

Master Contract Negotiations Minutes

January 31, 2022, Meeting Minutes

Those in attendance:

County's Negotiation Team:

- Joshua Groat – Chief Negotiator/Employee & Labor Relations Manager
- Heather Kvokov – HR Generalist
- Sara Erb – HR Generalist
- Randy Bischoff – Chief Deputy Auditor
- Tony Hall – Purchasing Manager
- Patricia Cruz – Administrative Assistant 3/County's Note taker

Union's Negotiation Team:

- Gordon Smith – Chief Negotiator/Council 2 Representative
- Brian Rheingans – Local 1135 President
- Patty Bonner – Local 1135
- Scott Davies – Local 1135
- Allyson Barnes – Local 1553 President
- Gwen Outen – Local 1553
- Mindy Ensign – Local 1553
- Cindy Thompson – Local 1553 (via Zoom)
- Nathan Lawless – Local 1553 (via Zoom)
- Sami Micke – Local 492-FC
- Tiffany Kinnick – Local 492-SP President
- Teresa Keith – Local 492-SP
- Kelly Matthews – Local 492-SP (via Zoom)
- Heidi Bulkley – Local 492-J President (via Zoom)

Session began at 9:18am

Introductions from both team members.

Josh Groat (JG) made request that if people are not seated at the table, they should direct their comments thru Gordon. People should ask clarifying questions but keep comments down to keep the meeting moving.

At 9:26AM - JG distributed County proposals; noted the theme of bringing County operations into the 21st century; trying to standardize the Master Contract (MC) with various supplements- no need to duplicate language.

Josh talked about something on home office (new changes?) – Patricia minute

JG went through proposals: all non-economic.

492RC should be 492FC (they requested to change)

Prop 2

Article 4: Article 4.3.2 Local 1553: Remove 911 Emergency Communications and Risk Management
Josh said the Risk Management should be in HR, because of confidentiality.

Gordon asked for data backing up our statement that they do not belong

Prop 3

Article 5 - Incorporates most of the content of the 2018 memo per the Janus decision; there are, however, some revisions

Josh cannot find legal basis for employer to remain neutral, so removing. Josh said Employer has the right to communicate with employees as long as they are specifically sharing facts.

Not employers job to provide payroll deduction authorization; additionally, there have been changes to state law allowing for different methods of approval.

Changing to union providing authorization to ER for new members not the other way around.

Article 5.3 - New hires- proposing no longer have union present at new hire orientation (captive audience meeting; employees are unaware they can leave if they so choose)- union can set up another date/time to present to employees.

New hire- crossed out orientation, provide new hire list once a month to the union. Provides equity for union and employer regarding captive audience situation for either side

Article 5.7 - Removing specific hours for probation period; will just use months.

Clean up of language from Administrative stand point. Percentage employees the same as part-time, clean up of definitions

Prop 4

Article 6.3.1 4 weeks is a long time to wait for implementation; employer will provide as much notice as possible... but not less than 7 calendar days. Change the time frame from 4 weeks to 7 days for union response on ER changes

Prop 5

Article 7.2.2 – approval from Elected/Dept head rather than just notification that the union will have full and free access to a department to conduct union activities

Article 7.3 – eliminate rollover of days, limit to 1 per work unit, rather than 10% of unit. Eliminating administrative burden of 7.3 (rollover provision).

Prop 6

Article 9.1 - change from days to hours, clean up, updated max to hours rather than days. Moving away from days to listing specific hours

Prop 7

Article 10.1 - Changed to hours rather than days

Article 10.8 - Moving bereavement to Leaves of Absence- more appropriate placement

Prop 8:

Updating language, employees and employers are wanting more flexibility with their work days, there are multiple MOU's specific to this article of hours of work in the system. Impossible to add language to contract for each unique situations.

Gordon: Will we receive notification for request to Impact bargain or does management feel we do not need to. Josh stated we will follow-up to his question.

Article 12.3 - change- only hours worked will count toward overtime

Prop 9

Article 13.3.2 – If employee is set up to work from home they are required to even if the county operations are shut down for an emergency, everyone else will need to use accruals

Removed any article that stated “look to individual supplemental”

Prop 10 and 11

Hiedi Buckley stated in past, there was a placeholder in the MC so supplemental agreements had something to tie to (for consistency) and to help find the same article in the supplemental agreements.

JG stated in the future, we may look at a different format for the supplementals

Prop 12

Article 17 – call out oral reprimands since they have a different grievance process.

Prop 13

Article 18.6 – add new language timeframe for dealing with situations that were discovered, the County wants to take care of issues as quick as possible. Would not apply to arbitration decisions.

Josh said, This article will not apply to an arbitrator's ruling in cases of suspension or discharge.

Gordon was about to ask the question above.

Prop 14

All union employees will be referred on the same list; all positions will be posted on NeoGov

Josh talked about take out 19.1.3 cause doesn't make sense keep it as a article.

Prop 15

Article 21 – any union requests must come from union reps (Gordon and Natalie). Others go through public records request process.

Prop 16

Article 21.2.1 - HR will house official personnel file- departments need to send key documents to that file. The individual departments can hold a file, but the department files would be considered unofficial.

Article 22.3 – Eliminate - Dress code is unnecessary- handled at department level. Spokane County has dress code policy.

Article 22.5 (Safety Shoes)- want consistency across County; currently different departments provide different benefit levels. Reimbursing vs lump sum (which is taxed)

Article 22.7 Proposing to use the IRS provision as standard for all employees as reimbursement for mileage and proposing to eliminate the Assessor's MOU

Article 22.9 Employer has no intention of supplanting union employees. New language that allows a non-union member to "step in" and do union work for specific needs, short periods of time.

Prop 17

WA – not allowed to strike.

What could happen if EE's tried to hold illegal strike, looking for union to step in.

Prop 19

Looking for a 4 year contract, 1/1/2021- 12/31/2024.

Prop 20

Eliminate shared leave; WA State offers paid family and medical leave- shared leave is no longer needed.

Prop 21

Many changes in this proposal are tied to/resulting from implementation of the classification study.

Creation of class specs (15.3.4 and 15.3.6) is an HR driven process; shouldn't be in CBA

Remove 15.3.5.4- no employee should be working out of class for 9 months

Remove 15.3.6 (reclassification)- classification study will put employees in right class. HR is currently looking to hire someone to continually update class specs and salary grades, to make sure we're competitive with the market.

Advance step – ability also look at internal equity.

Prop 22

Seven Tests of Just Cause are best practice for HR; to build a case and defend actions, departments/HR need to follow just cause- doesn't need to be in CBA

Prop 23

lags pay, moving to bi-weekly pay

Both sides moved to Caucus rooms at 10:24AM.

Reconvene at 11:11am

Clarifying question from GS:

Prop 16

How do Civil Service files factor in? 492 FC and SP – civil service or HR? Josh's response was we would need to look into this and respond to the Union at the next meeting.

If certain groups are currently receiving a greater benefit (e.g. 1135- \$200/year), would benefit be reduced?

JG: yes, looking for consistency across the County

Current roads is higher than proposed, would we keep theirs at the higher amount, Josh states we would provide whatever is agreed to is across the board.

Prop 6

492SP is on PTO... any changes to that plan, or status quo?

JG: status quo

Prop 14

How will the County accommodate groups who don't have regular access to PC's (1135, SCRAPS employees, etc.)

JG: current practice is for HR to compile list of openings and distribute to departments; HR will continue that practice

Vacancies and posting in NEOGOV for groups without access to computer.

Jordan sends a list to departments and they still have the right to post if they want to.

Prop 16

How will the change in mileage reimbursement affect Assessor's Office?

JG: change will apply to employees in the Assessor's Office, as well (their current arrangement will end) (discussion followed about how current practice in Assessor's Office came to be)

Jonathan (zoom) Assessors – unique group, use their personal cars to do their work, take a beating on washboard roads they are required to maintain higher level of insurance.

Presentation of Union proposals:

GS: theme is around recruitment & retention problems and acknowledgement that employees have gone above and beyond, working through COVID.

Agree with a four year contract

GS went through proposals: various comments noted below. Unless specifically noted, comments are from union:

Prop 1: also have interest in contract through 12/31/2024.

Prop 2: cost of living has been trending at around 6%- believe wage proposals are defensible. We are all aware of how COLA has been trending even SS got a 5% increase

Prop 3: Medical - no issue if County wants to add additional plan options, just don't want any detrimental impacts to current plans.

Prop 4: Comp study - retro to when implemented for non-reps (7/1/2020)- original compensation study (not subsequent classification study).

Prop 5: Retention incentive- departments are in dire need to keeping people. this was used in the past when we had nurses and worked, same language.

Prop 6: Service enhancement pay- aimed at increasing retention (adds extra step to salary range). New 5.12% for longevity pay after 10 years

Prop 7: HRA/VEBA- GS is aware of similar program at City of Cda; \$100/month would get the program started.

Prop 8: Add parent to extended leave provision of bereavement, not applicable to out of town restriction.

Prop 9: levels playing field; if employer misses deadline, grievance remedy automatically granted. want ER and Union to both have same repercussion if one side or other doesn't do their step in a timely manner.

Prop 10: Juneteenth as recognized holiday, 6/19.

Prop 11: Add PTO as voluntary option. Can PTO be offered, ER asked is this in addition or an either/or scenario

Heather Kvokov (HK) question- one time, irrevocable opt-in?

GS: have to get back to us on opt-in

Prop 12: Extend COBRA from 18 months to 60 months to spouse and dependents, want this as part of contract not part of policy.

Prop 13: Reclassification language- not ideal language, but serves as a placeholder for the issue. Wants process that will have the same set of rules for both the employer and the employees

Prop 14. Want the ability for current employees to be granted steps for education and experience.

Prop 15: Help out people who have been great stewards of their time; convert portion of unused sick leave to annual leave. way to award and incentivize good stewardship of their sick banks. (75 days?)

Prop 16: If future holidays declared, automatically add it to the list; don't need to wait to negotiate it into contract.

GS: Would like to obtain new CBA sooner than later; sees economic & non-economic as package. Would like to see economic proposal from County sooner than later to move things along. Economics can't be done in a vacuum.

JG asked for clarification around Prop 15- proposal states 75 days.

GS: they will review.

JG: Employer and union are so far apart on economics. If union wants all economic proposals, will severely impact County. We are so far apart on economics; the cost of the retention bonus is 5 million just for the one article not including the other. We're not even going to be close. Cannot respond to economic issues today; will only respond to non-economic proposals.

Meeting took break at 11:40am; to reconvene at 1:30pm

Reconvene at 1:27pm

JG- no response from County on any economic proposals

County response to Union proposals:

TA: 1 (term of CBA)

No Response: proposals 2, 3, 4, 5, 6, 7, 10, 11, 12, 15

Reject:

Prop 8- consistency with rest of the County

Prop 9- no harm to employee if employer misses deadline; employee is the one who initiated the grievance. This is a union issue, if county misses date union can just advance to the next step. Josh – I am flexible and cannot imagine a time that we wouldn't be able to work on an issue.

Prop 13- County submitted our own proposal

Prop 14- advanced step placement for existing employees, upon promotion only

GS: union will consider our interpretation & reply

Prop 16- will agree to meet & discuss, but won't automatically add to CBA

GS: significant typo made to Union proposal 15; should be 75 hours vs. 75 days (conversion of sick leave to vacation)

Discussion of future negotiation dates.

Union requested cancellation of February 11 date (scheduled for full day).

2/8: 9-12:30pm (1/2 day)

2/16: 9-12:30pm (1/2 day)

2/24: after 10am

JG requested days into March. GS to get back to him.

Bargaining session adjourned at 1:40 PM for the day.