary action for attendance. An employee who within a twelve-month period has had six (6) occurrences will be subject to progressive discipline commencing with a first written notice, eight (8) occurrences will subject the member to a final notice, nine (9) occurrences will subject the member to termination.
- If an employee reports to work on their regularly scheduled shift and becomes ill during that shift and request to go home, the departure will not be counted against the employee.
- Where there is an extraordinary event while commuting to work, the hospital may determine at its discretion that staff who arrive late to work as a result of the extraordinary event will not be penalized pursuant to the attendance guidelines or otherwise for clocking in late. Any such extraordinary event must be reported to Human Resources within 24 hours of the event; and such determination by the hospital shall be generally applicable to all staff affected by the extraordinary event.

## **Hospital's Proposal #7**

### **11.04 Application of Seniority**

SEIU **ACCEPTS** the hospital's proposal

#### **11.04 Application of Seniority**

(1) In cases of promotions, lateral transfers to another open position and reductions in force and recalls the Hospital shall consider the following factors: (a) the qualifications and ability of an employee to perform the work and (b) the seniority of the employee. Where factor (a) is relatively equal, then (i) seniority in the job classification within the facility shall govern in the case of layoffs or reductions in force and recall and (ii) seniority shall govern in the case of lateral transfers and promotions. In determining factor (a) the Hospital's determination shall be conclusive, unless the Union demonstrates that it was clearly erroneous. For purposes of this Section, factor (a) shall include discipline the employee received during the twenty-four (24) months prior to the reduction in force where the disciplinary action(s) relates to or negatively reflects upon the employee's ability to perform the duties of his position; provided, however, in the case of a lateral transfer, factor (a) shall include discipline the employee received during the prior twelve (12) months.

NOTE: THE FOREGOING IS FOR PURPOSES OF CLARIFICATION ONLY.

(2) With respect to promotions, whenever a vacancy occurs, the Hospital shall post the position. The Hospital will make the posting available outside of the Human Resources Department and on the Hospital intranet site along with a description of the required duties and qualifications, for at least five (5) working days, and the Hospital shall not otherwise advertise the position or make an appointment thereto during said period. Employees at the facility and within the department where a vacancy occurs will be notified that the vacancy has been posted on the Hospital intranet site. If an employee is not selected for a position for which he has applied, the Hospital will provide such employee within a reasonable period of time with notification that he was not selected and a brief statement of the basis for its decision.

(3) In filling a vacancy (whether it would be a promotion or a lateral transfer to an open position), the Hospital shall give preference to incumbent employees in the job classification at the facility and within the department who apply for the position in the following order, provided the applicant is qualified to fill the vacancy: (a) incumbent full-time employees in the same job classification who want to change hours/shifts, based on seniority if two or more such employees apply; and then (b) incumbent part-time eligible employees in the same job classification who want to become full-time, based on seniority if two or more such employees apply.

NOTE: THE FOREGOING IS FOR PURPOSES OF CLARIFICATION ONLY.