

STANISLAUS COUNTY & CALIFORNIA NURSES ASSOCIATION

Side Letter

August 11, 2020 DRAFT

v.4

Background

The County currently is facing a community pandemic emergency caused by COVID-19 and is in need of a seven-day staffing operation to meet the daily increases of positive COVID-19 testing and increases in community exposures to those testing positive. As a result of these increases in pandemic COVID-19 cases, the County declared an emergency. In response to this declared emergency, the Health Services Agency (HSA) has under the County's Emergency Operations Center (EOC) developed an emergency response effort. Employees are working in a variety of response teams to include disease investigation "pods." These pods are required to include nurses who certify health conditions of those testing positive and those exposed to COVID-19.

The current Memorandum of Understanding for CNA includes a provision that the County agreed to maintain every other weekend off for Nurses when assigned a schedule that includes weekends. (MOU Article 36.A, "Every Other Weekend Off Schedule") In order to address the incoming daily work, response teams are now needed to work seven days a week during this emergency.

Agreement

In an effort to provide seven-day nurse coverage and provide consecutive scheduled days off to nurses in the Public Health Division during this emergency, the parties hereby agree as follows:

1. A staffing Pilot Program shall be initiated on August 16, 2020. Unless mutually agreed, the program shall be discontinued at close of business October 10, 2020. If mutually agreed, the program will be extended for a mutually agreed period of time. If the Pilot is discontinued, the status quo that existed before commencement of the Pilot Program will be resumed.
2. Two rotational schedules – an "A Schedule" and a "B Schedule"— shall be initiated. Each schedule shall provide for two consecutive days off, with either Friday / Saturday (A schedule), or Sunday / Monday (B schedule).
3. To enable nurses to receive two consecutive days off each work week within a pay period, the Department shall bring in additional nursing staff to fill gaps in coverage. The schedules of such additional staff are created independently of the Pilot, and they are not covered by the terms hereof.
4. Nurses may continue to request to volunteer for additional overtime shifts on their weekdays or weekend day off when approved by the respective Manager. All overtime conditions will be governed by the existing MOU language. This proposal if agreed to shall not diminish any employee's right to compensation for work specifically assigned to be performed outside of the employee's regular scheduled duty hours.

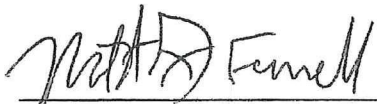
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5. Under this proposed schedule, employees who are required to work on a recognized holiday as determined by their work schedule shall be compensated at a rate pursuant to the existing agreed upon MOU Section 16.
6. The parties shall review the efficacy of the Pilot as follows:
 - a. Each party shall receive input from their team by September 18, 2020.
 - b. The parties shall meet on September 25, 2020 to review the Program.
 - c. If either party wishes to discontinue the Pilot, they will provide notice by October 2, in time for creation of a new, non- Pilot schedule by October 8, 2020.
7. The provisions of Article 36.A, calling for every other weekend off, is superseded by this Agreement. Any other provision in the MOU that is inconsistent with the foregoing shall be suspended during the term of the pilot Program. All other provisions of the MOU remain and apply as to this proposed schedule.
8. The parties shall further meet and confer in the event that Stanislaus County bargaining units, independent of CNA, are provided premium pays, bonuses, or economic incentives due to changes in working conditions resulting from impacts of COVID-19.



Matthew Fennell, CNA Negotiator


Date


Jeff Sloan, County Negotiator


Date


Jody Hayes, Chief Executive Officer


Date