MEMORANDUM OF AGREEMENT

Regarding Resident and Fellow Protections and Benefits

Resident Fellow Physician Union – Northwest ("RFPU-NW"), hereby enters into the following Memorandum of Agreement in response to ongoing health concerns presented by the COVID-19 virus and UW Medicine Workforce Redeployment plans. This MOA applies to all employees represented by the RFPU-NW.

RECITALS:

A. The parties share a mutual interest in assuring the health and safety of patients, families, staff, and the community.

B. Residents and Fellows are on the front lines in the delivery of essential health services to patients during a State of Emergency.

C. The decisions of all parties should be informed by UW Medicine Infection Prevention & Control and Employee Health Programs, Center for Disease Control, World Health Organization, and other public health agencies.

D. The parties wish to work together to take reasonable steps to protect patients, families, and staff from unnecessary exposure to communicable diseases, including COVID-19.

E. This memorandum of understanding does not conflict with nor supersede the bargaining process completed between the University of Washington and the collective Unions representing workers employed at the University of Washington. The RFPU-NW stands in and with full support of our fellow unions.

AGREEMENT:

Definitions:

1. Redeployment: Changing schedule, location of work, or adding shifts for a trainee to meet the needs of the healthcare system during an emergency.

2. Trainees: All residents and fellows who are represented by the RFPU-NW.

Process for redeploying residents and fellows for COVID-19 pandemic

1. Emergency categorization is defined by the Accreditation Council for Graduate Medical Education (ACGME) as a Sponsoring Institution (SI) that has substantial and sustained disruption of GME operations resulting from the COVID-19 pandemic. The University of Washington School of Medicine (SOM), as the SI will communicate Emergency Categorization status to the RFPU-NW when the UW SOM has made the decision to apply for such categorization and again when that categorization has been approved by the ACGME. Redeployment is not reliant on emergency categorization.

2. Trainees will receive notification of redeployment as early as possible. The UW will attempt to give trainees a minimum of two days' notice in advance of redeployment. Program directors will discuss with individual trainees when they are being placed on the list of trainees available for redeployment.

3. Program directors will work with chief residents as well as trainees to determine a list of available trainees for redeployment based on minimal disruption to education and willingness of trainees to participate.
4. In the instance of redeployment, trainees will have the opportunity to request alternative scheduling options if they are pregnant, have a disability, have a serious health condition, or are part of the King County Public Health identified at-risk group. Alternative scheduling options may include participating in response efforts outside of direct care for COVID-19 patients. These individuals could be considered for telehealth visits, order entry, discharge planning, etc., so as to be removed from the direct care of COVID-19 positive or potentially positive patients.

5. The Employer shall provide appropriate PPE following the UW Medicine’s or the training site’s COVID-19 guidelines including triage protocols around scarce resources at all times.

Payment Incentives

1. Outside Work options will still be available to those who apply and for which it is appropriate and approved consistent with GME policy and the CBA.

2. Should funds become available for supplemental compensation to front-line healthcare workers caring for patients with COVID-19, RFPU-NW may request to meet and discuss additional compensation for residents.

Employee Health and Wellbeing

1. The employer shall provide appropriate PPE to all health care workers following UW Medicine’s COVID-19 guidelines or the PPE guidelines of the training site at all times. No employee will be disciplined or retaliated against for requesting PPE that they believe is needed for their and others’ safety. All employees must use hospital issued PPE for the clinical care of patients following the training site policies and guidelines. In the event of a shortage of PPE, infection prevention will make recommendations regarding conservation and other strategies. Requests for use of personal PPE in the setting of a shortage would require evaluation and approval by infection prevention following UW Medicine guidelines and regulatory requirements regarding appropriate PPE for the clinical care of patients. No employee will be forced to work in an environment where PPE required by the policies and guidelines of the training site cannot be provided.

2. Trainees who are redeployed will have appropriate training in how to don and doff the PPE following current UW Medicine or training site policies and procedures.

Consistent with UW Medicine Staff Exposure Policy for Covid (EOC Policy #COVID19.TBD Guidance for HCP Exposed to SARS-CoV-2), an employee represented by RFPU-NW who is exposed to COVID-19 will have their exposure be evaluated by employee health services with the potential need for quarantine based on their vaccination status, duration and type of exposure. For those requiring quarantine after exposure at work, the quarantine will be counted as a work exposure and will be considered administrative leave and will not count against employees’ sick or vacation leave. The exposed employee is required to follow work restrictions and follow-up procedures, including filing a Workers Compensation claim within 48 hours of receiving a positive test, as instructed. If an employee is hospitalized or too ill to file, they will receive paid administrative leave and may postpone filing for Workers’ Compensation until they have recovered. The Employer will make a good faith effort to communicate the requirement to file for Workers Compensation to employees who test positive. Assistance in filing a Workers Compensation claim will be provided by the Employer.
upon request. If the employee fails to follow the procedures as directed, the employee may become ineligible for the paid administrative leave. Workers’ Compensation policies and provisions may govern the employee’s pay status, but at no time shall the employee’s compensation and benefits be decreased as a result of contracting the virus through their work. If a position’s duties can be accomplished from home, the employee will be allowed to telework during a period of self-isolation.

3. An employee who is unable to work due to pregnancy, disability, serious health condition, or being part of the King County Public Health identified at-risk group may request an accommodation or leave of absence. Accommodations may include working from home, such as (but not limited to) research, administrative time, virtual teaching, or telehealth activities. If a workplace accommodation cannot be granted, the employee may be granted a medical leave of absence and have access to accrued time off benefits per UW policy. If the employee's paid time off accruals exhaust during the leave, the Employee can apply for Unemployment Insurance through the Employment Security Department. Determinations of eligibility for Unemployment Insurance are made by the Employment Security Department. In order to maintain health insurance benefits, Employees not eligible for FMLA will be allowed to work from home for 8 hours per month until the employee is deemed eligible to return to work by the Employer.

4. Employees who are unable to work and either decide to or are placed on leave must speak with their program director about leave of absence and specialty Board requirements to be sure all time is accounted for and that the employee has a plan to satisfy all requirements before graduating. Program Directors may advocate to the specialty Board on behalf of residents in the event that COVID-19 interferes with their requirements to take their Boards. The ultimate decision of resident eligibility for Boards is completely within the jurisdiction of the specialty Board. In all cases, residents should be aware of their Board requirements by checking with their program directors and the appropriate specialty Board website.

5. An employee who is unable to work due to childcare needs will be eligible for leave as outlined in the Collective Bargaining Agreement, Article 15, Section 3(G). In the event of school, daycare, or other closures due to COVID-19, programs are encouraged to work closely with employees who must provide childcare through alternatives as outlined in (4) above. If scheduling alternatives for childcare duties cannot be granted, the employee may be granted a medical leave of absence and have access to accrued time off benefits per UW policy. If the employee’s paid time off accruals exhaust during the leave, the Employee can apply for Unemployment Insurance through the Employment Security Department. In order to maintain health insurance benefits, Employees not eligible for FMLA will be allowed to work from home for 8 hours per month until the employee is able to secure childcare.

6. The Employer will provide all trainees who have been exposed (including treating a patient who was not confirmed, but later is identified to have COVID-19) with notice of exposure. The Employer will make a good-faith effort to provide this notice as soon as possible within Employer knowledge of the diagnosis.

7. The Employer will provide the Union with the number of employees who have been exposed at work to COVID-19 and placed on paid administrative leave monthly.
8. Nothing in this agreement is intended to prevent employees from accessing other state benefits for which they may qualify, including but not limited to unemployment compensation insurance, paid family and medical leave, or workers compensation.

9. Safe Commute Program: If UW Transportation Services and or UW Medicine parking offer free parking to employees in the instance(s) of another surge(s), employees represented by RFPU-NW will be eligible for this benefit.

10. Vacation Time: In the event of future surge staffing requesting and/or requiring the rescindment of approved vacation time, RFPU-NW and the Employer will meet to discuss arrangements for employees represented by RFPU-NW whose vacation is rescinded.

11. Communication. UW GME may continue to conduct town hall virtual meetings with trainees where trainees are able to ask questions. RFPU-NW may also request that UW GME schedule a town hall virtual meeting.

12. PPE training: All residents and fellows will be trained in proper donning and doffing of PPE prior to caring for patients with COVID-19 in accordance with UW Medicine policies and procedures. In the current clinical context, PPE training is required. PPE training is under the aegis of all programs – and the individual responsibility of each resident and fellow – to receive adequate and appropriate PPE training prior to redeployment. Programs shall ensure that Trainees have the opportunity to receive training prior to redeployment.

13. Telehealth: The Employer will approve telehealth visits where appropriate and in accordance with UW Medicine policies and under the supervision of faculty.

14. Notification: If Residents are redeployed centrally through GME, the GME office will notify the Union bi-monthly.

DURATION:

This agreement shall be effective upon signature and shall continue until July 31, 2022. If the Employer decides to restart redeployments in response to a COVID relayed patient surge after July 31, 2022, upon request the parties will discuss reactivation of this agreement.

Agreed To:

For the Union:  

Kevin Steehler  
Date: 11/16/2021

For the Employer:

Banks Evans  
Date: 11/15/2021