



Washington Township Health Care District

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Kimberly Hartz, Chief Executive Officer

Board of Directors

Jacob Eapen, MD
William F. Nicholson, MD
Bernard Stewart, DDS
Michael J. Wallace
Jeannie Yee

BOARD OF DIRECTORS MEETING

Monday, October 21, 2024 – 6:00 P.M.

Board Room of Washington Hospital, 2000 Mowry Avenue, Fremont and via Zoom

<https://zoom.us/j/96612377193?pwd=xQ2cYQtPQorZyJZuZao4WCA30ECbxX.1>

Password: 475291

Board Agenda and Packet can be found at:

[October 2024 | Washington Hospital Healthcare System \(whhs.com\)](#)

AGENDA

- | | PRESENTED BY: |
|--|------------------------------------|
| I. CALL TO ORDER & PLEDGE OF ALLEGIANCE | Jacob Eapen, MD
Board President |
| II. ROLL CALL | Cheryl Renaud
District Clerk |
| III. COMMUNICATIONS | |
| A. Oral | |
| <i>This opportunity is provided for persons in the audience to make a brief statement, not to exceed three (3) minutes on issues or concerns not on the agenda and within the subject matter of jurisdiction of the Board. "Request to Speak" cards should be filled out in advance and presented to the District Clerk. For the record, please state your name.</i> | |
| B. Written | |
| IV. CONSENT CALENDAR | Jacob Eapen, MD
Board President |
| <i>Items listed under the Consent Calendar include reviewed reports and recommendations and are acted upon by one motion of the Board. Any Board Member or member of the public may remove an item for discussion before a motion is made.</i> | |
| A. Consideration of Additional Construction Funds for the Washington West X-Ray Machine Installation | <i>Motion Required</i> |

V. **ACTION**

Motion Required

- A. Consideration of Resolution No. 1268: Approval of Engineers and Scientists of California IFPTE Local 20

VI. **ANNOUNCEMENTS**

VII. **ADJOURN TO CLOSED SESSION**

Jacob Eapen, MD
Board President

- A. Conference involving Trade Secrets pursuant to Health & Safety Code Section 32106

- Strategic Planning

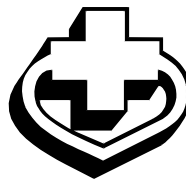
VIII. **RECONVENE TO OPEN SESSION & REPORT ON PERMISSIBLE ACTIONS TAKEN DURING CLOSED SESSION**

Jacob Eapen, MD
Board President

IX. **ADJOURNMENT**

Jacob Eapen, MD
Board President

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (510) 818-6500. Notification two working days prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.



Memorandum

DATE: October 10, 2024

TO: Washington Township Health Care District Board of Directors

FROM: Kimberly Hartz, Chief Executive Officer

SUBJECT: Request for additional Construction Funds for Washington West X-Ray Machine Installation

I am requesting approval for additional funds needed to cover the increased construction costs to install the X-Ray machine at our Outpatient Imaging Center located in Washington West. As background, on March 8, 2023, the District Board approved the purchase of a Siemens YSIO X. pree X-Ray Machine for \$490,867, which included the equipment, taxes, shipping, and architectural/engineering fees. The existing equipment is over 16 years old, and well past its useful life. The current equipment requires an increasing number of repairs and maintenance visits with parts becoming harder to locate given the age of the machine.

At the time of the original request, the project manager for Siemens advised staff that there would not be a need to request any additional construction costs, due to the new machine being similar in size to the old machine, and it was going to be in the same space. After the machine was approved, the project manager resigned and Siemens hired a new project manager. Upon the new project manager completing his review for the new machine, he discovered that there would be a need to perform construction work for the installation of the machine. After an in-depth review with Siemens, the Architect, and our new Director of Construction, we validated the need for this construction. The work includes performing some trenching on the floor, patching the flooring, painting, replacing an electrical panel, scanning the floor for location of rebar prior to saw cutting, hiring of a 3rd party special inspection for the concrete inspection, conducting an air balance of the room and moving a light fixture on the ceiling that would interfere with the equipment's functions. There are also some additional fees, such as city permitting and project management fees. The total additional capital expense requested is \$315,715 bringing the total for the project to \$806,582.

It is requested that the Board of Directors authorize the Chief Executive Officer to proceed with the additional construction cost needed to install the Siemens X-Ray machine at the Outpatient X-Ray department, not to exceed \$315,715. This revised total Capital amount was included in the Fiscal Year 25 Capital Budget.



Memorandum

DATE: October 11, 2024

TO: Kimberly Hartz
Chief Executive Officer

FROM: John Zubiena
Chief Human Resources Officer

SUBJECT: Engineers and Scientists of California, IFPTE Local 20

We have been in negotiations with the the Engineers and Scientists of California, IFPTE Local 20 to negotiate a successor contract. Local 20 represents over 185 employees consisting of rehab therapists, pharmacists, pharmacy technicians, clinical laboratory scientists, case managers, social workers, and clinical dietitians at Washington Hospital.

Washington Hospital and the Engineers and Scientists of California, IFPTE Local 20 have reached a Tentative Agreement on a new, 3-year contract which was ratified by the Local 20 membership on October 9, 2024. The recommendation is for the Washington Township Health Care District Board of Directors to approve the Agreement with the key terms as outlined below:

Below are some of the key terms of the agreement:

- **Term** – 3 years, from February 1, 2024 through January 31, 2027
- **Wage Increases**

Year 1 - 5.5% across the board increase to base rate of pay for all positions, retroactive to the first pay period beginning on or after February 1, 2024.

- 3.0% one-time equity adjustment to the employee's base rate of pay, retroactive to the first pay period beginning on or after February 1, 2024, for employees in the following job classifications: Physical Therapists, Occupational Therapists, Speech Language Pathologists, Lymphedema Therapists 1 and 2, Clinical Laboratory Scientists, and Lead Clinical Laboratory Scientists.

Kimberly Hartz

Subject: Engineers and Scientists of California IFPTE, Local 20

Page 2

- 5.0% one-time equity adjustment to the employee's base rate of pay, retroactive to the first pay period beginning on or after February 1, 2024, for employees in the job classification of Clinical Dietitian.

Year 2 - 5% across the board increase for all positions effective the first pay period beginning on or after February 1, 2025.

Year 3 - 5% across the board increase for all positions effective the first pay period beginning on or after February 1, 2026.

- **Differentials**

- **Preceptor Pay** – Addition of language providing for premium of \$2.50 per hour for time spent in the role of precepting newly-hired, newly-transferred, or newly-promoted employees in clinical or patient care areas.
- **Per Diem Differentials**
 - Change the differential for Per Diem Clinical Dietitians from \$3.00 per hour to a percentage rate of 10% of the base pay per hour.
 - Increase the differential for Per Diem Case Managers and Socials Workers from 10% to 12% of the base pay per hour.
 - Add language to memorialize that the per diem differential paid to per diem unit members is in lieu of benefits, including paid sick leave.
- **Per Diem Availability** – Modify the minimum availability requirements for per diem employees and apply them to all departments represented by the union (they currently only apply to Lab and Pharmacy).
- **Union Membership** – Revise union membership language to remove all references to agency fees and to replace all Committee on Political Education (COPE) references to Legislative Education Action PAC (LEAP).
- **Meal and Rest Breaks** – Add language to Work Schedules and Hours of Work section to provide for meal and rest breaks and to add penalty pay in accordance with California Senate Bill 1334.
- **Earned Time Off**
 - Add language that requires the hospital to “make a good faith effort to grant a unit member’s request for ETO or unpaid time off on the unit member’s birthday, where the request is made in writing in advance of the posting of the schedules covering those days.”

- Add language to provide that unit members shall not use vacation requests made during the bidding process to circumvent the unit member's weekend work obligations.
- Add language that states that the vacation bidding procedure provided for in this section shall not apply to the Case Management/Social Work, Utilization Review, and Clinical Dietitian departments.
- Add language to clarify that unit members may not request vacation for both the week of Christmas Day and the week of New Year's Day.
- **Benefits**
 - Health – Parties agree to implement the Washington Hospital Core Choice PPO Plan effective January 1. Alternatively, benefitted employees may elect to enroll in a buy-up health plan – the Washington Hospital Choice Plus PPO Plan.
 - Dental and Vision – Maintain existing coverage, but offer benefitted employees the opportunity to elect to enroll in a buy-up plan.
 - For purposes of benefits only, define “regular full-time unit member” as a unit member who regularly works an average of 30 hours or more per week – i.e., 0.75 FTE status, and define “regular part-time unit member” as a unit member who regularly works 20 or more hours per week – i.e., 0.5 FTE status.
- **Group Life Insurance** – Increase from \$10,000 to \$50,000
- **Spousal Waiver Credit** – Increase from \$70.00 to \$75.00
- **Educational Leave**
 - Add language that provides, “Paid educational leave shall not be granted when combined with approved vacation of five days or greater.”
 - Add language to Accumulation clause providing, “If an employee requests educational leave and does not receive it in a particular year for which qualified, the employee may accumulate it for the following year. Any paid educational leave hours that are rolled over and not granted after making a second request in the second year after the request was originally made will be converted to accrued ETO hours upon written request of the employee.”
 - Add language that allows unit members to “apply for and be granted a cost reimbursement of up to \$400.00 annually for obtaining or renewing a specialty or advanced certification that exceeds the minimum requirements of the unit member's job classification and that is preferred for the area in which the unit

member is working or for an area for which the unit member is seeking to transfer within the bargaining unit, subject to management approval.”

- **Bereavement Leave**

- Update to bring into compliance with AB 1949 by eliminating the restriction on the two additional unpaid days of Bereavement Leave being only for employees who need to attend a funeral outside of CA or outside of 400 miles radius of hospital, allowing per diem employees to take up to 5 days of unpaid bereavement leave in the case of death in the employee’s immediate family, and adding that such leave be taken within three (3) months of the date of the death.
- Revise the list of individuals who qualify as “immediate family” for the purpose of taking bereavement leave to add “step-father, step-mother, step-daughter, step-son.”
- Add language providing for unpaid reproductive loss leave consistent with new California law (SB 848).

- **Employee Representatives (Stewards)** – Revise language to provide that i) the Union may appoint 2 representatives and 2 alternatives for each department covered by the MOU, and ii) only 1 representative per department shall be paid during contract negotiations.

- **Employee Complaints and Grievances**

- Add that any grievance that advances to Step Two must be submitted in writing.
- Add that any mediation under Step Three will be through the Federal Mediation and Conciliation Service (FMCS).
- Add arbitration as an additional and final Step Six for resolving grievances, and language that provides the Union with seven (7) calendar days to appeal to arbitration if the Board of Directors reverses a Step Four committee decision under Step Five.
- Add language that all time limits in this section are calculated as calendar days unless expressly stated otherwise.

- **Labor Management Committee**

- Replace “Professional Practices Committee” references with “Labor-Management Committee.”
- Update article to reflect current departments within the bargaining unit and provide that the committee shall be comprised of unit member per department.

- Add language to provide that the committee will schedule a meeting at least monthly, unless agreed to otherwise, and that representatives shall be entitled to one hour, rather than 1.5 hours, of pay monthly at their straight time hourly rate for attending committee meetings.
- Add language that states, “The ultimate goal of the Committee is to work together to foster constructive working relationships, mutually enforce/interpret the contract, and openly work to resolve any issues and concerns between the parties.”
- **Appendix A – Laboratory** – Deletion of Clinical Lab Scientist – Trainee position and associated wage scale.
- **Appendix B - Pharmacy** – Adjustment to the wage scale for the Clinical Pharmacists as follows:

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
	Year 1	Year 32	Year 54	Year 75	Year 107	Year 1510	Year 2015	Year 2520	Year 25
Clinical Pharmacist	93.34	94.74	96.13	97.57 98.01	99.01 99.97	101.02 103.97	102.98 108.13	104.55 112.45	106.12 115.44
% Increase		1.5%	1.5%	1.5% 2.0%	1.5% 2.0%	2.0% 4.0%	1.9% 4.0%	1.5% 4.0%	1.5% 2.66%
Pharmacy Technician	34.49	36.95	39.04	41.13	41.96	42.77	43.63	44.51	45.17
Pharm Tech - Training	16.16								

- **Appendix C – Therapists**
 - Modify the name of the Speech Pathologist classification to Speech Language Pathologist.
 - Add language permitting the Hospital to establish 10-hour shifts in the Therapy Department and the procedure for implementing such shifts.

• **Appendix D – Clinical Dietitians**

Modification to language for special duty differential to clarify that it is applicable to time spent performing assigned “administrative” duties, including scheduling of clinical nutrition staff, in the absence of the Clinical Nutrition Manager.

Deletion of per diem availability language such that the Minimum Availability language in Section 9. Employment Categories will apply in its place.

• **Appendix E – Case Managers and Social Workers**

○ Add language regarding advancement to Step 9 that provides, “Advancement to the 25th year rate (Step 9) shall occur only if the employee has completed 5 years of eligible service in the 20th Year (Step 8) and at least 5,000 hours.”

○ Deletion of per diem availability language such that the Minimum Availability language in Section 9. Employment Categories will apply in its place.

• **Appendix F – Utilization Review Department** – Addition of a new Appendix F for utilization review RNs that sets forth the following key terms:

○ Minimum qualifications for the following job classifications: Utilization Review Coordinator, Portal of Entry Coordinator, Denials and Appeals Coordinator.

○ Placement of Utilization Review unit members on the following wage scale effective the first full pay period beginning on or after the Board’s ratification, based on the employee’s experience and qualifications:

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 15	Year 20	Year 25
Utilization Review Coordinator	\$77.52	\$80.54	\$83.67	\$86.91	\$90.28	\$93.81	\$97.45	\$101.24	\$104.66
Portal of Entry Coordinator	\$77.52	\$80.54	\$83.67	\$86.91	\$90.28	\$93.81	\$97.45	\$101.24	\$104.66
Denials and Appeals Coordinator	\$77.52	\$80.54	\$83.67	\$86.91	\$90.28	\$93.81	\$97.45	\$101.24	\$104.66

○ Classification of all Utilization Review Coordinators, Portal of Entry Coordinators, and Denials and Appeals Coordinators as non-exempt employees, and movement to an hourly, straight-time base rate of pay effective the first full pay period beginning after the date of the Board’s ratification.

- A per diem differential of 12% of the base rate of pay for all Per Diem Utilization Review Coordinators, Per Diem Portal of Entry Coordinators, and Per Diem Denials and Appeals Coordinators.
- Initial placement for the purposes of tenure credit for all Utilization Review Coordinators, Portal of Entry Coordinators, and Denials and Appeals Coordinators will be established by the Hospital and implemented by the appropriate Director and Human Resources. Any employees at a lower or same step at the time of a hiring change will be appropriately adjusted.
- Experience credit will be based on experience gained at a hospital, SNF, and/or Health Plan accredited by the Joint Commission, NCQA, URAC or Medicare accreditation. Credit for previous experience may also include military or civilian hospitals operated by the Federal government.
- Defined 10-hour shifts for Portal of Entry Coordinators and 8-hour shifts for Utilization Review Coordinators and Denials and Appeals Coordinators.
- Language that provides, "To the extent that a hybrid or remote work schedule is voluntarily agreed to between the Hospital and any Utilization Review Coordinators, Portal of Entry Coordinators, or Denials and Appeals Coordinators, the Hospital will not provide such unit members with or reimburse them for equipment or office furnishings for their home offices."

**RESOLUTION NO. 1268
ENGINEERS AND SCIENTISTS OF CALIFORNIA
IFPTE LOCAL 20**

Washington Township Health Care District, a local health care district, does hereby resolve as follows:

Attached hereto is a List of Amendments to the current Agreement that will be incorporated into a new Memorandum of Understanding by and between the designated representative of Washington Hospital, that being the Chief Executive Officer, and the Engineers and Scientists of California, IFPTE Local 20, a recognized majority representative under the terms of Board Resolution 331A.

The terms and conditions of the attached List of Amendments will be implemented in their entirety, effective on the various dates specified within the Memorandum.

Passed and adopted by the Board of Directors of Washington Township Health Care District this 21st day of October, by the following vote:

AYES:

NOES:

ABSENT:

Jacob Eapen, M.D.
President of the Washington Township
Health Care District Board of Directors

Bernard Stewart, DDS
Secretary of the Washington Township
Health Care District Board of Directors