

**KALEIDA HEALTH
1199/SEIU UNITED HEALTHCARE WORKERS EAST
COMMUNICATIONS WORKERS OF AMERICA**

2022 CONTRACT NEGOTIATIONS

**Union Counterproposal
Date Presented: August 17, 2022**

**Employer Counterproposal
Date Presented: August 22, 2022**

**Article 19
Floating**

Section 1. The floating of personnel from unit to unit, within a facility/site, with the exception of employees that are hired into a float pool, is an undesirable method for staffing a unit or department as it relates to both the quality of patient care and employee satisfaction. Floating will only occur in situations when inadequate staffing is unanticipated and could lead to unsafe practice situations.

Section 2. Before floating occurs the process outlined in Article 15, Hours of Work and Work Schedules, Section 11 shall be followed. Employees floated **from their current position**, to another unit/cost center/**department** under the provisions of this article shall be entitled to a **three two dollar (\$3.00) (\$2.00)** per hour differential for all hours worked regardless of the number of hours floated. **The three two dollar (\$3.00) (\$2.00) per hour differential will not apply to Float Pool Employees. covered by Article 91.**

Section 3. Employees working in the following sites, clinics and the **Phlebotomy Patient Service Centers Float Pool** shall receive **\$3.00 two (\$2.00)** dollars per hour differential if they volunteer or are assigned to float on a shift to shift basis outside the site (address):

- a.) Pediatric ENT Clinics;
- b.) Pediatric Primary Clinics;
- c.) Women's Ambulatory Clinics;
- d.) Phlebotomy including the Patient Service Centers (PSC);
- e.) Cashiers.

Section 4. For purposes of Section 2 above, an employee's current position is the position they were most recently awarded, or hired into, unless that position was changed or consolidated pursuant to this Agreement. If an employee is awarded or hired into a position that is required to cover multiple units, except as outlined in Section 3. above, that assignment will not be considered a float assignment.

Section 5. The Employer will not double schedule a position for the sole purpose of

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floating one of the scheduled employees out of the unit.

Section 6. When an employee is floated to another unit, the Employer will be held accountable for the provision of the appropriate and timely orientation/training of staff floated to the new unit and to familiarize such employee with the items covered in the department orientation checklist. In addition the Employer shall identify a reference or resource person.

Section 7. Employees will only be floated to units/departments where there is a similar patient care or job responsibility. It is understood that an employee will not be given the sole accountability for a patient and/or assignment if floated to a unit which is outside of his/her area of practice. Staff who float will work to their level of competence. An employee may exercise the option to complete floating competencies in any area outside of their area of practice.

Section 8. The OCH RNs, LPNs, NPs and PAs have a very detailed grid and are not required to float outside of the grid structure. The RNs at BGMC, MFS, and DMH, and Surgical Techs at BGMC will be governed by MOU #26 Adult Site RN/Surgical Technologist Floating Grid. The grids can only be changed by the mutual consent of the Employer and the Union. The parties agree to continue with both the grid and the practice.

Section 9. Each unit will develop a list of employees assigned to the unit, in inverse order of seniority, for the purpose of tracking employee floating. Once an employee has been floated to another unit and has started his/her work assignment, that shift will be credited to the employee and will be considered a floated shift.

Section 10. If floating is required, it will be done as follows:

- a.) an employee from a float pool will float first;
- b.) in the event agency/travel personnel are scheduled to work a particular shift they will be required to float next, provided that all competencies for patient care have been met;
- c.) volunteers will be floated next with the understanding that if an employee volunteers to float, it shall be credited to that employee, and he/she shall not be required to float when the duty rotates to him/her;
- d.) an employee who is working an extra shift or overtime, **until May 31, 2023 (see Section 15 h)**;
- e.) the least senior employee with less than fifteen (15) years seniority ~~or an employee working an extra shift or overtime with less than fifteen (15) years of seniority~~ will float next, ~~on a rotating basis~~, with subsequent floating being assigned until all employees in that category have been floated. In a department where all employees have fifteen (15) years of seniority or greater, on the date that floating is to occur,

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the least senior employee will float with subsequent floating being assigned until all employees have been floated.

Section 11. An employee that floats from his/her assigned unit will not be required to be in charge or assigned to be lead unless:

- a.) the employee has been oriented to the position on that unit/department; and
- b.) the remaining staff are not able to perform the duties of the charge position.

Section 12. Employees will not be required to float more than once per shift.

Section 13. If an employee is floated and that employee is no longer needed, he/she will return to his/her unit. If the staffing requirements on the unit to which an employee is floated, are reduced during the shift, and there is no need for the employee on his/her home unit, the floated employee has first option to be voluntarily downsized.

Section 14. In the event that more than one (1) employee is required to float to another unit, choice of unit to float to will be offered in seniority order.

Section 15. An employee will be excused from floating on the date that floating is to occur when:

- a.) the employee is in orientation (training);
- b.) the employee is precepting/training another employee or student;
- c.) the employee is in the first month from the date of orientation completion;
- d.) is scheduled to attend an educational or committee meeting;
- e.) the employee is running the ECMO pump or is assigned on the STAT Team;
- f.) OCH RNs, LPNs, NPs and PAs who are required or volunteer to report to work early;
- g.) the employee is a newly graduated RN or LPN **unless the employee has agreed to float or is picking up shifts on units other than their own.** ('Newly graduated' shall mean the degree necessary for the job title was conferred in the twelve (12) months prior to hire. Once an employee has been hired as a newly graduated RN or LPN, they shall retain this designation for a period of six (6) months after successful completion of orientation, exclusive of periods of inactive status.)
- a. h.) **Effective, June 1, 2023, an employee who has volunteered to work an extra shift or overtime shift on their unit will not be floated during that shift and no one**

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in the same job title on the unit will be floated during that same shift. (This subsection h does not apply to Long Term Care. The parties agree to meeting on Or after June 1, 2023 to discuss the potential of application of this subsection to Long Term Care.)

Any employee who transfers into a critical care area at OCH without prior critical care competencies will not be required to float within the first six (6) months from the transfer date.

Section 16.

~~a.) — Hospital Facilities: An employee who has volunteered to work an extra shift or an overtime shift within twenty four (24) hours of the start of that shift, following the posting of the approved schedule, has the option to call the appropriate staffing coordinator/supervisor to confirm the need they volunteered for, and if there no longer is a need on the unit/department they volunteered for, will be offered the option to either cancel the extra shift/overtime or agree to float. In the event an employee does not confirm the need, they will be floated per Section 10 above.~~

Long Term Care Facilities: Employees who have picked up an extra shift on a particular unit following the posting of the approved schedule, and are no longer needed on that unit, but are needed somewhere else in the facility due to critical staffing needs will be floated to the unit which is experiencing a critical staffing need. If there is no critical staffing need, an employee will be offered the option to either cancel the extra shift or agree to float.

Any employee who opts to cancel his/her extra shift in Section 14 16 above will not be charged with a PTU day. The parties agree critical staffing shall be defined as staffing levels that fall below the posted staffing grids.

Section 17. The Employer will not float employees on a major holiday.

Section 16.— In the DMH Maintenance bargaining unit, there is no floating required.

[Note Reference to Phlebotomist Float Pool will be included in Appendix F, section 6]

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