

**Memorandum of Agreement  
By and Between  
King County  
and  
Washington State Nurses Association  
Staff and Supervisor Units**

**Subject: Critical Shift Incentive Pay**

**Background**

The COVID-19 pandemic has caused temporary disruptions, and increased burdens on nurse staffing in King County correctional facilities. The purpose of this Agreement is to provide a temporary pay incentive designed to improve voluntary nurse staffing coverage, and to ensure mandated and required healthcare activities are covered in correctional facilities.

The County and the Washington State Nurses Association (WSNA) mutually agree to temporarily modify the “callback provision” in Section 6.9 of the parties Collective Bargaining Agreements as described below in circumstances when the County initiates a “Critical Shift” designation.

**Agreement**

**1. Critical Shift Designation.** The County may designate a “*Critical Shift*” on the schedule as needed per Department Nursing Critical Shift Guidelines established and updated by the County. Should the Guidelines require an update, such update will be shared with WSNA prior to implementation, and WSNA may request to discuss any proposed change in Guidelines before they occur. The County reserves the ability to develop or modify Critical Shift Guidelines at any of its correctional facilities (e.g., KCCF, RJC, CFJC).

**2. Critical Shift Guidelines.** The County may periodically update its Guideline(s) for Critical Shifts if circumstances change or operational issues arise. The County may have different Critical Shift Guidelines by facility (e.g., KCCF versus CFJC may have different scheduling issues or operational needs).

**3. Employees Eligible to Work Critical Shift.** Career Service, Short-Term-Temporary, and Term-Limited Temporary Nurses and Supervisors (FLSA non-exempt) are eligible to be approved to work *Critical Shifts* and receive Critical Shift Pay.

**4. Critical Shift Pay.** County designated *Critical Shifts* shall be paid at time and one-half (1-1/2) for all hours worked. For *Critical Shift* time entry purposes, nurses shall use the “Call Back/Call Out @ 1.5 – 185” TRC payroll code, and must include the “Critical Shift” reason code for all *Critical Shift* work hours. No standby pay shall be provided due to a Critical Shift designation.

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*Washington State Nurses Association - Staff Nurses - Departments: Public Health, Adult and Juvenile Detention (Juvenile Detention) [310]*

*Washington State Nurses Association - Supervisors and Managers - Department of Public Health [320]*

*310,320U0121*

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5. **Section 6.9.** The County may continue to use “standby” and “callback” per Section 6.9 per current collective bargaining agreement terms. Only when a shift is designated a “Critical Shift” will the terms of this Agreement apply.

6. **No FLSA offset.** Critical Shift Pay shall not be used to offset FLSA overtime pay in circumstances when a nurse also works hours over (40) hours in the same FLSA workweek as a *Critical Shift*.

7. **Grievance.** WSNA will withdraw its grievance filed on January 15, 2021.

8. **Duration.** The terms of this Agreement are temporary in response to existing nurse staffing challenges. The County may terminate or suspend the terms of this Agreement at any time effective on the next Monthly Schedule (or work schedule) that does not have any *Critical Shifts* designated and approved. Notice of such termination or suspension, and the effective date will be provided to WSNA.

9. **Effective date.** This Agreement shall be effective after signatures by all parties to this Agreement.

**King County**

BY Andre Chevalier  
Andre Chevalier

Jun 16, 2021  
DATED \_\_\_\_\_

**WSNA (STAFF UNIT)**

BY Michelle Moore, BSN, RN  
Michelle Moore, BSN, RN, IBCLC

Jun 16, 2021  
DATED \_\_\_\_\_

**WSNA (SUPERVISOR UNIT)**

BY Sydne James, BSN, RN  
Sydne James, BSN, RN (Jun 16, 2021 08:08 PDT)  
Sydne James

Jun 16, 2021  
DATED \_\_\_\_\_












# 310,320U0121 - Critical Shifts

Final Audit Report

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