

AWARD

1. The Employer violated the CBA and the Kagel Award when it assigned lead nurses patient care duties beyond one hour and beyond the contractually-prescribed and mutually agreed exceptions.
2. Prospectively, the Employer shall provide lead nurses additional compensation equal to the staff nurse II pay rate at the fifth step for all hours performing patient care outside of the contractually-allowed exceptions (specified in Article XVI D.3, D.4 and D.6) and mutually-agreed exceptions (such as providing break relief for staff nurses). No additional compensation is required for such assignments of one hour or less. In order for this remedy to be implemented, the Union must agree to # 4 below.
3. No retroactive remedy is ordered.
4. The Union shall modify its "Assignment Under Protest" form to remove "Lead required to take patient assignment" under Section II and remove the entire Section III.

Paul D. Roose

Paul D. Roose, Arbitrator

Date: July 18, 2017