



TEAMSTERS LOCAL 117

The Guardian

News from the hardworking men and women of DOC

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DOC TEAMSTERS WIN INTEREST ARBITRATION

State signs MOU that secures interest arbitration rights

On Friday, April 19, your Local Union's Secretary-Treasurer Tracey A. Thompson resolved the pending bad faith bargaining Unfair Labor Practice charge against the State and signed a Memorandum of Understanding (MOU) that secures full interest arbitration rights during the term of your 2013-2015 collective bargaining agreement.

This MOU represents a significant victory for all Teamsters Local 117 correctional employees. It recognizes the critical nature of corrections' work, and it honors the men and women who staff our State's prisons who put their lives on the line every day to keep our communities safe.

Interest arbitration will require both parties to work collaboratively to find creative solutions to difficult issues. Interest arbitration will also increase your Union's leverage in bargaining because it will compel the Department to act as an honest broker. If the Department of Corrections and the Union cannot reach agreement on mandatory subjects of bargaining, your Union will now have the right to bring its proposals to a neutral arbitrator, who will make a final ruling that will be binding to both parties. This change will be effective from July 1, 2013 through June 30, 2015.

The fight for interest arbitration for DOC

Teamsters began three years ago and culminated in a powerful **Day of Action!** event on December 10, 2012, when hundreds of correctional employees and their supporters gathered on the Capitol steps in Olympia.

MEETING WITH GOVERNOR INSLEE

The primary vehicle for interest arbitration this legislative session was HB1490. At the beginning of session, the bill had momentum, but eventually stalled in committee. When the prospects for passing HB1490 began to dim, Local 117 Secretary-Treasurer Tracey A. Thompson and President John Scearcy met with Governor Inslee.



Day of Action - Dec. 2012

At that meeting, your Union's leadership discussed the unique challenges of working in a prison environment and the significance of interest arbitration for correctional employees. Your leadership also described for the Governor what occurred in contract negotiations last fall that resulted in an Unfair Labor Practice charge against the State.

The Governor was receptive to our concerns and expressed a deep commitment to the well-being of the State's prison employees. Shortly after the meeting, Governor Inslee directed OFM to begin drafting an MOU that incorporated the interest arbitration provisions your Union sought in HB1490.

The MOU secures interest arbitration rights for Teamster correctional employees

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AHCC MEMBER RECOUNTS DAY OF ACTION

**By Cheryl Steele
Classification Counselor 2, AHCC**



Cheryl Steele at the Day of Action

Recently I attended the **Day of Action** in Olympia. This was an amazing event I wish all Teamster Local 117 DOC members would have attended.

Our Brothers and Sisters came from all over the State and joined in a rally to let our elected officials know our presence and our needs matter to the daily operations of public safety.

We lobbied individual legislators discussing our safety and the need for "Interest Arbitration". We talked and they listened.

Many voiced their support and appreciation for our work. We conversed with our Brothers and Sisters from other agencies represented by Teamsters Local 117 who showed up to support DOC Teamsters. They let us know they care about our safety and honor our work protecting their families and communities. I am telling you it was an amazing event that renewed my beliefs and spirits that we need Teamsters Local 117 as individuals and collectively to protect our rights and honor our work.

Teamsters Local 117 is the backbone representing us collectively. It is only as strong as we make it by participating in our destiny! I encourage you to participate. Don't just pay your dues because that is not the purpose of the Union.

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A message from your Director of Corrections



Michelle Woodrow

WITH AN EYE ON THE STATE BUDGET

DOC Teamsters:

With regular session in Olympia winding down, the State Legislature and the Governor are hammering out a budget deal that will directly impact Teamsters at the Department of Corrections.

We've been tracking the budget negotiations closely, and from what we've seen so far, the Senate and the House budget proposals are a mixed bag as far as Corrections is concerned.

Both the Senate and the House are proposing a modest decrease in Corrections' spending as compared to the 2011-2013 biennium. Whenever legislators talk about "creating efficiencies" to bridge a budget gap, it's time to start paying attention. Of particular concern is a proposal contained in both the Senate and House budgets to centralize prison pharmacies that could lead to reduced staffing. We have already filed a demand to bargain over the issue.

We are also closely monitoring SB 5892, a proposal to contract out beds for offenders serving less than 120 day sentences. As currently drafted, we believe the bill would not lead to a loss of jobs.

On the up side, both the Senate and the House budget fully fund our 2013-2015 collective bargaining agreement. Also encouraging, both proposals include funding for "safety improvements". The Senate appropriates approximately \$3.5 million for upgraded radio infrastructure and an additional 25.5 FTEs (new positions for medium security day shift and minimum security graveyard), while the House appropriates \$2.8 million for the radio improvements and an additional 18 FTEs (for medium security days only).

We are working hard to see that the Senate funding with respect to safety is included in the final budget.

We will continue to track the State budget negotiations as they continue beyond the regular 105-day session that officially ended on April 28. Gov. Inslee has called a special session of up to 30 days to begin on May 13. For continued updates on the State budget, be sure to check in at your Union's website at www.teamsters117.org.

Thank you for your service and stay safe.

In Solidarity,

Michelle Woodrow
Director of Corrections & Law Enforcement

BFOQ CASE HEADS TO 9th CIRCUIT

Union seeks appeal of district court ruling

The Union is appealing a Federal Court decision that came out on March 8 in the BFOQ case. The DOC and Columbia Legal Services sought dismissal of the case before trial.

The trial court granted the DOC's motion to dismiss based on two theories. First, the Court ruled that the Union did not present sufficient evidence of actual injury. In other words, general evidence of members' displacement from bid posts, layoffs and excessive overtime was not specific enough as to any particular individual harmed by the BFOQ designations. The Union's legal team believes we have a strong case for appeal on this theory.

The Court also dismissed the case because it gave substantial deference to the DOC's determination of whether BFOQ designations were really necessary. This has always been a fundamental argument in this case. How much leeway does the law give an Employer when it comes to the narrow BFOQ exception to federal anti-discrimination laws? It is an important question in this case and one that will now have to be answered by the Ninth Circuit Court of Appeals.

The Union filed the appeal on April 19, but the busy Ninth Circuit is unlikely to actually hear arguments until sometime in 2014 or 2015. ●

STEELE

Cont. from page 1

The mission of the Union is to provide a collective voice for the membership. Teamsters Local Union No. 117 empowers and unites workers. Together we as "Teamsters" should be dedicated to economic and social justice, organizing, educating, and leading collective and political action to protect and expand the rights, wages and benefits of your family, and mine. We are the Union.

Union strength comes from our participation and civic commitments to public safety. Go to the website and learn how you can be involved, have fun, make a difference and be a better steward of our collective power.

As an individual Teamster Local 117 member, I am committed to being part of something really big – our "Collective Power" to make a difference! ●

WALKING TIME SETTLEMENT

Back pay compensation worth in excess of \$250,000

The Local 117 Legal Department has achieved a significant settlement with the DOC that will provide

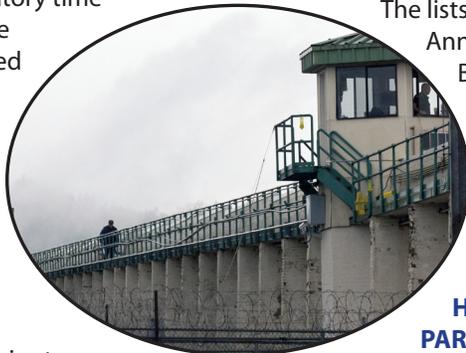
retroactive compensatory time to members who have been regularly required to walk at least nine minutes or more from master control to their posts.

The agreement also requires that the Department reduce travel time to work stations to ten minutes or less for all employees by April 1, 2013, or begin paying a premium to members if the walk to their posts takes them in excess of the 10-minute threshold.

HOW WAS THE LIST OF IMPACTED POSTS DETERMINED?

Members, together with their Business Representatives, timed the walks from master control to posts at different facilities. Your Union presented the information during the PERC mediation process. The parties then generated two lists of posts: one for all posts that require travel time of at least nine minutes or

more and a second list for all posts that require travel time of ten minutes or more.



The lists can be viewed in Annex A and Annex B at the end of the settlement agreement on the DOC News Ticker section of your Union's website at www.teamsters117.org.

HOW DID THE PARTIES SETTLE ON THE TEN-MINUTE THRESHOLD?

Under federal and state wage law, there is an established 10-minute rule, whereby an employer is required to compensate its employees who must spend more than "de minimis" time working off the clock. The claim here was disputed (as to whether the walking time constitutes work time), but many courts have held that the "de minimis" line is drawn at 10 minutes.

HOW MUCH WILL ELIGIBLE MEMBERS RECEIVE IN BACK PAY COMPENSATION?

The settlement provides that the DOC must grant two-tenths of one hour of

compensatory time to members working at posts on the 10-minute list, and one-tenth of one hour of compensatory time for members at posts on the 9-minute list for the period commencing on January 1, 2012, and ending on March 31, 2013.

As a result, impacted members will be eligible for between 12 and 60 hours of retroactive comp time depending on assignment and number of shifts worked. These numbers are approximate and may vary dramatically depending on the frequency of work performed in the posts in question during the relevant time frame.

HOW WILL WORKING CONDITIONS CHANGE MOVING FORWARD?

If the DOC has not reduced travel time to ten minutes or less for all posts by April 1, 2013, members who work at a work station having travel time in excess of 10 minutes will be entitled to premium pay of two-tenths of one hour of overtime for each shift worked.

This settlement represents a significant win for Local 117 members at the DOC who have not been adequately compensated for time traveling to their work stations. In total, the back pay in compensatory time is worth in excess of \$250,000.

If you have questions about this agreement, please talk to your Business Representative. ●

NEW UNIFORM ROLLOUT

New schedule set through July

Due to initial orders delivered without the proper badging, the distribution of uniform items under the January 23 tentative uniform rollout schedule has been delayed roughly six to eight weeks.

The table to the right reflects a revised schedule that covers distribution into July. Further rollout information will be forthcoming.

LOCATION	UNIFORM TYPE	SAMPLES DELIVERED	ORDERS DUE	DISTRIBUTION TO STAFF
MCC	Jacket	04/04/13	04/19/13	04/29/13
MCCCW	Shirt/Pants	04/04/13	04/12/13	05/08/13
WCCW	Shirt/Pants	04/04/13	04/19/13	05/06/13
SCCC	Shirt/Pants	04/22/13	05/03/13	05/13/13
WCC	Jacket	04/22/13	05/10/13	05/20/13
CCCC	Jacket	04/22/13	05/03/13	05/27/13
LCC	Jacket	05/01/13	05/10/13	06/03/13
CBCC	Shirt/Pants	05/01/13	05/17/13	06/10/13
OCC	Shirt/Pants	05/07/13	05/17/13	06/12/13
AHCC	Shirt/Pants	05/14/13	05/31/13	06/24/13
CRCC	Jacket	05/22/13	06/07/13	07/08/13

** Please be aware that these timelines are subject to change based on the availability of the product and the ability of the vendor to deliver the product in a timely manner.*

INTEREST ARBITRATION

Cont. from page 1

through June 30, 2015 and requires the State to provide notice to the Union of any change in a mandatory subject of bargaining. For negotiations over your 2015-2017 collective bargaining agreement, the Union and the State will select an arbitrator prior to negotiations that will be used only if the parties reach impasse.

NEXT STEPS

Your Union's leadership will be meeting with members this summer at all of the institutions across the State to discuss your new interest arbitration rights and your entire 2013-2015 collective bargaining agreement.

Congratulations to all Washington State correctional employees for your tremendous work in achieving this significant victory. For more information about interest arbitration, visit www.DOCProtectsWA.org. ●

WELCOME NEW BUSINESS REPS!

New Reps. and jurisdictional changes for Teamsters at the DOC



Tawny Humbert



Gar Rodside

Your Union is excited to announce the hiring of Tawny Humbert, a former Administrative Assistant at WSP who spoke at Local 117's **Day of Action!** event in 2010, and Gar Rodside, a former Construction Maintenance Supervisor at Mission Creek, as new Business Representatives for members at the DOC.

Tawny, who started on March 14, will represent members at AHCC. Gar started on April 15 and will provide representation to members at SCCC, MCCCW, and LCC. Both

Tawny and Gar have experience as Shop Stewards; they have strong leadership skills and are committed unionists.

JURISDICTIONAL CHANGES

In addition to the hiring of Tawny and Gar, there are some jurisdictional changes that took effect on April 15. Sarena Davis will take over at OCC, CBCC, and WCC while Greg Senderhauf will be moving to Walla Walla to provide representation at WSP. Both Sarena and Greg are seasoned DOC Business Representatives who have a keen understanding of the DOC contract and who will fight to defend the members.

If you have questions, please contact Director of Corrections & Law Enforcement Michelle Woodrow at 206-441-4860 ext. 1264. ●

SHOP STEWARDS GATHER FOR ANNUAL SEMINAR

Annual DOC Shop Steward Seminar held on March 15



Shop Steward of the Year, Sergeant Eric Smith of WCC

Over 65 DOC Shop Stewards met on Friday, March 15 in Seattle to plan, prioritize, and train for the coming year.

Members received a political update, a legal report, and an overview on the Union's work to achieve interest arbitration rights for Teamster correctional employees.

PTSD RATES IN CORRECTIONS

Caterina Spinaris, PhD, led the group in a discussion about the high prevalence of PTSD among corrections' professionals and how best to address the extremely stressful nature of the job.

According to Dr. Spinaris, a recent study

found that the average PTSD rate for correctional workers is an astounding 27%. This compares to a rate of just 3.5% for the general population.

This data comes as no surprise to anyone who has worked behind prison walls.

Correctional workers are keenly aware of the tremendous toll that the job takes on the body, mind, and spirit. The question Dr. Spinaris poses is this: How can we, who work on the front lines, best support our brothers and sisters, especially those who are clearly in need of help?

For some possible answers to this question and a link to the study, *Posttraumatic Stress Disorder in United States Corrections Professionals - Prevalence and Impact on Health and Functioning*, visit Dr. Spinaris' website at www.desertwaters.com.

SHOP STEWARDS OF THE YEAR

Also at the March 15 meeting, two Local



Shop Steward of the Year, Officer Greg Bellamy of CBCC

117 members, Eric Smith of WCC and Greg Bellamy of CBCC, were honored as DOC Shop Stewards of the Year.

Both Smith and Bellamy have gone above and beyond the call of duty, not only in terms of their outstanding representational work, but in their tireless efforts to lobby for change in Olympia.

A WORD WITH THE GOVERNOR

On a recent Local 117 Lobby Day, Smith even managed to catch the Governor's ear in the legislative building lunchroom where he emphasized the need for interest arbitration.

"The strongest tool we have in our fight for fairness is interest arbitration," Smith said. "This is the change we need."

Bellamy not only attends every Union lobbying event, he has also made the long trek from Clallam Bay to walk the picket line with fellow Local 117 members on strike and to attend general membership meetings.

Congratulations to both Eric and Greg and thank you to all DOC Shop Stewards for your tireless work and outstanding service to your Union! ●