

Area Report: Ton Johnson

November 2017

Department of Corrections:

- 1- On-going meetings with the new administration are occurring as they set priorities. Focusing in on Advance Corrections and workload.

Filed a Demand to Bargain on Advance Corrections ONA

- 2- DTB: Specialty Team Suspension

Filed new DTB on Specialty Team Suspension based upon change in members. Specialty Team participation should be open to members within CCD. Knowledge of field operations improves the safety of SERT operations in the field through increased knowledge of the environment and practices. Pending scheduling.

Meeting held management asked for a 30 day extension as they are changing their position.

I met with Mac Pevey and we are finalizing the details. We should have an MOU early soon.

Win!

Good morning Greg,

This email serves as the Department of Corrections (DOC) notice of our intent to expand opportunities for participation on Specialty Teams agency wide. This expansion includes opportunities on the Special Emergency Response Team (SERT), Emergency Response Team (ERT), Crisis Negotiations Team (CNT), Inmate Recovery Team (IRT), and Critical Incident Stress Management Team (CISM).

Participation on Specialty Teams is voluntary. DOC employees must follow the application process and are required to meet specific team criteria. Agency policy sets criteria and selection for team membership.

If you have any questions or would like to discuss this matter further please let me know.

Thank You.

Jeanette Dixon

Good afternoon Greg,

The purpose of this email is to provide notice of the Department of Corrections' (DOC) intent to apply assignment pay compensation to Washington Federation of State Employees (WFSE) represented employees who participate on DOC Specialty Teams. This assignment pay is specific to the following teams; Special Emergency Response Team (SERT), Emergency Response Team (ERT), Crisis Negotiations Team (CNT), Inmate Recovery Team (IRT), and Critical Incident Stress Management Team (CISM).

As you are aware, on September 30, 2016, the Office of Financial Management (OFM), Labor Relations Negotiator, and the Washington Federation of State Employees Negotiator, signed an agreement stating basic salary plus two ranges shall be paid to trained and qualified employees who are assigned members of the designated Department of Corrections CISM team. Assignment pay shall be paid on an hour for hour basis for every hour worked during an authorized team related assignment or training.

It is DOCs intent to expand the eligibility to receive this assignment pay to any WFSE represented employee assigned to the teams as listed above while they are engaged in authorized team activities or training.

We intend to implement this change no later than September 18, 2017. If you would like to request your right to Article 38 negotiations, you may do so by filing your demand to bargain with the OFM State Human Resources Labor Relations Section (LRS) at labor.relations@ofm.wa.gov.

If you have questions please feel free to contact me.

3- DOC Supplemental Bargaining
ARBITRATION DECISION:

Number of Members	Job Class	Base Increase	COLA Increase	Total Increase
472	CCO2	8.8%	6%	14.8%
223	CCO3	11.3%	6%	17.3%
102	CCS	13.8%	6%	19.8%
45	CO2	7.5%	6%	13.5%
26	CHO3	0%	6%	6%
7	CO3	7.5%	6%	13.5%
6	CS3	0%	6%	6%

6	CHMC3	15%	6%	21%
4	CHO4	0%	6%	6%
1	CCA	1.3%	6%	7.3%
0*	CCO1	16.3%	6%	22.3%
0	CMHC2	5%	6%	11%

4- DTB Drug Deterrence Protocol

Agreement:

- Implement pilot tree offices
- Correctional Officers hired for the pilot will focus on duties under the pilot
- The agency will examine CORE and provide additional training specific to field work
- CO's do not have arrest authority and will not participate in arrests
- Protocols related to positive tests will be developed and shared with the Union

Early data in and will be presented to labor at the next UMCC

5- Failing to Report Pilot Notice

Agreement:

- Management agreed the pilot does not have disincentive
- CCD will look at issues and consider feedback prior to full statewide implementation.
- CCD did commit to not only collecting data relative to the pilot but also sharing that data with the union and engaging with the union should there be a request to do so prior to implementing the failure to report protocols on a statewide basis should that eventually be the decision. The parties do recognize from the discussion that the pilot will raise more questions and may have the potential to come up with more specific location based solutions in the future. We have agreed to meet and share data collected, seek clarification about appropriate number of stipulations although for this pilot we are not capping the number of stipulations due to the short three (3) month period for the pilot.
- Management presented at the UMCC, nothing short of propaganda and fails to get to the root cause of the problem, infrastructure.

6- Filed a demand to bargain over management's notification of their intent to add additional cameras in Longview Work Release.

Filed a demand to bargain over conversion of Longview Work Release into a state operated facility.

Meeting held, we agreed to work with management is drafting new MOU's covering work release facilities based upon organizational changes. More to come.

Management agreed to re-evaluate all work release agreements as a result of organizational changes reporting to a different chain of command.

Met with Devon Schrum and agreed to informal discussions.
Formal negotiations are scheduled.

Met with management and agreed to establish an Ad Hoc Communications Table specifically for work release. This will ensure Correctional Officer's and other classifications are represented and directly impacting their working conditions.

Pending review of training requirements for Correctional Officer's at work release.
Meeting scheduled with management to determine rules related to the AD HOC committee.

Working with Management to determine the process for the AD HOC Committee.
Drafted MOU and awaiting Managements response:

The Department of Corrections (DOC) and the Washington Federation of State Employee's (Union) agree to establish an Ad HOC Union Management Communications table. The table shall consist of one member from each of the work release facilities.

The Department of Corrections (DOC) and the Washington Federation of State Employee's (Union) agree to meet four (4) times a year at mutually agreed upon locations making the effort to move these meetings to different work release facilities in the interest of educating the team on the nuances of each location.

The Department of Corrections (DOC) and the Washington Federation of State Employee's (Union) agree to adhere to Article 37 of the contract.

7. DOC Underlying 21 Offenders

Impasse

Specifically, we expressed the following concerns:

1. We disagree with the department's choice to change the definition of a "violation" from "failing to obey all laws" to "being convicted of a new criminal act," as this has significant implications pertaining to arrest and search authority for our members. This action effectively would eliminate the CCO's ability to address new criminal activity as it occurs, even if the activity were to occur in their presence. I reviewed the memorandum and this is not included, if the agency intends on implementing this change we would expect formal notification.

2. The directive to Dismiss without Prejudice results in the loss of authority to maintain confinement of the offender; yet, the employer's directive is that DOC maintain custody of the offender in full confinement for up to thirty days. In effect, we are extremely concerned that the employer's direction to staff to incarcerate offenders without authority violates the offender's due process rights.

3. We have strong concerns that releasing a U-21 offender without a due process hearing, having completed their sanction, being charged by the prosecutor, or serving 30 days in confinement is a violation of statute.

Of paramount importance to us is the personal liability such management direction may pose to our members. Nevertheless, your stated position was, despite our concerns regarding the legality of such employer direction, that you believed management has the right to direct the work and staff are indemnified by the State. Our members will have to rely upon this representation by management that when they obey management's directives in these areas, they will be completely indemnified from any legal action that may occur.

Underlying 21, DOSA, CCI, CCP, and consecutive/concurrent back on the table leading toward solutions to tolling errors.

7- Notified management of concerns of workplace violence attributed to the Field Administrator in Section 1 and asked for an investigation and remediation plan. Management provided process notification to all staff on reporting workplace violence. Management has not provided a remediation plan.

The Union is monitoring for compliance. Notified management that labor is concerned that Section 1 had the worst job satisfaction results in the state according to the statewide survey. I asked for a remediation plan. Management provided me with their employee recognition plan. I asked for specific steps management was taking to address the survey results. No response yet.

Update: Management is making a concerted effort to engage staff through Coffee with the Field Administrator.

Requested update from management on progress improving employee satisfaction on 02-02-17

Management provided a broad organization plan to address employee satisfaction. Issue moved to the Secretary of the Dept. of Corrections and added to UMCC.

New employee satisfaction results are in. The issues in Section 1 continue. I have the administration for their corrective action plan.

Meeting scheduled with Mac Pevey to discuss our concerns relative to leadership in section 1.

Discussions pertaining to this problem have resulted in a higher priority. I have asked for and expect a remediation plan by July 14, 2017.

Met with Mac Pevey on 07-26-2017. He will develop and forward a corrective plan. I expect a remediation plan by October 1, 2017

FA Conner removed from the position.

- 8- Filed DTB-460.140 which added requirements for Hearings Officers to include higher level duties and responsibilities. Pending scheduling
- 9- Filed DTB-460.130 which added requirements to Community Corrections Officer's which include higher level duties and responsibilities and increases workload. Pending scheduling
- 10- Submitted request for information agency requested legislation
- 11- Filed Demand to Bargain on Identification Placards

University of Washington Police:

- 1- Filed a DTB- Tattoos and body piercing.
Pending scheduling, informal discussions have occurred with the CR and other Unions impacted by the proposed policy.
Demand to Bargain scheduled for the 22 of February
Received revised proposal from Management and sent out for members to review.

Met with Management proposed overarching policy statement and panel to review. Management is considering the proposal and another meeting will be scheduled.
Update: reviewed third management proposal, sent notice to bargain.
Bargaining session being scheduled

- 2- Met with management informally to discuss compensation for FTO. This item is referred to UMCC for discussions.

Washington State Liquor and Cannabis Board-

- 1- UMCC elections will occurring, please submit names of folks who want to participate.

Elections completed we have a full table.

Scheduling training for the new team and UMCC

First UMCC meeting held...went very well

- 2- New Legislation discussions occurring
Review Rules drafts
- 3- Monitoring implementation of new policy system
- 4- Filed a Demand to Bargain over the establishment of 5 new positions

Impasse on the new positions, looks like skimming of bargaining unit work.
Scheduled a meeting with Herb.

Washington State Parks-

- 1- Met with C&M workers to discuss issues that have developed as a result of area management

Update: Based upon concerns brought to my attention I am evaluating another method of approving or providing feedback from maintenance workers to ensure they have a voice.

Working with the Board to address these concerns. A local meeting is being scheduled to determine support/non-support for the area management concept.

Working on strategies to ensure C&M personnel feel as if they have a voice in the impacts for them associated with Area Management. Visiting Parks, specifically evaluating contracting out concerns relative to maintenance and vendors.

Update: Requested management update on classification questionnaires so we can follow the work.

We are working through management's presentation of the work and what classification is responsible for what. We will be bringing in a team C&M folks to decipher what classifications are actually doing.

Dates are being established to meet with C&M across the state to determine the breadth of work being performed. These updates are critical to getting folks banded correctly.

- 2- Filed DTB Area Management: Eliminate .01 FTE Ground and Nursery Specialist
- 3- Filed DTB Area Management: Eliminate 1.0 FTE Maintenance Specialist 4
- 4- Filed DTB Area Management: Eliminate 1.97 FTE Heavy Equipment Operator Supervisor
- 5- Filed DTB Area Management: Eliminate 5.0 FTE C&M Project Specialist
- 6- Filed DTB Area Management: Eliminate 13.0 C&M Project Leads
- 7- Filed DTB Area Management: Eliminate 7.0 Park Ranger 3
- 8- Filed DTB Area Management: Eliminate 2.0 WMS Band 2/ Eliminate 5 Park Ranger 4
- 9- Un-armed Rangers met to discuss implications surrounding the agreement to mandatorily arm. Management substantially changed their opportunities for unarmed position with Area Management.
- 10- Lunch with Commissioners to develop strategic political relationships is moving forward.

- 11- Preparing for Law Enforcement Sub Committee : Soliciting agenda items
- 12- Internal Member Summit to address concerns related to mandatory arming and defensive tactics is being scheduled. Area management cannot be resolved prior to this meeting.
Rescheduled do to potential governmental shut down
Scheduling
- 13- Monitoring reduction in force due to legislators failure to agree on a capital budget

Update: Parks Summit held and we have agreement on a path relative to classification concerns derived from area management. We met with the administration, presented our plan, and management agreed to work collaboratively toward those outcomes. Meetings are being scheduled now to create an admin Ranger series in affect a safe harbor for unarmed rangers, rangers injured in the line of duty, and another career path.

Washington State Patrol-

- 1- DTB-15-003 policy changes
Pending information request and scheduling
Allowed management to schedule implementation for October 1, 2016.
Management agreed to extend our bargaining rights for 12 months to allow time to determine the impacts of this change.
No adverse impacts reported to date.
Review period completed closing out the file
- 2- Tri-Cities facility temporary closure. Negotiated paid travel time or per diem. Staff are permitted to combination of the two options. The scope of this problem increased due to water issues and ventilation. Monitoring
Water testing showed signs of E.coli, staff will are to remain in their current status. State Patrol is seeking out other options at this time. It does not appear staff will be able to return to the location.
- 3- Monitoring migration to the new Olympia facility.

Evergreen Community College-

- 1. Meeting being scheduled to discuss process for negotiating Contractual agreement to bargain rifles etcetera
Organizing team meeting to discuss options
Meeting scheduled for 05-02-2017
Attended Grievance Hearing pertaining to this, win. Will be posted as soon as appropriate.
- 4- Monitoring events at Evergreen State College, threat of active shooter, closed the campus.
Working with the Administration to increase the number of officers on campus
Monitoring new strategies increasing safety on campus

5- Filed DTB Schedule changes for dispatchers

Management agreed to work collaboratively with the union and address the concerns of all dispatchers in a meeting that is to be jointly scheduled. This should better define the impacts for staff.

Met with the administration and dispatchers, they do not have consensus. They are back at the drawing board and the demand is on hold.

Central Washington University:

- 1- Evaluating compensation questions and scheduling a meeting to address concerns from members.
- 2- Organized member action with the Board of Trustees. Members attended a Board meeting and outlined their issues in public testimony.
- 3- Scheduling to meet with the new Chief of Police
- 4- Met with the President and Senior Leadership

Additional Duties:

1. Unity Summit scheduling pending appointments to the diversity committee. Charter and outcomes desired completed.
Charter and agenda refined.

Meeting scheduled for the second Saturday in July.

Meeting held and proposals are in draft. Very successful meeting.

Pending further direction
2. DOC Policy is proposing an amendment seeking to become a Law Enforcement Policy Group. Item referred back to policy by request of member leadership.
DOC Policy signed the Resolution.
The Executive Board met and approved the resolution converting The Public Safety Caucus and Campus Police and Security to the Law Enforcement Caucus. The Corrections policy resolution was postponed.
Pending appointment of the new chair
3. The Public Safety Caucus is drafting a resolution to combine Public Safety and Campus Police and Security into a Law Enforcement Caucus. Item referred back to policy by request of member leadership.
DOC signed the Resolution
This issue will be raised at the next policy meeting
4. Developing proposal with Chris Coker to provide training for members who may be involved in a shooting: Post incident response (Law Enforcement 100% AFSCME)

5. Developing and managing AFSCME 100% campaign DOC

Legislative:

Working with Representative Barkis to expand qualified immunity to peer support in Limited Law Enforcement

Analysis Consecutive/Concurrent

Analysis no Revoke/Return

Monitoring re-organization DOC

Develop High-Level Plan ending prison privatization

See Bill Tracker