



**Breaks and Staffing Review**  
**Replaces ML Union Proposals 7 and 35, ANW/PEI Union Proposal 3,**  
**Unity Union Proposal 10, and Mercy Union Proposal 16**

**May 24, 2019**

**Time: \_\_\_\_\_**

*THE UNION RESERVES THE RIGHT TO AMEND, ADD, DELETE, OR WITHDRAW WITHOUT PREJUDICE ANY AND ALL PROPOSALS SUBMITTED. THE UNION ALSO RESERVES THE RIGHT TO SUBMIT FUTURE AMENDED, REVISED OR NEW PROPOSALS.*

- 3. HOURS (ANW/PEI, United Hospital, Mercy Hospital)**
- 2. HOURS (Unity Hospital)**

- (b) Breaks: A nurse shall be entitled to, in any combination if agreed upon mutually, one (1) paid fifteen (15) minute rest break for each four (4) hours on duty.

In addition, ~~she or he~~ each nurse will be given one (1) thirty (30) minute duty-free meal break for each scheduled shift. This meal break will extend the scheduled shift time by one-half (1/2) hour and if a nurse does not receive this meal break she or he will be paid for the additional one-half (1/2) hour on duty time. If no duty-free meal break is included in the scheduled time for any specified shift that scheduled shift time will not be extended.

The hospital shall be responsible for providing a simple electronic method for tracking of missed meal and rest periods that is integrated with the time card system. If the hospital is unable to provide an integrated electronic method for recording any missed breaks, the hospital shall utilize a variance form on which nurses can record missed breaks.

Each unit will be accountable for the development of a break plan; this will include the definition of a break, and coverage available for RNs to receive breaks.

Management shall take responsibility for assuring that coverage is available that will allow all nurses to take their breaks as provided for in this section without jeopardizing patient safety. Nurses will take breaks when they are afforded the opportunity to under their break plan, so long as doing so does not jeopardize patient safety, as determined by the nurse's professional judgement.

Each month, MNA and the Hospital shall review the data on missed meal and rest breaks for every unit and shift from the previous month. After any shift on any unit demonstrates a pattern for three (3) months of RNs not receiving at least 95% of their ~~appropriate~~ meal and rest breaks, a review of the staffing plan will be conducted.

In evaluating staffing plans, it is the intent and desire to reach mutual agreement about appropriate staffing that will allow for the taking of all contractual breaks. After the review has occurred, the Union will issue its recommendation for changes, if any, to be made to the unit staffing plan. The Hospital designee will respond within twelve (12) work days to the Union's recommendation. Agreed upon action will be implemented within thirty (30) days.

If a mutually agreeable decision cannot be reached, the parties will refer the matter to arbitration.

A nurse will not be required to remain on the unit, or be available for patient care during any unpaid meal or paid rest break. No nurse shall be disciplined or retaliated against for taking a meal or rest period or for recording the missing of a meal or rest period.