

May 14, 2013
UMMMC's Last, Best and Final Offer

**MEMORANDUM OF AGREEMENT
BETWEEN
UMASS MEMORIAL MEDICAL CENTER - MEMORIAL CAMPUS AND THE
MASSACHUSETTS NURSES ASSOCIATION**

Except for changes indicated below, all provisions of the parties' collective bargaining agreement of January 10, 2010 – January 1, 2012 remain unchanged. All proposals which are not included as changes below are withdrawn without prejudice.

Subject to ratification by the bargaining unit and approval by the Medical Center, the parties have agreed to amend their 2010 – 2012 collective bargaining agreement as follows:

1. MNA No. 27 and MNA No. 35 – Wages:¹

UMMMC Counter proposal:

- A 1% across the board increase (ATB) applies to all steps and will be effective the first full shift beginning on or after 11:00 p.m. on 1/1/12.
- A 1.5% across the board increase (ATB) applies to all steps and will be effective the first full shift beginning on or after 11:00 p.m. on 1/1/13.
- A 2% across the board increase (ATB) applies to all steps and will be effective the first full shift beginning on or after 11:00 p.m. on 1/1/14.

2. Duration:

Revise Article 44 as follows:

This Agreement shall be for the period from January 1, 201~~2~~0 through ~~December 31, 2014~~ two (2) years following the date of ratification, and the terms contained herein, except as otherwise indicated, shall become effective on the date of its execution by the parties. Should a successor Agreement not be executed by two (2) years following the date of ratification ~~January 1, 2010~~, this Agreement shall remain in full force and effect until a successor Agreement is executed or an impasse in negotiations is reached.

¹ As a result of changed circumstances, i.e., incurring costs associated with securing replacement nurses, on Friday May 17, 2013 at 12:00 p.m., this "Wages" proposal will be modified to a 1% ATB increase effective 1/1/12; a 1% ATB increase effective 1/1/13; and a 1% ATB increase effective 1/1/14.

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3. **UMMMC No. 12 – Retirement Benefits:**²

Add the following language:

The current plan design for the defined benefit plan and the 401(k) plan shall remain in effect through December 31, 2016.

Effective January 1, 2017, the defined benefit pension plan will be AMENDED as follows:

DEFINED BENEFIT PENSION PLAN

Monthly pension at age 65 earned after December 31, 2016

- 1.25% of each year's pay divided by 12, not subject to any cap on years of credited service
- Pensionable earnings include base rate of pay plus shift differentials for actual hours paid in the plan year.
- 3 year vesting for all RNs

The change in the benefit formula is more fully set forth in Exhibit A hereto. To the extent this provision differs from the terms set forth in the Plan's Summary Plan Description ("SPD"), the SPD controls.

Also effective January 1, 2017:

401(k) PLAN

401(k) match is increased from 25% to 50% on every dollar contributed up to 4% of compensation.

4. **UMMMC No. 19:**

Leave accruals for *only nurses hired after the date of ratification* will be modified as follows:

Article 10 – Earned Time:

Revise Section 1 as follows:

² As a result of changed circumstances, i.e., incurring costs associated with securing replacement nurses, on Friday May 17, 2013 at 12:00 p.m., this "Retirement Benefits" proposal will revert to the language contained in UMMC's May 6, 2013 proposal.

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Earned time provides accrued time off to be used by full-time and regular part-time employees with the approval of their supervisor for absences due to vacation, personal illness or personal time. Eligible employees shall accrue earned time for each hour paid up to budgeted hours ~~worked in a week up to a maximum of 40 hours~~ in accordance with their years of service as indicated:

<u>Years of Service</u>	<u>Hourly Accrual</u>	<u>for 40 hrs.</u>	<u>Hours/yr for 40 hrs.</u>
0-4	.10770 <u>.09670</u>	4.3100 <u>3.8700</u>	225 <u>201</u>
5+	.12700 <u>.11587</u>	5.0800 <u>4.6346</u>	265 <u>241</u>

5. **UMMMC No. 23:**

- Continue health insurance side letter for term of this agreement. See attached.
- Health insurance premium sharing for *only nurses hired after the date of ratification* will be modified as follows:

Full-time – No change in premium sharing

Part-time – 77%/23% (excluding PPO rates which shall remain the same)

6. **MNA No. 3 – Subcontracting:**

UMMMC counterproposal:

The Hospital will not contract out bargaining unit work in core service areas. For the purposes of this Section, core service areas are defined as inpatient units, OR, PACU and the Emergency Department. Nothing herein shall limit the Hospital's right to use travelers, temporary/casual, agency and/or leased nurses. This Section sunsets and automatically terminates at the expiration of this 2012-2015 Agreement.

7. **MNA No. 10 – Charge Nurse Assignment:**

Hospital Counterproposal attached as Exhibit B.

8. **MNA No. 21 Staffing:**

UMMMC counterproposal:

- No more than 5:1 assignments on the day shift in inpatient areas, excluding dedicated observation units, if any, within twelve (12) weeks of ratification.

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- An average of 5:1 patient assignments but no more than a 6:1 assignment for any nurse on the evening shift in inpatient areas, excluding dedicated observation units, if any, within twelve (12) weeks of ratification.
- No more than 6:1 assignments on the night shift in inpatient areas, excluding dedicated observation units, if any, within twelve (12) weeks of ratification.
- Stat RN: No later than six (6) months after ratification, add one critical care stat RN (24/7) to assist with ED and ICUs.
- Maternity: No later than six (6) months after ratification, we will follow AWHONN standards for mother-baby couplets.
- NICU: No later than six (6) months after ratification, increase staffing in the NICU by approximately 9 FTEs.

9. MNA #30. On-Call Pay

10. **Tentative Agreements.** All tentative agreements to date (attached hereto).

--MNA Proposal No. 1

-MNA Proposal No. 7 (as countered by Memorial)

-MNA Proposal No. 15

-MNA Proposal No. 20 (as countered by Memorial)

-MNA Proposal No. 23

-MNA Proposal No. 28

-Hospital Proposal No. 10

-Hospital Proposal No. 22

11. All other UMMC and MNA proposals are withdrawn without prejudice.

12. The 10-day strike notice served on UMMC on May 10, 2013 is hereby withdrawn.

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EXHIBIT A
CHANGES TO THE SUMMARY PLAN DESCRIPTION

(See Attached)

EXHIBIT B
HOSPITAL COUNTERPROPOSAL TO CHARGE NURSE PROPOSAL
MAY 14, 2013

Med/Surg/Tele:

West 1, West 3, South 2, South 3, South 5 and South 6

- Charge Nurse will have no more than 2 patients days and evenings and no more than 3 patients on nights.

ICUs:

- NICU: No assignment
- CCU and SICU: Charge Nurse will start the shift with no assignment and ultimately will have no more than 1 patient.

Emergency Department:

- Days and Evenings: No assignment
- Nights: Reduced assignment at discretion of Charge Nurse

Maternity:

- Days/Evenings/Nights: No assignment

OR (Memorial):

- When there is a Charge Nurse (normal OR operating hours), the Charge Nurse will have no patient assignment.

PACU (Memorial):

- Days: No assignment
- Evenings: Reduced assignment at discretion of Charge Nurse

SACU (Memorial):

- Days and Evenings: No assignment

Hahnemann - OR/PACU/SACU:

- No assignment