

Master Contract Negotiations Minutes

April 6, 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:

- Gordon Smith – Chief Negotiator/Council 2 Representative
- Patty Bonner – Local 1135
- Allyson Barnes – Local 1553 President
- Gwen Outen – Local 1553
- Mindy Ensign – Local 1553
- Cindy Thompson – Local 1553
- Nathan Lawless – Local 1553 (via Zoom)
- Sami Micke – Local 492-FC
- Teresa Keith – Local 492-SP
- Jacklyn Geurin – Local 1553
- Shawna Kimbell – Local 492 SP
- Melissa Schaal – Local 492 FC
- Jonathan Holden – Local 1135
- Heidi Bulking – Local 492 J
- Brent Lewis – Local 1135 - President

Meeting began 9:14am

Josh put distributed summary document of where things stand

Gordon- group still objects to county's practice of posting minutes/proposals

Presentation of the new President of Local 1135 – Brent Lewis

Josh went through summary

County Non-economic proposals (JG went through summary):

- Non-Economic Proposal #3
 - Art 5.1-5.4, except for 5.3, remain unresolved and open
- Non-Economic Proposal #5
 - has a package proposal out there; currently remains open Art 7.1-7.3
- Non-Economic Proposal #6
 - only remaining issue, 9.7 proposed revisions (whether or not longevity is included in payout)

- ✓ Union: why non-economic?
- ✓ JG: fine to move to economics, can go either way
- Non-Economic Proposal #8
 - Art 12 - hours of work; 12.2 & 12.3 remain open- ability to implement different hours/shifts; 12.3 is OT issue. 3/30- provided union revised proposals; waiting for a response from the union.
- Non-Economic Proposal #10
 - Shared leave policy; Prop 10 & 20 tied together; 20 proposes deleting shared leave policy from CBA
- Non-Economic Proposal #11
 - Seniority. Proposed language to define seniority, not trying to change any other aspects... just define on global scale.
- Non-Economic Proposal #13
 - Only remaining issue is new language under liability (18.6)
- Non-Economic Proposal #14
 - Job postings- still remains open
- Non-Economic Proposal #16
 - References to 1135 supplemental; new language in 22.9, allowing non-represented to step in and assist- supplement, not supplant- still open
- Non-Economic Proposal #20
 - Strike shared leave language from CBA (tied to Prop 10)
- Non-Economic Proposal #21
 - Reclassification; entire proposal remains open. County has some work to do on this one.
- Non-Economic Proposal #23
 - Lag pay. We had good discussions last time; proposal remains open. Down to figuring out how to mitigate impact.
- Non-Economic Proposal #24
 - New probationary period language in its own article. Union wanted to have additional discussions on it- waiting for a response from the union.
- ✓ Union: Prop 3- 5.3 resolved?
- ✓ JG: County withdrew proposed changes as part of a package deal
- ✓ Union: Prop 16- 22.6.1 wouldn't change language in the supplemental?
- ✓ JG: No TA, still technically open
- ✓ GS: agrees with summary

County Economic Proposals

- Economic Proposal #1
 - Still open. Union has their own proposal.
- Economic Proposal #2
 - Deals with health insurance. County submitted an amended proposal re: keeping Out of Pocket costs status quo for life of CBA. Entire article still open.
- Economic Proposal #3
 - Wages. Open.

- Economic Proposal #4
 - Shift differential- remains open. Union had counterproposal. Ball in County's court.
- Economic Proposal #6
 - Changes to OT & FLSA exemption & eliminating daily OT. Remains open.
- Economic Proposal #7
 - Comp time revisions. Remains open. Will have a response to union today.
- Economic Proposal #8
 - Longevity. What happens with Detention cooks in 1553... receiving longevity & svc enhancement pay. Open item remaining open.
- Economic Proposal #9
 - Out of Class pay. Remains open. Was discussion regarding employees meeting Minimum Requirement's. County maintains initial proposal.
- Economic Proposal #10
 - Step increase method & payments method. Never got resolved.
- Economic Proposal #11
 - Advanced step placement. Had discussions... remains open.
- Economic Proposal #12
 - Originally in non-econ. Deals with shoe reimbursement. Waiting on response from Union. 22.7= mileage reimbursement, still open (Assessor's Office issue).

- ✓ HB: has County had a chance to go through discrepancies in language?
(discussion, including FLSA exempt proposal- not fully TA's until 3/30 until language was clarified)
- ✓ GS: will look at it in caucus.

Union Issues (Still Josh and the summary)

- Union Proposal #2
 - wages- remains open
 - Union Proposal #3
 - health insurance- remains open
 - Union Proposal #4
 - Comp study, retro to 7/1/20- remains open
- ✓ GS: correct, interest is wage study, as implemented for non-reps 7/1/20
- Union Proposal #5
 - Retention bonus- remains open
 - Union Proposal #6
 - Service Enhancement Pay for 10 year remains open
 - Union Proposal #7
 - HRA/VEBA contribution- remains open
 - Union Proposal #9
 - Change to grievance procedure- remains open
 - Union Proposal #10
 - Addition of Juneteenth- Union proposed each local determine how to observe. Open
 - Union Proposal #11

- Optional PTO. Were discussions about how it would work. County had rejected.
 - Union Proposal #12
 - Modifies COBRA from 18 months to 60 months for full family. Still open.
 - Union Proposal #13
 - Reclassification revision. Still open.
 - Union Proposal #15
 - Sick leave conversion. Remains open. Sick leave is not an additional benefit; only there in case employee gets sick. County rejected.
 - Union Proposal #16
 - Automatic addition of any new holiday. Still open.
- ✓ GS: unless corrected in caucus, in agreement with summary.
 - ✓ JG: when started going through it, narrowing things down- not as daunting. Still tough issues to tackle, but closer than we think?
 - ✓ GS: members have been extremely clear. Compensation is #1 issue, patience is waning. Struggling with how to move forward in meeting some of County's interests without seeming movement from County on wages. Not claiming impasse but need to get ball rolling on those issues.
 - ✓ Union: look at what was settled with 690RS. Doesn't want to see a huge difference there... shouldn't be a huge difference there.
 - ✓ JG: Different union... completely different set of issues and priorities from one group to another.
 - ✓ GS: People are watching are disheartened by County's lack of movement on wages.
 - ✓ Union: at jail, they are losing people from 1553 constantly. At a different position... what they do at the jail totally supports the officers on the floor. Have lost commissary clerk... no one has even applied- cannot fill it. This is flowing uphill now. If commissary position not filled, inmate won't get honey buns, will cause a riot. At the jail, people's lives are in danger now. One of the officers yesterday told management what the County is doing to 1553 is criminal. County doesn't realize all that employees do. If inmates don't get mail or commissary, those are 2 things that will make inmates explode up on the floor. Jacquie- a lot of different departments have interactions with same group of people.

(discussion regarding turnover around the County- cannot keep people, constant training)

- ✓ Union: grievance from an inmate, problem child, questioning why someone else can't fill in for commissary... someone from admin, or?
- ✓ Union: Night shift differential. They currently have to force people to work nights... a reasonable amount of financial compensation should be offered. Employees are way from families, etc. Little bit of extra compensation helps.
- ✓ GS: Recruitment/retention issues are real. Turning negotiations toward focus of compensation is in everyone's best interest.
- ✓ HB: historically during negotiations, County's response has been "then go work somewhere else." County has hard, dedicated employee's- be here because they want to. County should appreciate who they have.

- ✓ Union: Do not want to take a step back. County is asking Union to give up on items they fought for over the years.
- ✓ Union: Losing cooks and then trying to take pay away from them.
- ✓ Union isn't being greedy... members are being impacted- gas costs, rent costs, etc.
- ✓ Union: people don't want to leave, but need to get paid to stay. Just asking for what they need to survive and still serve County.

(further discussion about retaining benefits, predictability of existing medical plans, etc.)

- ✓ Union: people will quit if medical changes; that's what keeps them here. Pay has to be reasonable, but benefits need to be exceptional.
- ✓ GS: good time for a caucus?

Caucus 9:55am

Reconvene 11:06am

Joshua passed out 2 different documents. Started with "What if and Amended Proposals" April 6, 2022

Package #1

For 1135, 1553, 492J- will add Juneteenth as fixed holiday. For 492SP and 492FC, who follow more of the Sheriff's Dept, will negotiate in their supplemental agreements. All future federal holidays observed by County will be automatically granted- not state. Will be observed as the rest of the county is observing it.

- ✓ GS: what if Governor declares?
- ✓ JG: subject to negotiation (State level)

IF union agrees to 8.3.3 in Economical Proposal #2 and the proposed language addition of Article 22.9 in Non-Economic Proposal #16

(Discussion and Explanation about the vacation, time off)

- ✓ JG: the other aspect it's to Union accept the 22.9. Ex: Commissary, if missing someone else and that language will help with that situation. Union: Define to me short of period of time? JG: somebody need to go to lunch. Or someone need to leave, or we are trying to fill the position, the person can help out with some activities.
- ✓ Union: I am thinking about extra help.
- ✓ J: We are not talking about extra help, extra help we have ability to hire. I am talking about Help out some circumstances and not trying make permanent position..

(Discussion about what person will help with, difference extra help or what means short of period time).

- ✓ Sara: we are trying to give management when you guys are short employee. We are trying to give the opportunity to help in that situation. This language it is only for management.

Package #2

Its more what we saw the other day. We withdraw the proposal change in article 9.7 in non-economic proposal #6 if you the union withdraws it's proposal regarding sick leave conversion and the optional PTO program.

What if proposal #3

For our economical proposal for Longevity, and read the proposal amend "add Detention cooks will continue to receive the service enhancement pay as outlined in the Local 492-FC for the duration of this agreement. Upon expiration of this agreement, Detention Cooks will no longer receive the service enhancement pay."

(Discussion about the enhancement and explanation about longevity)

Last one Amended Proposals:

We made 2 changes:

Non-Economic #13

18.6 we modify from 45 for 90 days.

Non-Economic #14

We added language saying Departments will be sent openings on a regular scheduled and the individual departments may post the openings in places employees have access to. This is for people who do not have access to computer. We are thinking roads department, parks.

Any questions about those?

Moving to next document

We are going to present some amended proposals:

County Economic Proposal#1 Holidays

Holidays we have presented a what-if proposal. I think if there is agreement with that there will be TA.

County Economic Proposal#2 Insurance Benefits

Medical Insurance we have change nothing. If the County really want to pass the cost to the membership we increase the premiums or out of pocket maximums. The current premiums are not heard off nowadays, most time in private sector is 20%, you cannot add your family.

(Discussion about why County expect make changes)

We understand the changes may affect some. But not going to affect financial because of the out of pocket. Trying to meet in the middle.

- ✓ G: Does the county has some of the ideas on what insurance changes may be made?

- ✓ JG: no. we are so locked with that with Union we do not made any movement. Since not going make any changes, why lose time doing that research.
- ✓ Union: Previously County brought in reps from Premera. And made an impact with the group. How open are you to that conversation?
- ✓ JG: That has not being discuss. Previously had something similar. For my understanding the medical discussion was not productive.
- ✓ G: The situation was the broker, made was show to that group how it works and what it is involved. The health care committee staff made up to make changes.

(Still discussing about health insurance. The cost of the premium)

Back to proposal

11.8 and 11.9 we are open to leave the way is now

County Economic Proposal #3 Wages

We made some movement, and you guys can say no. But we are making movement.

2%, 1.5% and 1.5%. And you guys are going to say we are not paying the same of the other groups. If you want to continue with non reps we can go there, but we have to stop to think about share leaved, health insurance. This is some examples.

County Economic Proposal#4 Shift Differential

The County is withdrawing it's proposal. We will keep the supplemental language

County Economic Proposal#6 Overtime

Still with no changes.

(Discussion about FLSA, exempt employees, Laws)

- ✓ Union: Just to make point. If I am call in the middle of the night. Crime scene they are not going to be paid for the overtime?
- ✓ J: If they have call back on off 24h
- ✓ Union: Call back and overtime its different. You don't have daily time. The way it is written I do not get overtime for the time I am working (this is daily overtime). And we are working with other receive the overtime. (I am Forensic, by the way).
- ✓ GS: earlier in negotiation its about exempt
- ✓ JG: The first yes.

County Economic Proposal #7 Comp time

Still the same language, we did change. What we have change is 15.8.5. We are in agreement in 40h like Union proposed and add the final request its December 1st to make.

County Economic Proposal #8 Longevity

We have a modified proposal in previous discussion.

County Economic Proposal #9 Out of Class Pay

We have not made any modification on that. We maintain our current proposal

County Economic Proposal #10 Step Increase Process and Methods of Payment

We have not modify this. I do not know if you guys rejected or if we have TA.

County Economic Proposal #11 Advance Step Placement

We heard you guys, but we believe our proposal is a benefit to the current members moving forward. We are maintaining our proposal.

County Economic Proposal #12 General Conditions

The same and waiting for Union response.

- ✓ JG: That is all we have and we have made movement. We want to show that we are attempting to address your concerns.
- ✓ G: Lunch break time. I am not prepare to present nothing now.

Decided to comeback around 2:30

Union: Question about exempt and overtime – meet FLSA how this will works?

Josh explains the labor laws and how this works. And the changes are going to happen. Talk about Department Labor changes and when will be happen. We do not have the answer. We are in limbo.

(Explanation about exempt, hourly, nonexempt and differences about Law Enforcement and Detentions and others employees).

Caucus 12:04

Reconvene 2:19pm

GS: went through what was provided and union has verbal counter

Package what if from County

Union would agree to 1st 3 bullets on p. 2, excluding 4th bullet (22.9) In exchange for 9.7, County would agree to un-strike “plus longevity” Union withdraw proposals 9, 11, 15

No response to What If proposal #3 (15.9 and 18.6)

Union would agree with proposal #14 (19.1) Non economic proposal #8 (hours of work)

12.1.3- acceptable but unstrike “negotiate effects” in 12.1.4 and 12.2.1

12.2.2- given diversity, would say no to proposed language. Want to keep existing language- supplementals are the best place.

12.2.3- OK as written

12.3- remains a firm no

Economic Proposal #2

11.8, 11.9- what if there is a sentence- parties agree to follow the law? Want to be assured of a notification process for new hires. New hires will be notified of these elements when receiving employment offer- something along those lines to give new hires a heads up.

JG clarified what was said.

Caucus 2:31

Reconvene 2:51

- ✓ JG: help us understand, we put forward what if proposals. In package #1, asking for in return 22.9. Union has asked County to put together packages to “buy” certain language, which we have done. Package #2- status quo for status quo. Union proposals 9, 11, 15- County’s response would be never going to agree to. Union’s counterproposal... County didn’t receive anything in return. 11.8, 11.9 put it in there to signal we’re following the law. Union rejected, but then is proposing that the County is required to educate new hires on the same terms.
- ✓ GS: not so much that union finds language 11.8 and 11.9 as objectionable, were just thinking to simplify. But new hires should be given a heads up. Union could live with the language, but would suggest taking the rates out and make reference that it could be “subject to change”.
- ✓ Union: if an employee gets a divorce, need to notify HR.

(discussion of Long Term Care Tax and having new hires turn in a letter regarding exemption)

- ✓ JG: Again, what areas of substance did the union make any movement on? Package deals should be mutually beneficial... where is the benefit to the County?
- ✓ Union: 3 withdraws on union’s side, all of which were important to members. Does feel like union is giving up things that were a priority to them.
- ✓ GS: when they caucus they work hard, won’t apologize. County is experiencing their package as out of alignment?
- ✓ JG: County is agreeing to 2 important issues to the Union holiday & maintaining longevity.
- ✓ GS: if we reach agreement with 19.1, takes care of proposal 14.
- ✓ JG: yes, we do have an interest in coming to full agreement on proposals. Right now seems like to maintain status quo on certain aspects, County has to “buy” status quo language. If this is how it’s going to be, going to be long hard negotiations. Tried to put together package deals that were fair.
- ✓ Union: Union works hard. Response from union was intentional and purposeful... they have a lot of different interests at play, from people who are most impacted. Not sure how long Josh has been negotiating, but this is how negotiations work... give and take. County came back with a “.5” % increase on the COLA... that’s what County is accusing Union of coming back with
- ✓ GS: need to be prudent and consider employees who are impacted by what is agreed upon.

- ✓ GS: experience with package proposals... a way for parties to safely explore and learn about each others interests. Starts to build parameters. Message from County is that counter was tipped more heavily toward union?
- ✓ JG: yes
- ✓ Union: 22.9. Those that have concerns are because there isn't a stated limit on supervisory involvement. Looking for something extremely limited.
- ✓ JG: problem is in finding individual constraints... specific job, duty? Impossible to think of all the particular aspects. Cannot list out all possibilities.
- ✓ Union: start by proposing a constraint? Right now it's an open ended agreement...
- ✓ Union: it's management against the workers. Has never known trust and will walk away from her career never experiencing trust.
- ✓ GS: today felt like progress.
- ✓ JG: County team felt the same this morning. Understand more, even though there were no agreements reached.
- ✓ JG: call it a day today, pick up next week?
- ✓ GS: agreed.

Meeting ended 3:11pm