

Frequently Asked Questions re Reductions in Force in Pharmacy 3.2021

Details of Reorganization

The company has changed things yet again! Here are some updates:

MGR	Pharmacy	RPH to FP	RPH Vacancy	PIC avail for process
Steve	ACERO	1		
Steve	Premier			
Shelby C.	KEN CARYL			
Christy	GREELEY			
Steve	CASTLE ROCK			
Christy	FT. COLLINS			
Christy	LOVELAND			
Steve	PUEBLO			
Christy	BASELINE			
Steve	HIGHLANDS RANCH			
Shelby C.	BRIGHTON		1	
Christy	LONGMONT			
Shelby C.	ENGLEWOOD	0.6		
Shelby W.	SOUTHWEST	0.8		
Shelby W.	FRANKLIN with CMPD/Pyxis			
Steve	BRIARGATE	1		1
Shelby C.	ARAPAHOE	0.8		
Shelby W.	SKYLINE		0.4	
Shelby C.	LONE TREE - Pyxis			
Shelby C.	SMOKY HILL			
Shelby W.	HIDDEN LAKE	1.5		
Shelby W.	WHEAT RIDGE	0.6		
Steve	PARKSIDE			

Christy	ROCK CREEK Pyxis		1	
Shelby C.	ACP - Pyxis		1	
Shelby W.	EAST	1		
Shelby W.	LAKWOOD			1
Christy	WESTMINSTER	1.6		1
	Float Pool		5.5 (nate's math)	1
	Outpatient TOTALS	8.9	3.4	
	Total OP	8.9	3.4	
	REMOTE WORK			
	CENTRAL PHONES	5		
"All in"		13.9	3.4	4

What rights do you have if you are an affected employee under the contract and other labor agreements?

- Employees in affected departments **may** volunteer by seniority to leave the department and bid on open positions;
- Employees in seniority order **may** choose to take severance as outlined in the contract to achieve the prescribed reductions;
- If no senior employees wish to take the above options, the least senior affected employees in the department may select from open positions in the region to be placed in those positions; these employees have super-seniority for one year;
- If no senior employees wish to take above options, the least senior employee in the affected department may bump the least senior employee in the facility; if no less senior employees in the building exist the employee may bump the least senior employee in the region. The employee CANNOT simply bump a less senior employee of their choosing.
- We are working with the company to map out the specific process for affected employees.
- We will probably not have more specific information for a little while.

What PIC positions are available and may be available for those that are affected?

- See above in right column grid.
- If you are interested in exploring this option, please let us know by filling out this form no later than **April 7, 2021**: <http://ufcw7.org/members/healthcare/pharmacist-in-charge-training/>

- If you are interested in a PIC position outside what is identified above please follow the normal bidding process.

How will this affect pharmacy vacation and time off percentages?

- The pairing of clinics will not be affected.
- We do not know if this will affect the total number of people permitted off at a time.
- We do not agree with the meager number of people permitted off right now, and we will continue to advocate around this.

What are the timelines for all of this?

- Tuesday, April 7, 2021 – PIC Training Interest notification ends.
- Monday, April 13, 2021 – Pre-Pre-Place Meeting with ERLR, Labor and Department
Information Needed
 - New Seniority Lists per location and per region
 - Open req list
 - List of all Local 7-rep'd staff with super-seniority / transition
 - Job descriptions for lowest senior staff
 - Training Needs (PIC and other roles if clinical pharmacy or other are low senior)
- Tuesday, April 14, 2021 - **START OF PLACEMENT PROCESS** (potential additional dates).
- Tuesday, April 20, 2021 – **LOCAL 7 REGIONAL PLACEMENT PROCESS ENDS**
 - Then: **CONFIRMATION EMAIL WITH PLACEMENT CHOICES**
- Sunday, June 14, 2021 – **GO-LIVE**
- Friday, November 12, 2021 **LOCAL 7 LOOKBACK**

Will there be an **enhanced severance** offered to employees in this round of reductions in force?

- The union and the Company have agreed to the following enhanced severance:
 - Two weeks of pay and benefits per years of service completed;
 - Minimum of 13 weeks for those with less than seven years; maximum of 39 weeks of pay and benefits;
 - Offered only to those in regional pharmacy operations (those that report up to Kevin McGill, excludes Home IV and oncology) throughout the region (PICs included), not areas like clinical pharmacy call center, ITC, CPAAS, etc.;
 - Will be limited to top ten senior FTE (could be more than ten people) in outpatient pharmacy throughout the region.
- Staff selecting this option will need to let us know by April 10, 2021. Please email the following individuals: Angel.M.Avery@kp.org; NBERNSTEIN@UFCW7.COM; JOAN.L.HELLER@KP.ORG

What is the contractual severance amount?

- The union contract states that staff in affected departments may leave KP employment and receive a severance, equaling one week of pay and healthcare benefits for every year of service, to a maximum of 26 weeks and a minimum of 4 weeks.
- Severance is generally considered as an alternate to displacement (bumping) and/or requiring employees to bid out to achieve the prescribed reductions.
- For those close to retirement, the severance period may apply to bridge to retirement. We will discuss the specifics of this with management.

How do you know if you are an affected employee?

- The company will send out notification letters to affected employees on Monday June 10th.
- Notification will go to every pharmacist in the region.

Are positions being held so that those who are displaced have a better chance of securing a position?

- Yes – some positions are being held. See above grid.
- Company representatives have indicated that they will hold positions.

Where can I find seniority lists and other relevant information?

- Seniority Lists and Job descriptions will be posted here soon:
<http://ufcw7.org/members/healthcare/pharmacy-reorg-materials/>

Placement question. If I take a float position do I get to keep my FTE?

- Not necessarily. You will bid on the FTE and position at the time of placement.
- In the float pool there will be a schedule rebid at some point after staff assume their roles.
- We are also advocating for staff to be able to reduce their FTE once in the float pool as there is specific language in the contract on FTE percentages in the float pool.

Does the company intend to honor its commitment to not lay Local 7 members off?

- We have reviewed the no-layoff language with company representatives, and they have acknowledged and expressed their intent to follow this language.
- Furthermore, we have the employment and income security agreement, which puts some additional obligations on KP. The agreement can be found here:
<https://www.lmpartnership.org/employment-income-security-agreement>.

If you bid on an open position and have received notice do you have super-seniority?

- Yes. Your super-seniority starts at the time you receive notice and will proceed for a year from the time you are eliminated from your job.

What's the difference between reductions and layoffs?

- Reductions in force and department reorganizations may result in employees no longer keeping their current jobs. They will still be employed but might be asked to work elsewhere.
- Layoffs result in the loss of employment. In 2018 negotiations, the Unions were successful in securing language that ensures our members will not be laid off through the end of 2019. You can see the signed agreement here: <http://ufcw7.org/files/2018/12/Side-Letter-re-No-Layoffs-No-Benefit-Changes-NEO.pdf>

Do reductions happen by seniority?

- Reductions in force generally affect the least senior employees in the affected departments. See above.
- Reductions are not determined based on the 'performance' of employees.

How does super-seniority work?

- Super-seniority refers to the preferential bidding rights of employees that are affected by reductions in force including reorganizations.

- Super-senior bidders are considered more senior than those who do not have super-seniority.
- Employees maintain super-seniority from the time receive notice of the current role's change/elimination and for a period of one year following the employee's removal from the current position (generally totaling 14 months).

Can we guarantee that employees will maintain their FTE if an employee is being moved?

- No we cannot.
- If you take a job during placement you will assume the FTE that is designated for that position.

What should I do if I think the reductions create a contract violation or patient or worker safety issue?

- If you believe the changes will result in a ***patient or worker safety issue*** or will result in the degradation of the quality of care, you will want to report that issue through SafetyConnect and to your management group. You may also provide the Union with details on this as well, so long as you do not provide protected health information.
- If you believe the reduction creates a contract violation, like shifting work from Local 7 members to those not covered by Local 7, you will want to report that issue to Nate Bernstein, nbernstein@ufcw7.com.

Are there updated seniority lists available?

- We have seniority lists on our website. Updated lists will be posted next week some time.
- You can find the current lists at the following website:
<http://ufcw7.org/members/healthcare/>

What happens if the seniority list looks incorrect?

- Go to My HR and search for **Seniority Date Discrepancy Claim – 4100**.
- Fill out the form and have it submitted according to the instructions.

For those going through the placement and bumping procedure will vacations be honored?

- Local 7 has advocated for all vacations to be honored, and the contract requires good faith efforts by the company to allow vacations to be honored.
- We do not have blanket agreement that all vacations will be honored, but we will to work with you if an issue arises.

Do we know what the open, biddable positions are yet for those who will be displaced?

- Additional positions may be held and made available for those affected by the reductions.
- There may be some positions that become available through severance and the like.
- The company designated the above positions as of this time.

Do we know what the transition status positions will be yet?

- Pharmacy float pool positions is where those who elect transition status will be assigned.

What is the timeline for more information to become available?

- The union and the company continue to meet and talk through issues.
- We have meetings scheduled.
- We will work throughout the coming weeks to address questions that have come up.

What happens if an employee does not have a permanent position to go into through the Employment and Income Security Agreement?

- The employer has indicated that there are permanent jobs for all to transition into as indicated above.
- The employer is still obligated to keep you employed even if they don't have a position for you to go into.

What will happen if the company intends to eliminate positions and the intended reduction results in a person's current FTE amount being affected? Example: company wishes to reduce a department by 1.6 FTE and the two least senior people are 1.0 FTEs.

- We are aware of this issue and are working with the company to work to resolve these types of scenarios. We do not have an agreement in place at this time.

What is considered a comparable position when an employee is placed?

- There are several factors that are considered to determine whether a placement is considered comparable under EISA. Those factors are as follows:
 - Comparable number of hours of previously scheduled weekly hours
 - Comparable classification, if possible
 - Placement at a facility within a reasonable geographic area of the previous facility or an employee's residence
 - Comparable rate of pay (Same)
 - Comparable shift (Day, Evening, or Night. Specific shift hours may vary.)
- We will continue to work toward resolution with management on particular cases.

Other Resources:

- <http://ufcw7.org/members/healthcare/>
- Sign up for emails here: <http://ufcw7.org/members/healthcare/update-your-email-address/>
- Sign up for text message updates here: <http://ufcw7.org/email-updates-kp-members/>