

**Article 8 – Nursing Services**

**5.8.1 Seniority Watch Preference for Supervising Registered Nurse II**

**(a) Policy**

California Correctional Health Care Services (CCHCS) and the California Department of Corrections and Rehabilitation (CDCR) shall provide a Seniority Watch Preference (SWP) process to Supervising Registered Nurse (SRN) IIs. This policy provides a method to allow employees to secure a watch based on seniority in classification. Management shall make 70 percent of the watches available to SRN IIs for the SWP. The remaining 30 percent of watches will be assigned at management’s discretion.

**(b) Procedure**

**(1) SWP Assignment Process**

(A) The SWP assignment process consists of two components:

1. Thirty-six month SWP process.
2. Interim SWP process.

(B) Limits on Requests

SRN IIs are allowed two successful SWP assignments in a 12-month period. Exceptions to this limitation may be granted on a case-by-case basis.

**(2) Assignment**

SRN IIs shall remain in their assigned watch unless there is a substantiated operational need to reassign. Management shall endeavor to provide 14 calendar days written advance notice to the impacted SRN IIs prior to the reassignment.

**(3) Eligibility**

(A) Participation in the SWP process is limited to eligible employees. An eligible employee:

1. Must be a permanent, full-time SRN II OR limited-term SRN II with at least one year of experience in the classification. Probationary employees may not participate.
2. Must be permanently assigned to and work at the institution; eligible employees may participate only in their institution’s SWP process.

Note: There shall be no inter-institution requests for SWP assignments. Eligible supervisors who laterally transfer shall be permitted to participate in the interim SWP process.

(B) Denial of Request:

1. Supervisors who have received an adverse action shall lose their right to hold an SWP assignment and/or request any preferences for a period of up to 12 months if the assignment is meaningfully related to the cause of action.
2. A supervisor may be temporarily removed from the SWP assignment pending an investigation (adverse action/personnel/Equal Employment Opportunity) and shall be assigned to a substantially similar start/stop time, if possible. Once the investigation has been concluded, the employee shall be returned to their SWP assignment.
3. Employees who receive yearly evaluations with an overall “below standard” may lose their right to request an SWP for up to 12 months; this is subject to review in six months. If the evaluation is overturned by a reviewing officer or as a result of a grievance decision, the employee shall have his/her right to request and/or hold an SWP restored. The reason for denial to request an SWP shall be in writing and given to the employee.
4. Employees losing their right to request an SWP assignment as outlined above may be administratively redirected to an assignment without regard to watch. Employees who have been absolved of wrongdoing as stated above shall be accorded one successful request, so long as the request is exercised within 30 calendar days of the decision absolving the employee.

(C) It may become necessary to change an employee’s SWP for reasons such as operational changes, emergencies, or unforeseen circumstances. SRN IIs shall not have their SWP changed without documented justification. A 14-day notice to the impacted SRN II prior to the re-assignment shall be provided with the exception of an emergency. The least senior SRN II assigned to the shift through the SWP procedure shall be moved first.

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES  
Health Care Department Operations Manual

(D) In the event the supervisor is unable to assume the duties of the assigned SWP within 30 calendar days, the supervisor will be placed in an assignment at management's discretion.

**(4) Implementation**

Thirty-Six Month SWP Process

(A) Participation in the 36 month SWP process is voluntary. The choice not to participate shall result in management assigning the individual to an assignment that remains unfilled after the SWP process is completed.

(B) Pre-Bid Meet and Discuss: Prior to each SWP process, a local meet and discuss at each institution will occur to discuss the 70/30 pattern and the implementation of this procedure. Upon request, prior to the meet and discuss, each facility shall provide lists of established SRN II positions, seniority list, and watch assignment.

(C) Timeframes:

1. The initial implementation of this procedure will take effect three months after the adoption of this procedure by CCHCS. Timelines will follow those outlined below for determination of seniority, statement of preferences, and effective dates.
2. The 36 month SWP cycle begins in April 2019 for those supervisors who wish to participate. An updated seniority roster and a listing of all available assignments open for request shall be posted no later than April 1, every third year thereafter.
3. Unless otherwise contested by April 15, a supervisor's seniority as posted on April 1 shall determine the employee's placement on the seniority list.
4. Letters of Interest shall include priority ranking of desired watches and must be submitted in accordance with the request provision below, no later than 4:00 p.m. on May 1 or 4:00 p.m. on the following Monday if May 1 falls on the weekend.
5. A supervisor may voluntarily withdraw from participation in the 36 month SWP process by submitting a written request to the Chief Nursing Executive (CNE) or designee. Supervisors who withdraw will be assigned at management's discretion.
6. Failure to submit a request form by 4:00 p.m. on May 1 shall result in a "no preference indicated" for the employee. The employee shall then be assigned at management's discretion.
7. At the end of the request period, management shall make assignments based on the highest seniority in classification of the employees.
8. Any watch preference that does not receive a request shall be filled at management's discretion.
9. The new assignments shall begin the second Monday in July, First Watch.

**(5) Interim Request Process**

Should management determine a need to fill a vacant assignment, the following interim request process shall be used:

(A) CCHCS shall post a notice which shall remain posted for no less than 15 calendar days. SRN IIs may request these assignments using the Letter of Interest process described below. All Letters of Interest must be submitted no later than 4:00 p.m. on the 15th calendar day after the notice is posted.

(B) At the end of the 15 calendar day period, the eligible employee with the highest seniority score shall be awarded the SWP assignment. The SRN II will assume the SWP assignment within 30 calendar days or sooner with mutual agreement.

(C) In the event that there are no Letters of Interest, management may temporarily assign an SRN II due to staffing requirements and/or operational necessity. Temporary assignment will be made based on reverse Departmental Seniority. Management will endeavor to provide 14 calendar days written advance notice to impacted SRN IIs.

**(6) Notice Process**

Those watches which are determined to be available shall be posted in a prominent place where such notices are customarily posted. The notice shall be dated and shall include the following criteria:

(A) Watch

(B) Deadline and location for submission of Letter of Interest

**(7) Letter of Interest Process**

(A) SRN IIs may request available watch preferences by providing a Letter of Interest to the CNE or designee at the location designated in the notice. The Letter of Interest must be dated and signed by the employee.

(B) An otherwise eligible supervisor absent from the work site during the request process for such reasons, including but not limited to: Enhanced Industrial Disability Leave; Non-Industrial Disability Insurance

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES  
Health Care Department Operations Manual

Workers' Compensation; leave of absence; annual military leave; illness, etc., may participate in the SWP process. Employees must assume the SWP assignment within 30 calendar days from receiving the SWP assignment. After 30 days, management shall decide whether or not to fill the assignment at its discretion.

(C) In the event the employee is unable to assume the SWP within the 30 calendar days, the employee may be placed in another assignment at management's discretion.

**Revision History**

Effective: 10/2016