

**AGREEMENT TO AMEND THE MEMORANDUM  
OF AGREEMENT BETWEEN THE COUNTY OF VENTURA  
AND THE CALIFORNIA NURSES ASSOCIATION**

The County of Ventura (County) and the California Nurses Association (CNA) agree to amend the 2020-2023 Memorandum of Agreement (MOA) covering the period between March 17, 2020 up to and including midnight March 17, 2023 as follows:

1. Exhibit A, "In-House Registry", shall be amended to read as follows:

EXHIBIT A

**IN-HOUSE REGISTRY (IHR) GUIDELINES FOR CNA NON-EXEMPT CLASSIFICATIONS  
– HEALTH CARE AGENCY**

Introduction: This agreement is reached in an effort to develop a program in which regular full-time and regular less than full-time employees represented by the California Nurses Association can voluntarily work extra hours as needed to reduce the utilization of outside agencies.

Registration: Employees interested in working IHR shifts will offer a letter of intent to their direct manager.

Eligibility: Registry sign-up is contingent on the employee reporting for duty and completing his/her regular hours schedule for a two week period (not including hours placed "on call"). If the employee is called off during the two (2) week schedule, the hours called off will be considered hours worked for purposes of IHR eligibility, not direct compensation. Paid time off (for example, annual leave, vacation, or sick leave) does not count as time worked for completing the hours schedule requirement. Holidays are time worked for purposes of IHR eligibility.

Only non-exempt employees in classifications represented by the California Nurses Association (CNA) are eligible to participate in the registry. Non-exempt employees are those who under the Fair Labor Standards Act are eligible for overtime payment.

The establishment of the IHR Program is not intended as a guarantee of work.

Competencies: Nursing Personnel will be certified for work in specific areas of the Medical Center, Ambulatory Care, Public Health and the Crisis Team. The Clinical Manager or designee will be responsible for orientation and competency certification of the nurse prior to the nurse taking an IHR assignment. Orientation and competency certification will be on paid time.

Availability and Assignment: IHR participants will notify their direct clinical manager (or their designees) each month of their availability for the following month (shifts, dates and areas of work).

IHR employees will accept both the unit and patient care assignments, based on their competencies, preferences and availability. An IHR employee who accepts an assignment in a work area other than that which the employee is usually assigned will not serve as the Resource/Charge Nurse for that work unit.

IHR Employees will get written approval from their manager to work an IHR shift in another unit prior to working the shift.

Call On/Call Off: IHR employees will receive a minimum of two hours notice if called off from IHR work. Employees will be given a minimum of two hours of pay at the IHR rate if the employee reports for work and the need for registry work no longer exists. The two hours of pay, in that instance, only applies if the employee actually works the two hours. The employee may also volunteer to go home, in which case the employee would be paid at the IHR registry rate for actual hours worked.

Employees also have up to forty eight hours before reporting for registry work to cancel. If an employee cancels a shift less than forty eight (48) hours before a scheduled registry shift, those hours will be charged to sick/annual leave bank, the only exception being if the nurse brings a doctor's notice excusing the absence. If an employee is called for registry work without the two hours advance notice, the employee may decline registry work without it being counted as a refusal.

The above IHR call on/call off procedure is for IHR only and does not conflict with any other call on/call off procedure, e.g., "Low Census" call off as contained in the current Memorandum of Agreement between CNA and Ventura County.

Removal from Registry: An employee may be removed from the IHR if s/he does not report or refuses an otherwise valid request to report for registry duty three (3) times during the six months commitment to the IHR.

In addition, an IHR enrollee may be removed from the program if there are performance or job-related disciplinary issues which a nurse is functioning in the IHR Program or in the course of his/her employment with the County. Such issues will be evaluated and reviewed with the employee prior to removal from the IHR.

Timekeeping: IHR employees will sign in and out on the IHR Log. At the end of the pay period, the employee's regular supervisor/manager may verify the hours worked with the appropriate IHR Coordinator or designated staffing coordinator.

IHR Hours: IHR work will be considered "extra" shifts and not an extension of the regular work day. IHR will be used after overtime is offered to all employees eligible to work the overtime. IHR employees will record hours worked which represent overtime (beyond 40 hours/pay period) separately from those which represent non-overtime hours (e.g., those which do not cause the employee to have worked more than 40 hours/pay period).

IHR Rates of Pay: The IHR rate of pay is as follows:

1. IHR hours which are "non-overtime" hours (i.e., the total of the employee's regular hours worked and any IHR hours does not equal above 40 hours in any one week),

the rate is equal to 1.75 times the employee's straight time base hourly rate plus any applicable evening and night shift differentials exclusive of any other premiums. For example, a nurse making \$20/hour who works a 24 hours weekly schedule and then works an additional 4 hours of IHR is paid \$35/hour for the IHR assignment.

2. IHR hours which result in overtime (i.e., IHR hours which when added to hours worked equals more than 40 hours in a week) the rate is 2.0 times the employee's straight time base hourly rate plus any applicable evening and night shift differentials exclusive of any other premiums. For example, a nurse making \$20/hour who works a 40 hours weekly schedule and then works an additional 4 hours of IHR is paid \$40/hour for IHR "overtime" hours.

The IHR rate is intended for registry work only and is not considered as the rate of pay for usual overtime hours.

Overpayments: Should an overpayment occur under the IHR, the employee shall be informed of the circumstances of the overpayment. A nurse representative may review the documentation explaining the overpayment with the employee and his/her supervisor/manager. CNA agrees that it will support the County's efforts to collect any IHR overpayment.

IHR Committee Review: The IHR Committee will meet as needed to resolve issues of mutual concern. The Committee shall be composed of ten members (five members from County Management and five members from the Association).

Additional Provisions: All provisions of the August 3, 1999 Board letter which recommends adoption of the IHR are incorporated in this Exhibit.

#### Emergency In-House Registry Pay

To address potential workforce implications resulting from a natural disaster (as defined by Sec. 1804 of the County Personnel Rules and Regulations) and to ensure the continuity of County operations, the HCA Director may activate the "Emergency In-House Registry" (EIHR) Pay provision as follows:

#### Activation

Activation of the EIHR Pay provision shall be based on:

1. A declaration of a "Local Health Emergency" by the County of Ventura Health Officer; and/or
2. A proclamation by the VCMC Chief Executive Officer initiating the Hospital Incident Command System pursuant to the HCA Emergency Management Plan.

The purpose of activating the EIHR is to provide a procedure for optimal use of registered nurse staffing during a state of disaster or extreme emergency with the goal of greater coordination of healthcare services to protect our residents and respond to our communities' healthcare needs.

When activated, the EIHR pay provisions shall supersede the regular IHR pay provisions delineated above.

**EIHR Pay**

The EIHR rate of pay is as follows:

1. EIHR hours which are "non-overtime" hours (i.e., the total of the employee's regular hours worked and any EIHR hours does not equal above 40 hours in any one week), the rate is equal to 2.0 times the employee's straight time base hourly rate plus any applicable evening and night shift differentials exclusive of any other premiums. For example, a nurse making \$20/hour who works a 24 hours weekly schedule and then works an additional 4 hours of EIHR is paid \$40/hour for the EIHR assignment.
2. EIHR hours which result in overtime (i.e., EIHR hours which when added to hours worked equals more than 40 hours in a week, the rate is 2.5 times the employee's' straight time base hourly rate plus any applicable evening and night shift differentials exclusive of any other premiums. For example, a nurse making \$20/hour who works a 40 hours weekly schedule and then works an additional 4 hours of EIHR is paid \$50/hour for EIHR "overtime" hours.

The EIHR rate is for registry work only and is not considered as the rate of pay for usual overtime hours.


**Deactivation**

At any time, the HCA Director may deactivate application of the EIHR pay.

FOR THE COUNTY:

FOR CNA:

 4/7/2020  
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 4/7/2020  
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