

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE STATE OF WASHINGTON
AND
WASHINGTON FEDERATION OF STATE EMPLOYEES**

Addition of Olympic Heritage Behavioral Health Facility to Article 6, Section 6.17

DSHS is opening a new facility – Olympic Heritage Behavioral Health. To provide consistency within existing provisions that apply to DSHS BHA facilities contained in this collective bargaining agreement the parties agree to modify Article 6, Section 6.17 as follows:

6.17 Shift Exchange—Department of Social and Health Services (DSHS) and Department of Children, Youth and Families (DCYF)

Overtime-eligible shift employees employed by DSHS at Eastern State Hospital, ~~and~~ Western State Hospital, sOlympic Heritage Behavioral Health Facility, Child Study and Treatment Center, Special Commitment Center, Lakeland Village, Rainier School, Yakima Valley School, Fircrest School, and employees employed by DCYF at Greenhill School, Echo Glen Children’s Center and Naselle Youth Camp who have the same job classification will be allowed to exchange full shifts for positions in which they are qualified in accordance with the following:

- A. Requests for shift exchanges will be submitted seven (7) calendar days in advance of the exchange, when practical.
- B. The requested shift exchange is voluntary, and is agreed to in writing by both employees, and approved in writing by the supervisor(s) for exchanges of no more than one (1) workweek. Requests for consecutive shift exchanges in excess of one (1) workweek will be submitted to the appropriate appointing authority or designee for approval. If such request is denied, the employee will be provided the reason(s) in writing for the denial.
- C. Requested shift exchanges will be considered on a case-by-case basis.
- D. Shift exchanges must occur within the same pay period. Shift exchanges will not result in the payment of overtime. Each employee will be considered to have worked their regular schedule.
- E. For shift exchanges that occur on an employee’s designated holiday, the employee who is regularly scheduled to work on that holiday will receive the holiday compensation, regardless of who physically worked on that day.
- F. An employee will not receive shift premium pay under Article 42.19, Shift Premium, solely as a result of a shift exchange. Each employee will be considered to have worked their regular scheduled work shift for purposes of shift premium pay.

G. The failure of an employee, who has exchanged shifts, to work the agreed upon shift without appropriate cause may be a basis for disciplinary action or suspension of the ability to exchange shifts in the future.

H. Mental Health Technicians and Psychiatric Security Attendants may exchange shifts as long as the employees qualify to work in positions for which the employees are requesting shift exchange. Licensed Practical Nurses and Psychiatric Security Nurses may exchange shifts as long as the employees qualify to work in positions for which the employees are requesting shift exchange.

I. Denials of shift exchanges are not subject to the grievance procedure under [Article 29](#), Grievance Procedure, of the parties' collective bargaining agreement.

J. Employees working in different classifications as provided in Subsection H. above will be considered to have worked their regular scheduled work shift for purposes of pay in [Article 42.1](#), "GS" Pay Range Assignments.

K. The shift exchange system will not be used to circumvent the bid system by significantly altering an employee's workweek or supervisory chain of command.

This MOU is effective September 1, 2023 through June 30, 2025.

Dated: 8/30/23

For the Employer



Scott Lyders,
Senior Labor Negotiator

For the Union



Kurt Spiegel, Executive Director
WFSE/AFSCME Council 28