

Ruling favors nurses

Hospitals - Dominican Dominican rebuffed in contract dispute Hospital

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APTOS — Nurses have won a battle against Dominican Hospital over the way it calculates paid time off.

U.S. District Court Judge Vaughn R. Walker has upheld an arbitrator's ruling that the hospital's method of calculation violated the nurses' contract.

Walker's ruling came after Dominican appealed the arbitrator's decision in court.

"It means nurses who were denied paid time-off accrual will get that time credited to the accounts," said Beth Shafran, labor representative for the California Nurses Association.

A majority of nurses at the hospital were affected, she said. The CNA represents about 400 Dominican nurses.

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Dominican Hospital spokeswoman Penny Jacobi said the hospital has received word of the ruling in favor of the nurses and will abide by the decision.

Hospital officials, however, have not received a copy of the court order, Jacobi said. They cannot comment until reviewing the reasons for the decision, she said.

The dispute began last January when Dominican began calculating paid time-off based on actual hours a nurse worked. This is a turnaround from about three years of nurses earning vacation and sick days based on the hours a nurse was scheduled to work.

It is an important distinction because nurses are often called off duty if there is a low number of patients in the hospital, Shafran said.

"CNA is pleased that the court made the only correct decision and that Dominican was not allowed to use the legal process to avoid their legal obligations to the nurses under their contract," she said. "It's our hope we can now move on to larger patient-care issues for the community."