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**Communications Workers of America, AFL-CIO
Kenmore Mercy Hospital, Service and Clerical
2025 Contract Negotiations**

**Article
Low Census**

Section 1. If it becomes necessary to reduce the number of employees in a particular department or unit, the reduction will be completed using the Low Census procedure. It is understood that no low census will be done until the ED census and the OR schedule have been evaluated. Where low census reductions are needed, employees who are qualified will first be assigned to float to available assignments.

- a. Where low census reductions are needed on a shift to shift basis, voluntary low census hours or shift will be granted, if possible, following the guidelines under equitable rotation below.
- b. As assessed on a daily basis, employees in a specific department or unit will be required to take mandatory low census hours or shift on an equitable rotation. Equitable rotation shall be as follows:
 1. Volunteers will be solicited in descending seniority by phone (call or text), on a rotational basis. If volunteers are solicited by group text, employees will have thirty (30) minutes to respond.
 2. The first person contacted who volunteers shall be given the low census hours or shift.
 3. If there are sufficient volunteers, those returning the call and volunteering shall be selected on a first-come basis to the extent needed.
 4. If there are insufficient volunteers, then the following employees will be low censused in this order:
 - a. Any scheduled overtime (time paid at time and one-half) will be canceled;
 - b. Any scheduled per diem employees;
 - c. Any employees with hours in excess of budgeted weekly hours;
 - d. Regular employees shall be mandatorily excused from work in order of inverse seniority on a rotating basis with the understanding that the employee accepting this opportunity shall have the option of utilizing PTO or taking the time without pay.

Section 2. An employee taking low census hours or shift will be given credit toward benefits (accrual of paid time off, extended sick day accrual, health insurance and pension). The maximum number of mandatory low census hours will not exceed sixty (60) hours per year for any employee.

Section 3. Low Census of three (3) hours or less will not be counted in the tracking of time for equitable rotation. When tracking low census rotation, any time greater than three (3) hours but less than the entire shift, shall count as one-half (½) turn for purposes of equitable rotation. An employee leaving less than three (3) hours prior to the end of their scheduled shift will still be required to obtain prior manager approval.

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Employee Proposal

Date: October 29, 2025

Section 4. Low census paid time off and low census without paid time off will be utilized to account for the balance of the shift. The request for paid time off must be made by the employee, otherwise the difference remains unpaid.

Section 5. The Employer/Hospital will make every reasonable effort to notify employees in advance of a cancellation of a shift due to low census, but not more than twenty-four (24) hours' notice. It will be the responsibility of the employee to maintain a current telephone number listed with the Employer/Hospital.

Section 6. If such employee is assigned any work, they will be guaranteed a minimum of four (4) hours on that day. An employee who volunteers or is assigned to work such a temporarily reduced shift at the request of the Employer/Hospital will not have a reduction in benefits.

Section 7. Any employee returning from disability, workers' compensation, or an FMLA qualified leave of absence; and newly hired employees who have completed the probationary period, will have special consideration regarding voluntary low census. At the time the employee's leave begins, the voluntary low census turns will be frozen. When the employee returns, the highest number of voluntary low census turns taken by any one employee on their unit during the leave of absence will be added to the frozen number and a new number awarded (e.g., before disability Employee "A" had four (4) voluntary low census turns. During the leave, Employee "B" had the highest number of turns, with three (3). Employee "A" will have an adjusted number of seven (7) upon return to duty). A newly hired employee will, upon completion of the probationary period, receive the same number of voluntary low census turns as the employee with the highest number of voluntary low census turns in the unit for that low census year.

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