

Master Contract Negotiations Minutes

February 16 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
- Mindy Ensign – Local 1553
- Cindy Thompson – Local 1553 (via Zoom)
- Nathan Lawless – Local 1553 (via Zoom)
- Tiffany Kinnick – Local 492-SP President
- Teresa Keith – Local 492-SP
- Jackelyn Geurin – Local 1135
- Melissa Schaal – Local 492 FC

Meeting called to order 9:32am

Gordon prepared to continue with Union responses to County's non-econ props

Prop 2: Union Recognition and Bargaining

G: removing Risk Management still an objection. Saw new org chart for County last night- still not seeing a large enough change in circumstance. Still performing same duties as they have for 20+ years. Unless he can be shown a considerable change in circumstances, will be a rejection. Since no change in duties, how are they now "confidential"? If I can see evidence that they are RCW definitions,

Prop 3: Union Security – page 4 - 7

The reason why we reject: Attorney handle with that language, it is use with law language, and that is why I do not agree. Once Janus hit and lawyers got involved, language was crafted – was a joint effort to come up with existing language. Already been tested and it works.

Article 5.7

- G: Definitions- (Job Share)- existing language works fine as written.
- JG: about the comments wasn't in the meeting minutes, they are not verbatim, if you want them verbatim, we can do that, we would need to record the entire session. We might talk about a subject, they might not make it in the minutes. Highlight important aspects only. (in reference to Union's reference to job share conversation not being included in minutes).

Prop 8: Hours of work

Again, this is more an attempt to provide rationale to objection to the change. The work hours is what employees are attracted to the County, striking 12.1.3 could have a negative effect to retention and recruitment

Article 12.3-

Overtime doesn't happen without management's authorization; they already have adequate control over granting. Checks/balances already in place to guard against excessive OT.

Prop 9: Leaves of absence

Article 13.3.3

rejection. remains and objection, but to articulate, shows an inherent in equitability, some can work from home and others cannot. That is hard for us to overcome that inconsistency. Want to keep current language.

Article 13.3.4

There is a reason supplementals exist. References are of value to everybody. As an example – there are reasons supplemental exist and we think these references are valuable to people, this will direct them to the correct one.

Prop 10: Shared Leave

Not everyone qualifies for share leave to WA state leave. There are delays to getting payment, if someone needs shared leave they really need it. It can be a cost savings to the County as well, when higher paid donating to lower. Cost savings when higher paid employees donate to lower paid employees. Feels like the right thing to do, to help each other out.

Prop 14: Promotions/Vacancies

Page 22 – we completely understand moving everything to electronic, for most department that would work, but for some departments they do not have access and want to be sure that it is in the contract that those departments must post paper, want it to go both ways. Want paper postings still guaranteed in CBA (both paper and electronic).

Prop 15: Information Request

Page 23 – union wants to be able to designate someone in Gordon's absence. He wants to be able to designate at need. Allow staff representative to have a designee. Normally requests go through Gordon- would like ability to designate a point person ahead of time, in case he's not available.

TH – would you be able to do that ahead of time?

Prop 16: General Conditions

Waiting for additional info on Civil Service.

Prop 17: Lockouts & Strikes

Puts a lot more stipulations on union that don't currently exist. Current language is standard- has worked just fine. No interest in putting additional restrictions on themselves. Rejecting.

Prop 18:

housekeeping

Prop 19:

term of CBA- TA

Prop 20:

Page 30 we talked already about the shared leave.

Prop 21:

Lump in classification, reclassification, lag pay, we cannot get into these without an economic proposal. We do not see a separation between economic and non-economic and I do not see us moving forward without an economic package and be able to see all the moving parts in play. Struggling to see how they can make any movement without the County putting out economics. Need all the moving parts in play.

Prop 22:

7 steps just cause – asked for this language and this was the County's counter, we have found this helpful in educating folks on both sides of the table. Expressed an interest last negotiation to include something along these lines- existing language is what the County put forth.

Mileage – Discussion regarding vehicles- would have the most impact on property appraisers.

- JG: County added "if possible", for the use of county vehicle, this is a two part, one for county car and second for mileage. 2 different parts. 1st deals with providing a vehicle; 2nd is rate of reimbursement.
- GS: Assessor's has one of the more unique arrangements

Caucus- 9:51am

Reconvene- 10:26am

JG: disappointed in Union's response. Had hoped for some more movement or conversation, instead of just rejections. You will see that we made some moves.

Have put together County's responses. We will go through.

Everything that has been TA's removed

Prop 2:

Partial TA's. TA on 911, disagreement on Risk Manager, still want to strike.

Prop 3: Unio Seniority

Article 5.5 -Unstruck – page 3. Leave in, believe it belongs.

- JG: We realize was duplicate (5.5) The original language. May be duplicated in other sections (?) Probably needs to stay in.
- JG: Union language, I heard what you said and crafted by legal, not sure what expert from County helped with that and that being said, whatever was in the original MOU, mgmt. Today would never agree to that language. Specifically giving up rights to respond to our employees if they ask questions. If employer has to remain neutral, perhaps we add language that Union needs to remain neutral on employer issues (?).
- Union should collect the authorization and submit to payroll, not County's job. Union should be providing info to County not vice versa

We maintain our proposal at 5.3 and 5.4.

Home address & DOB- if union wants info, can get it from members. Are union responsibility to get.

Article 5.7 - Definitions

Union brought up job share and positions. That's an administrative function- not union's concern. Not sure why rejecting regular – the coding of positions such as job share position, county does not see that there are any shared positions, have the ability to create two % employees

Prop 4:

We proposed 7, you came back with 21, we are proposing 14, good amount of time. Meet in the middle with 14 days notice.

Prop 5:

no changes- maintained initial proposal.

Prop 6:

Article 9.7- still maintaining to strike paying out longevity when an employee separates from employment. If someone leaves the County, should no longer be eligible for longevity. Longevity should not be paid out on vacation cash out. Not eligible for longevity because they are leaving.

Did unstricken the last sentence. Changed to hours vs. days (mirrors 9.3.2)

Prop 7:

Some TA's, not changes to bereavement for this group, same across the county. Not changing definition of immediate family- no changes to how it's structured.

Prop 8:

You guys rejected all and said it is about the recruit and retention. We disagree because the new generation want more flexibility. We have to become more flexible to that new generation. current workforce demands flexibility, don't want to be holden to a 5-day work week w/2 days off. They want flexibility. We have to become more flexible in operations to attract new candidates. Current employees may like old language but doesn't fit with changing workforce.

Change to 12.1.3 – we have add as you guys want it.

Did make some changes- added “no more than” and “no less than.” No more than 5 with no less than 2. This gives employees, and management flexibility.

Maintained strikethroughs of 12.2.2 and 12.2.3. Departments won't just willy filly change they work schedules, mostly in today's day and age, and impact.

Article 12.1.4

- (GS): is it County's intent to prevent impact bargaining over proposed schedule change?
- JG: yes- will notify and discuss, but no requirement to negotiate.

Article 12.3: Department still has the control. OT based on hours worked

- BR: does comp time compute into those hours?
- JG – we do not think so, but we will look into it?
- HK – can you clarify question?
- BR- they are hours worked? They should be computed into hours worked if you take a day.

Prop 9:

Modification of bereavement from Union- not full TA

Article 13.3.2- still looking into this particular portion- need to keep open. one week or two weeks

Article 13.3.3- we heard you do not like are changes, to reflect the work from home, want it one way for consistency, so everyone who is scheduled to work regardless if can telework, will go unpaid or use accruals.

Article 13.3.4- still proposing to have struck.

Prop 10: Shared leave

We believe you guys are passionate to that. So we decide to use the policy. Leave it in, but follow policy. If not following the policy then there will be limits to who can donate.

Prop 11: Seniority

Instead of referring to each supplemental, adding to CBA. JG went through supplementals – much the same language in each- added definition of seniority to the master. If it can be in the master, should be in the master- vs the same language in each supplemental.

Seniority - defined in each supplemental agreement, cannot determine why they are unique, most part they are all relatively the same language. Put it all into one place in Masters. Do not have to search multiple places.

Prop 12:

Maintaining our proposals for oral reprimands, current process is working well.

Article 17.6- no clue why Union rejected. There could be other issues that are not listed here to go straight to term. Not an exhaustive list of severe offenses- County won't be limited to the 5 listed issues.

Prop 13: Grievance Procedure

Maintain County's initial position.

G: started that mgmt. is our client and they should share it,

JG: I say it is the same way, that we will not share with union, the employee can share it since the ee is their client.

Union is employee's client in the same way departments are JG's client. Not asking for much.

Article 18.6- we need to have language – will end up in the agreement but are flexible with timeframe.

Prop 14:

Maintain County's proposal. Sounds like some departments are currently posting recruitments- they can keep doing that, but not going to require it of all MC departments.

Article 19.1.1

Paper application to HR? HR no longer accepts paper applications. All employees have access to NeoGov to submit electronic applications.

Article 19.2

They are Sheriff's department with their own rules, so we added this caveat, and after review of supplemental not a big difference.

Will include caveat for Civil Service application process, for any employees covered by them.

Prop 15:

Agree there is the potential to expand. "Designee" is too broad... would like it to be more specific. Designate one union president? Designate all union presidents?

Prop 16:

added caveat for Civil Service under 22.2

Article 22.3 –

Has a TA no dress code.

Article 22.4-

Maintaining strike through

Article 22.5-

Agree to move to economics

Article 22.6-

Maintaining proposal

Article 22.7-

- JG: maintaining "if possible" - 2 separate issues- the first deals with vehicle, second is mileage. Going to try and provide vehicles if possible
- GS: specific to Assessor's office- is there movement to provide County cars?
- JG: Not known at this time

Article 22.9-

Maintaining. No ulterior motives. If someone is out, will try to distribute work- view this as a last resort. When all other methods have been exhausted. We have no desire to use our management to replace union employees

Prop 17:

- JG: no legal right to strike in the state of WA. RCW doesn't give public sector union members right to strike.
- GS: does not say that we cannot strike
- JG: Choose to agree to disagree – not trying to infringe on any union rights- gives County recourse if an illegal strike happens will stop it.

Appendix #6 – remove, for Shared leave policy.

All other proposals remain as originally proposed

- JG: Any questions?
- GS: expect economic proposals at any time?
- JG: I know you have started that you cannot negotiation in a vacuum, mgmt. I understands Union is waiting on economics. Work through non-economics, to get to an economic package. If

Union insists, they won't be happy- will be downright pissed off. Union is refusing to negotiate, have meaningful conversations, offer any flexibility. County has no problem giving economics, but without any movement from union will be extremely pissed. Difference bet/ Union's economics and County's position is approximately \$35-\$40 million. Large difference to make up. Wants to prepare union so they are not surprised. The County is not trying to blindsides you. Trying to get through non-economics to show us that they are willing to work with us, looking for efficiencies.

- GS: Primary interests are economics. How Union's econ issues are handled by us with determine how County's non-econ issues are handled by the Union. Ere struggle remains is that your primary is efficiencies, we have TA'd a lot of agreement. We have made some move. Our members primary interest is economic, so how you deal with our issues, is how we respond to yours.

Break for caucus 11:04am

Reconvene 11:45am

- GS: has more business we can work on today. Need to get dates set for March.

Reference in today's Document

Prop 4:

Page 7 - 14 Calendar days can be TA's

Prop 12:

- G: They do not require just cause. We have situation that the manager see the different way. If we have more steps during the year we can ask the manager about. We should be at least have time to discuss. Secondary reason where we agree the progress to pass to HR.
- G: Counter proposal, if you can strike the oral discipline to me, we will allow the update to discharge. Withdraw "other than oral reprimands" under 17.3, will accept addition to 17.6.
- JG: Why is there heartburn with adding oral reprimands... there is already a separate process
- GS: doesn't see it as a separate process. Oral reprimands end at the HR step. Reason Union was Ok with that because they'll never to go arbitration. They are a building block of progressive discipline- should have ability to grieve it, but understand limiting them to not go beyond HR step.
- JG: we are not trying to say that it is grievable but an appeal to HR. Views it as an appeal to HR Director vs. grievance.
- GS: maybe this wouldn't be the norm, but 17.3 as proposed would mean employer wouldn't even need to discuss an oral reprimand with union. If 17.3 is as written, we want to be able to make our case. And this way sees like you wouldn't need to talk to us

Prop 15:

- G: County proposal – if you really want to keep that, we can use the Step representative. Or a local president. So have 5 President on local. Will have the authority to make the request. From Union- information requests may come “from staff representative or a local president” –
- JG: I think we agree with that
- GS: yes- insisting on financials next week.

Dates:

- GS: requested parameters- Tues are #1 pick, Wednesdays next best... Mondays/Fridays out
- JG: begin making concerted effort to meet full days. We would prefer to meet all day, do not think the half days are as productive. More communication, more progress can get done.
- G: Every Wednesday in March 9am- 4pm
- BR:- requested Patty B. be able to go to day shift on those days- GS to make request to Andy

Meeting adjourned 11:57am