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RNPA Proposal 8, November 20, 2023 (Revised)

6.5 - Counseling and Unfavorable Reports

RNPA proposes that both parties agree to withdraw their proposals regarding Section 6.5; otherwise, it maintains its existing proposal as set forth below:

a) Counseling

In the event that a nurse's performance or conduct is unsatisfactory or needs improvement, informal counseling shall be provided by the nurse's first level supervisor. Counseling shall be separate and distinct from on-going worksite dialogue. Documentation of such counseling (including verbal counseling) shall be given to the nurse as it is developed. **Such reports shall be made within ten (10) working days of the County's knowledge of the occurrence or incident which is the subject of this report.** Such documentation shall not be placed in a nurse's ~~personnel~~ **employee** file(s) and when the situation allows counseling, counseling shall be used prior to any unfavorable reports being issued. Counseling shall be removed from ~~supervisory~~ **employee** files within ~~two (2) years~~ **one (1)**, and shall not be used in the progressive disciplinary process provided no subsequent related counseling or other personnel action was issued.

b) Unfavorable Reports on Performance or Conduct

If upon such counseling a nurse's performance or conduct does not improve and disciplinary action could result, a written report shall be prepared by the supervisor including specific suggestions for corrective action, if appropriate. A copy shall be given to the nurse and a copy filed in the nurse's ~~personnel~~ **s** files. No unfavorable reports shall be placed in a nurse's ~~files~~ **s**(s) unless such report is made within ten (10) working days of the County's knowledge of the occurrence or incident which is the subject of this report. Provided no additional report has been issued during the intervening period, each report shall be removed from the nurse's ~~files~~ **s**(s) at the end of ~~two (2)~~ **one (1)** years. Upon resignation, any such reports shall be removed from the nurse's ~~files~~ **s**(s). Unfavorable



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reports may be removed from the nurse's ~~personnel files~~s earlier than the regular removal schedule by mutual agreement between the Union, the Office of Labor Relations and the CNO or their designee. Nurses shall have the right to grieve the ~~factual content of such~~ report(s) or attach a written response to the report for inclusion in their ~~personnel~~ nurse's file(s).

c) **Purging of Human Resources and Employee Files**

All expired unfavorable reports, counseling, and/or discipline shall be purged or removed from the nurse's files annually in accordance Sections 6.3 Personnel Files and Section 6.5 Counseling and Unfavorable Reports.