

Local 1553-S

March 29, 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
- Patricia Cruz – Administrative Assistant 3/County's Note taker

Union's Negotiation Team:

- Lyle Johnston- 1553-S
- Natalie Hilderbrand – C2
- Michelle Perrinn – 1553-S

Meeting began at 9:56

- NH- mandatory Zoom meeting at 11am. Will need to break at that point, 30-45 minutes
2 things: Need to get additional dates for future meetings and Ray can't get badge to work to have access- not sure what issue is.
- J: You are the first says you have badge. I am not saying you will be denied.
- J: We will look calendar and see our dates. Monday, I understand it is hard for Michell and Wed its master contract.

Josh started talking about the Economical Proposal

Prop #1-Holidays

We TA with everything except for the state holiday. Reject inclusion of state declared holiday. County observes federal holidays.

Prop #2- PTO

I understand u guys want to see the policy and see the language. I know you have some questions and if have any, situation and still open. Union was going to review current policy and CBA language. Union also has a proposal to double cash out payments. If union accepts revised PTO policy, will put entire revised policy into CBA. Could TA one of Union's positions.

- NH: has current PTO policy been sent?
- JG: will send it to you

Prop #3- Insurance Benefits

Knows group has heartburn with County potentially changing plans. To compensate for that and allay concerns, will keep HMO & PTO carriers, keep same premium share percentages, but will include an out

of pocket max. County could still make changes to the plans, but will not impact employee's OOP max. Any changes will not be substantial. (e.g. co-pay increase, ER co-pay increase, etc.)

11.5: as of right now, the ACA taxes have been removed from the bill, but unsure if they will come back. Would feel more comfortable leaving this article in the CBA.

- J: Natalie you have questions about the taxes?

Prop #4- Wages

Things are progressing enough; we'll be able to start making movement on wages. I think we are going to have movement since we have TA

Prop #5- Out Of Class Pay

1553S is small, about 65 people. 1-2 people per department. We're not sure why there is hesitancy to agree to proposed language. Can't see where Out Of Class even occurs. But if it does, how can they do the full scope of the position in 1 hour (vs. 2)?

- NH: last meeting, had requested Out Of Class pay summary to see what impact might be. Likely happens more in base unit, but would like to see numbers.

Prop #6- Reporting time & call back pay

County does not agree.

Prop #7- Overtime

We understand there is extreme concern about this proposal. DOL is potentially coming out with a new role. Will leave this open for now- maintaining it, but just a placeholder.

Prop #8- Comp Time

TA

Prop #9- Step Increase Process

Waiting on response from union.

Response to Union proposals:

Prop #1- Term of contract

TA

Prop #2-Wages

No interest in going to a 7 step range. Not going to agree to Service Enhancement Pay. Not going to agree with CPI-W in Seattle- Tacoma- Bellevue

- NH: any counter
- JG: not going to have a CPI index; much rather have a fixed rate

Prop #3 Retention Incentive Pay

Not in agreement with Retention Incentive Pay.

Prop #4 – Education/Succession Incentive Pay

Maybe open to education/succession incentive pay. If County agrees, any position where a degree is a requirement, employee will not receive extra pay for having that degree.

- NH: if position requires a BA/BS, but employee has a master's- would I be eligible?
- JG: potentially- would be above & beyond what is already required

Prop #5 – Union Security

Reject, see County's Non-economic proposal #2

Prop #6 – Juneteenth

TA

Prop #7- Modify Article 9 - PTO

9.1 - Reject- not interested in adding additional accrual bands

9.6.5- if union agrees with County's proposal, we'd agree with this section.

Art 9 – NEW - COVID paid leave- union rejects. This is what CAT account is for. No additional need to offer more time off for COVID.

Prop #8- Bereavement Leave

Don't agree to add parent to 10 day benefit

Prop #9- Medical Benefits

County has its own proposal

Prop #10- Classification/Reclassification

County will have a modified proposal on Article 14- will provide to the union once we've revised our language. May or may not be today.

- NH: why is county objecting to adding Medicare gap language.
- JG: viewed as an additional benefit. Still open... if added, will be a reference to County policy.

Prop #11- Discipline and Discharge

We agree with clarification of 60 months but the other we are not in agreement. Not in agreement to require counseling prior to administering discipline (example of serious offense)

Prop #12- Grievance Procedure

Not going to agree to allow remedy to be granted. Already avenues in the CBA regarding not meeting timeframes.

Prop #13- Wage Study

CBA was closed 7/1/20; county has no interest in implementing retro to 7/1/20

Prop #14- Lag Pay

only need to negotiate potential impact. Will happen in “rip off the band aid” fashion. Should be that we focus on impact vs. method of implementation.

Prop #15- NEW HRA/VEBA

County does not offer HRA/VEBA- no interest in offering

Prop #16- NEW – Deferred Compensation Match

Reject \$200 but may see a counter.

- NH: lag pay... how does union know what impacts will be if method of implementation hasn't been decided?
- JG: it will be a 1-week delay, semi-monthly- unless we can find a system that will report correctly to DRS via bi-weekly. Looking at options to bridge the gap... 1 time cash out, loans, etc- open to other options.
- NH: passed out Union's response to the County's 3.15.22 non-econ proposals
- NH: elephant in the room, the wage adjustment sheet. Agree these are correct numbers but have questions. Union sees this as a wage adjustment, current step to current step, to a max of 10%. County proposes first step providing an increase. Union proposes step to step, to a max of 10%. Applies current language in CBA to implementation of study. Appreciates that when 1st study came out, it didn't make any sense. In current data, some have been equalized, but some still don't make sense. (e.g. Probation Counselor 2's vs. PO2's vs. Pretrial Svc Officer 2's. Should all be at the same grade?) Still need to look at appropriate grade for PC2's and PO2's. Thinks it should be 240- possibly higher. For internal parity, makes sense. Have heard that they really felt it should go back to July 2020. If County agrees to step-to-step, and looking at PC2 and PO2, would agree to January 1, 2021 effective date. What would happen with next step date? CBA says keep same step date unless negotiated otherwise.
- JG: doesn't understand bargaining chip- CBA was closed at the time.
- NH: In the meetings/presentations, presented as an opener. Info came through and then everything was put on hold. Members are pissed. Implemented with non-reps, but union members were put on hold? Hears County's position that CBA was closed 7/1/20, so could agree to make effective 1/1/21.

Natalie start to give the responses to County's proposal

Non econ prop #2- Union Security

Union still rejects with proposed edits.

5.7- not in agreement with removing home addresses and telephone numbers

Non econ prop #3- Union Activities

TA

Non econ prop #4- PTO

To fully assess, needs to see the policy. Doesn't want to waive their ability to negotiate if policy changes. Union needs a copy of PTO policy.

Non econ prop #6- Hours of Work

Page 12- heard what County said about flexibility.

12.2- word smithed some language (reference 12.2.2.)- specifically listed the most common schedules. Anything outside that would need to be negotiated. 12.2.3- holiday pay at rate of daily hours. Already in article dealing with holiday pay?

- JG: 12.2.2- with this language, we can implement any one of these schedules without any notification or bargaining with 1553S.
- NH: just notify, but don't need to bargain the impacts. Only concerned with Hinky schedules (something outside the standard).
- JG: what is a 7-day 37.5/40 schedule? No daily OT? No day of rest schedule? NH: No. – true flex schedule.
- NH: requires a written agreement with ee, per LNI.
- JG: so OT based on 37.5/40 hours in a work week?
NH: correct. Listed out what is most commonly utilized. Tried to word it in a way to list out the standard schedules currently being utilized.
- NH: 12.3- paid leave. Union rejects County's proposal. Not only no, but members have said hell no.

Non econ prop #7- Leaves of Absence

Tried to wordsmith. 13.3.3- if employees are truly exempt, shouldn't have to use leave time. Specified in counter that would only apply to non-exempt.

- NH: called L & I, exempt employees cannot be required to take partial deductions
- NH: to equalize benefit upon closure, employees not scheduled to work should receive time off as well.
(discussion about if employees have to work, vs. do not have to work)
- NH: treat it like a holiday, use same logic

Non econ prop #8- Classification/Reclassification

Under 14.1.3- union still feels it needs to be “negotiate”. Still think reclassifications have value, particularly with Civil Service. To do away with language, isn’t a good elimination- process is still needed.

- JG: how often is reclassification process utilized?
- LJ: working on one right now... job changes that could lead to reclass (discussion about different types of reclassifications)
- LJ: due to change in technology, an employee’s job duties have changed. Will need to rewrite the position. Will be a reclassification. (discussion about 1553 vs. 1553S reclassifications)
- JG: how often does it occur in 1553S
- NH: doesn’t happen a lot, but it does happen. One in Juvenile, etc. Still think there’s value.

(discussion about posting vs. not posting reclassified positions)

- NH: what happens if person who has been doing the work, isn’t selected (if position is posted)?
- JG: would hope that person would be selected
- LJ: Civil Service Rules- allows for reclass if the first position would be eliminated, the incumbent doesn’t have to go through testing process to move into new position.

14.3- still want data shared so union can do due diligence to analyze

14.4- still believe there is value in the language. Spells out how rate of pay is calculated.

14.5- same thing, but need to update 14.5.2- sick/vacation no longer applicable

14.6- made some headway. 14.6.1- can appoint anywhere in range. 14.6.2- union is notified of advanced step. 14.6.3- no leapfrogging in same dept and same job class. If leapfrogging occurs, current incumbents are immediately brought up to same level. Additionally, employee will receive increase in 6 weeks, so no future leapfrogging occurs.

14.7 - 14.8- 5%

14.10- competitive vs non-competitive, step increase at 6 months and then annually thereafter (same process as promotion)

Non econ prop #9- Seniority

Agree to delete 16.5

Caucus 11:04am- back together at 1pm?

Regroup 1:26pm

JG- presented County’s Amended Non-Econ Props

Prop #2- Union Security

1st change proposing... union is requesting home address & home phone, in exchange ask for union's agreement for terms at top of p. 3 (5.1). All other changes remain as proposed.

- NH: this is a statewide form... original goes to payroll, other copy to union. C2 will not re-do the form for the County, as it's a statewide form. If form goes to payroll, how does union get their copy?
- JG: county doesn't need the original... a copy just needs to go to payroll
- NH: sometimes the union gets them, then sends a copy to payroll... sometimes vice versa. Payroll usually requests the original. Because it says on the form itself that certain copies go to certain groups.
- JG: will probably need to rewrite entire section. County should not be doing the union's work in gathering the forms and sending them to the union. Not always going to be a form anymore- many different forms of approvals.
- JG: not agreeing to anything without the final verbiage in place.

Prop #4 – PTO

Will be cleaned up with current PTO policy.

Prop #6- Hours of Work

Have agreed to union's verbiage in 12.2

12.3- Only holiday pay will count toward OT (not sick or vacation)

- MP- example of working 12-hour shift, holding over 4 hours... then coming in late the following day. Eligible for OT?
- JG: still eligible for daily OT
- MP- what about if person takes PTO, then is asked to work OT... if not being paid 1 ½ , what is the incentive to come in? Going to have a hard time finding people to work it.
- (discussion about various situations where OT would and would not apply).
- NH: how do you explain to the member who feels PTO is a benefit, they have to call in sick or take vacation, so none of earned benefit counts toward OT pay?
- (continued discussion about various OT situations)
- NH: if employee has an appt or day off, don't answer your phone.
- MP: people's time off is more valuable than the OT pay. Now less incentive.
- NH: in a perfect world with full staffing, would be a different conversation. Haven't seen a perfect world for a long time.

12.2.3- if fits better under holiday article, OK to move.

Prop #7 – Leaves of Absence

Compensating people who work on day of closure, but not people who are not already on duty. County maintains proposal. Paying essential personnel 1 ½ while at work- nothing additional.

Prop #8- Classification/Reclassification

leaving open, need to have further discussion

Prop #9 - Seniority

Union agrees to delete, but in conjunction with what?

- NH: agree to delete

Prop #11 – Grievance Procedure

In agreement with everything but 18.6. Question of legality?

- JG: if there is a notice that we are paying someone wrong where we owe someone backpay, we will make it right. What we're trying to avoid are ees sitting on grievances... they become aware of an issue, but wait to bring it forward.
- NH: 2 ees overlap working hours... goes on for awhile, hours have been reported inaccurately. Ees were due OT payment. How far back would county go?
- JG: we'd need to go back as far as necessary- not limited to the 45 days. This is specifically speaking to errors in the CBA, and wanting to have errors addressed as soon as possible. Open to other timeframes. Not trying to screw anyone over on money.
- LJ: include verbiage that if error is discovered, ee has a duty to bring forward...
- JG: stems from another grievance in another CBA, when union was trying to go back to 6 years. This particular language was written by a labor attorney.

Prop #12- Promotions/Vacancies/Reassignments/Lateral Transfers/ New Openings/Demotions/Review

Union made a change to 19.2.1.3 to match practice for laterals with language under promotions.

Prop #13 – General Conditions

Still not willing to negotiate impacts. OK with adding working days in, but not in agreement with negotiating impacts of new work rules.

- NH: if new policy is implemented, but impacts not negotiated, what is remedy? Filing a grievance.
- JG: yes. If we have a new countywide policy, but have to negotiate said policy with every single bargaining unit, we could end up with 17 different iterations. Want policy to be consistent across entire employee population. Work rules may have more flexibility.
- NH: if agreement is to "discuss". What does that look like? How does it apply? If union doesn't agree?
- RB: has there been a situation with a work rule?
- NH: yes, there have been
- MP: there was a time in Juvenile when they work their own personal clothes, then went to wearing uniforms. There was much conversation. Didn't see it as discussion, saw it as negotiating impacts- something employees have to wear to work every day.
- NH: how to sell to members? Proposed language came about after union sensed that County doesn't have an interest in negotiating... proposed language to ensure County would negotiate impacts (vs. just discussing).
21.9- County still maintains following reasonable suspicion.

- MP- if County changes policy, they're automatically subject to the changes?
(discussion about possible outcomes in relying on county's reasonable suspicion policy)
- NH: doesn't go into the detail that Risk Management's policy goes into . 21.9 just speaks to reasonable suspicion.
- JG: issue is that ee and Union rep shall meet with employer/supv to assess the situation before any testing. What if there's a time delay?
(discussion about testing process)
- NH: important for ees to know they are subject to testing... maybe just clean up the language?

Prop #14 Lockouts and Strikes

County maintaining initial language. Not trying to take away any rights the union has; we are looking at illegal activity taking place during the life of the CBA. If there are certain sections causing particular heartburn, willing to entertain a counter proposal.

Prop #20 – Appendix – Normal (Lag) Pay System

Leaving open for now- no changes.

- NH: still looking at target date of 1/1/23?
- JG: may or may not happen by 1/1/23... will notify union when date is determined
- MP: so long as employees have a heads up.
- JG: it is coming, sooner than later; if we start talking about it now, employees can begin preparing for impacts
- (discussion regarding impacts of ripping off the band aid approach- some employees impacted more than others; trying to give as much notice as possible to employees)
- NH: during membership meeting, an employee asked the question about being able to use accrued time. But what happens with new hires?
- JG: County is willing to listen to other options.
- (discussion about various options)

Done for today- nothing further.

Meeting adjourned 2:39pm