

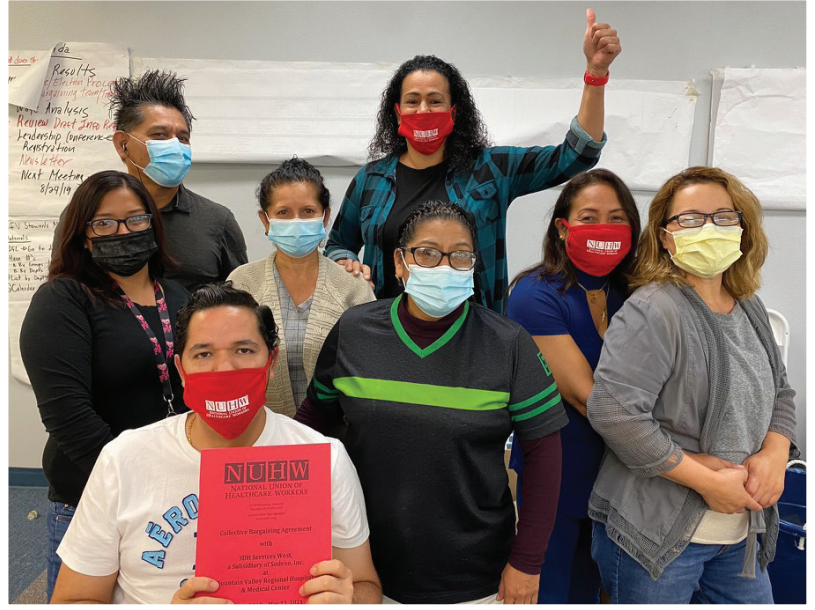
# ADVANCED STEWARD TRAINING

**NUHW** NATIONAL UNION OF  
HEALTHCARE WORKERS





# ADVANCED STEWARD TRAINING



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# CONTRACT TERMS 1-8

1. Seniority vs. years of service (anniversary date)

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2. Hours paid vs. hours worked vs. status

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3. Probation vs. evaluation period

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4. Rotation by seniority vs. by seniority

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5. Status vs. category vs. classification

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6. Should, shall, may, and will exercise its best efforts

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7. Union shop vs. closed shop

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8. Disciplinary vs. investigatory meeting

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# EXERCISES

## Exercise 1: Bilingual Differential

Is there any disadvantage to this provision for the bilingual worker?

*Regular employees who have successfully passed the Employer's qualifying examination for bilingual status for approved languages will receive \$1.00 per hour for all regular hours worked.*

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## Exercise 2: PTO Accrual

Which of these is preferable language for a Part-Time benefited employee specifically? Why?

- Regular employees shall accrue PTO based on status.*
- Regular employees shall accrue PTO based on hours paid.*
- Regular employees shall accrue PTO based on hours worked.*

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## Exercise 3: Grievance Time Limits

Which of these examples is preferable contract language and why?

- Option 1: A grievance must be submitted in writing within thirty (30) work days of the alleged violation of the Contract.*
- Option 2: A grievance must be submitted in writing within thirty (30) calendar days of the alleged violation of the Agreement.*
- Option 3: A grievance must be submitted in writing within thirty (30) days of the alleged violation of the Collective Bargaining Agreement.*

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# EXERCISES

## Exercise 4: Status vs. Category vs. Classification

Is the designation of **Full-Time** a...

- category
- status
- classification

Is **Respiratory Therapist II** a...

- category
- status
- classification

Is **.5 FTE** a....

- category
- status
- classification

## Exercise 5: Right to Representation?

Yesterday, Cynthia was called into a meeting with her manager. The manager started to ask her questions about a patient Cynthia had seen the previous week. The patient had left the appointment in a rage and later filed a complaint against Cynthia, as well as a complaint against the receptionist. After the second or third question, Cynthia interrupted her manager to ask for a steward to be present. The manager said Cynthia wasn't entitled to representation because the manager planned to give her a discipline in this meeting.

**Was the management right or wrong? What recourse does Cynthia have?**

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## CONTRACT TERMS 9-17

9. Department vs. unit

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10. Schedule vs. assignment vs. job description vs. position

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11. Employer vs. Management vs. HR representative

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12. Call vs. standby vs. on-call

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13. Insubordination vs. poor attitude

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14. Overtime vs. pyramiding of overtime

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15. Earned benefit vs. accrued benefit

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16. Past practice

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17. Exempt vs. non-exempt

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# EXERCISES

## Exercise 6: Schedule vs. Job Description vs. Job Assignment

Fill in the blank using one of these terms: Schedule, Job Description, Job Assignment

1. A \_\_\_\_\_ is a list of the days, starting times and hours you will be working in a given week, pay period or month.
2. A \_\_\_\_\_ is a generic inventory of the duties that could be performed by a classification.
3. A \_\_\_\_\_ is the specific duties of the job description that are your actual job, things you do on a daily or regular basis.

## Exercise 7: Insubordination Scenario

Dan is an RN and a 10-year employee at Pro-Profita Healthcare, Inc. Last week, his manager told him he needed to include more detail in his patient charting, or he would be at risk of discipline. Dan told his manager he really hates all the documentation he's required to do, and that he got into nursing to care for patients, not update charts all day. Yesterday, Dan's manager told him he needed to come to his office and bring a steward. The manager told Dan he was getting disciplined for insubordination since he failed to improve his charting after receiving a direct order, and because he had responded to the order by challenging his manager.

**Was Dan Insubordinate? Did the employer demonstrate that all of the following happened in order to be able to assert insubordination?**

1. The employee's refusal to obey was knowing, willful, and deliberate;
2. The order was explicit and clearly given so that the employee understood its meaning and its intent as a command;
3. The order was reasonable and work related;
4. The order was given by someone in authority;
5. The employee was made aware of the consequences of failing to perform the work or follow the directive; and
6. If practical, the employee was given time to correct the allegedly insubordinate behavior.



# EXERCISES

## Exercise 8: Sam and St. Ima Donuthin: Overtime Scenario

Sam has worked at St. Ima Donuthin's for seven years. He works a schedule of Monday through Friday with Saturdays and Sundays off. He worked both Saturday and Sunday this past week but when he got his paycheck he did not get double time for Sunday.

He talked to his boss who said that the Hospital's workweek is Sunday through Saturday and the Sunday he worked fell in a different workweek.

Sam knows that in the past he has always gotten paid double time for the 7th consecutive day worked, regardless of workweek, and wants to file a grievance.

Here is the contract language at St. Ima Donuthin:

### Article VII

*Section 1. The employee's workweek shall be designated by the Medical Center and shall be a consecutive period of seven (7) calendar days. Straight-time hourly rates shall apply up to a maximum of forty (40) hours per week, eight (8) hours per day or five (5) days per week.*

*All work in excess of eight (8) hours per day or five (5) days per week shall be paid at the rate of one and one-half (1½) times the basic straight-time hourly rate. All work in excess of twelve (12) hours per day shall be paid at the rate of two (2) times the basic straight time hourly rate. All work on the seventh (7th) consecutive day of the week shall be paid at the rate of two (2) times the basic straight-time hourly rate.*

*Section 2. An employee required to work more than seven consecutive days without a day off shall be compensated thereafter at time and one-half (1½) the employee's basic straight-time hourly rate for each day worked or portion thereof until granted a day off.*





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