



# The Guardian

News from the hardworking men and women of DOC

Members of Teamsters Local 117

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Your Local 117 Bargaining Committee gathers in Tukwila as contract negotiations for the 2011-2013 cycle get underway.

## Bargaining kicks off in tough climate

Your Local 117 Union Bargaining Committee, including 16 rank-and-file members from across the State, met with State negotiators on Wednesday, June 30, for the first day of contract negotiations for the 2011-2013 collective bargaining agreement.

The Committee presented the State with a complete language proposal based on feedback

that had been collected at demands' meetings and tabulated through contract surveys and communications over the last year and a half. Before the June 30 meeting, the team met independently on June 29 to review and finalize the proposal.

With the State facing a \$2.6 billion shortfall and public employees under attack from all sides, negotiations are sure to

be challenging. In this climate of economic turmoil, it is more important than ever that you stay engaged in the process and respond to your Union's action requests.

Corrections' employees provide essential public safety services to our communities and we must not allow politicians or the press to scapegoat us for a crisis created

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# Local 117 files grievance and ULP over furlough, seeks injunctive relief

Your Local Union has been taking all available legal action to challenge DOC on furloughs.

Teamsters Local 117 filed a grievance, alleging that DOC violated numerous sections of your collective bargaining agreement by implementing furloughs. DOC has agreed to process the grievance on an expedited basis.

Your Union also filed an Unfair Labor Practice Charge (ULP) with the Public Employment Relations Commission (PERC) on the issue. The ULP asserts that DOC implemented unilateral changes, engaged in direct dealing with represented employees and failed to engage in good faith bargaining on matters affecting wages, hours, and working conditions. As a remedy, your Union

is requesting that, among other things, PERC issue a make-whole award that includes back pay and benefits for any bargaining unit members subject to furlough under the new law. PERC has issued a Preliminary Ruling, requiring the State to answer the charges within 21 days.

## Union seeks injunctive relief

Additionally, your Local Union sought a court injunction to stop the State from moving ahead on its plans to furlough some DOC workers.

After hearing argument in Thurston County Superior Court on Friday, July 9, Judge McPhee denied the injunction in a narrow ruling. Judge McPhee did not deny the fact that the issue needs to be negotiated,

nor did he say that the State has the right to implement the furloughs. He simply denied the Union's motion for an injunction on the ground that he did not find a clear legal or equitable right. This is the second time in a month that the courts have denied motions for injunctive relief for State workers. Just last week, the Washington Federation of State Employees lost a similar argument before Judge Hicks.

Even though we did not succeed in getting the injunction, Teamsters 117 will continue to fight against the furloughs. The ULPs will be heard by PERC, and we will push for expedited arbitration on our grievance. We firmly believe that that State does not have the right to unilaterally cut Teamster-represented employees' hours in this manner.

You can read the ULP, the request for injunctive relief, and any ongoing updates in the DOC section of your Local Union's website at [www.teamsters117.org](http://www.teamsters117.org).

## NEGOTIATIONS

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by unscrupulous politicians and Wall Street tycoons.

Upcoming bargaining dates are currently scheduled for July 21, 22, 28, and 29 and August 11, 12, 25, and 26. For more information about bargaining, monitor the DOC section of your Local Union's website at [www.teamsters117.org](http://www.teamsters117.org).

## Rank-and-File Members of your Local 117 Union Bargaining Committee

**Darren Kelly**, CO at AHCC

**Gregory Bellamy**, CO at CBCC

**Mike Keys**, AC Cook at CCCC

**Jason Lindemuth**, CO at CRCC

**Sidney Clark**, Class Counselor at LCC

**Dave Roberts**, CO at MCC

**Tom Wright**, CO at MCC

**Zach Tate**, CO at MCCCW

**Fallen Luciano**, CO at MICC

**Robert Raftery**, Stationary Eng, MICC

**Ronny Matsen**, Sgt, SCCC

**Sarena Davis**, Sgt, WCC

**Tiffanie Eagle**, OA3, WCCW

**Jackie Shuey**, PA-C, WCCW

**Art Miller**, CO, WSP

**Terry Paolino**, Sgt, WSP

# CBCC members score victory in overtime violation case

With a slew of arbitration wins in the last few months, your Local Union's legal team is on a roll. Since May, attorneys at Local 117 have put a halt to skimming at the Tacoma Dome and restored two employees back to work in wrongful termination cases.

At DOC, members at the Clallam Bay Corrections Center (CBCC) celebrated a legal victory of their own when an arbitrator ruled that the employer had violated the overtime provision of your Union's collective bargaining agreement.

## Ongoing overtime violations

In that case, management directed a sergeant to attend an Emergency Response Team training before his normal shift. Instead of adjusting his schedule for the training and following the procedure for assigning overtime as outlined in the collective bargaining agreement, management filled the sergeant's shift as straight time and paid him overtime to attend the training, thus denying overtime pay to a more senior employee.

With the help of Shop Steward Earl Richardson and Business Representative Daniel Hahn, Sergeant Danny Ahrens, a 27-year employee, filed a grievance on the issue. Ahrens argued that management failed to follow the process laid out in the CBA that would have awarded him the right to overtime pay. "This was a statewide issue that needed to be resolved," Ahrens said. "I wasn't concerned about the pay; I just felt that they needed to abide by the contract."

At a pre-arbitration review meeting (PARM), the parties were unable to resolve the matter and the case was submitted to binding arbitration. A hearing was scheduled for April 5, 2010.

## Support at the arbitration hearing

At the hearing, Ahrens was impressed with the quality of his representation by Local 117 Staff Attorney, Jim Smith. "I thought the Union attorney did a really fine job. It was also great to have the additional support from my fellow Sergeants. I couldn't have done it by myself," he said.

"It was an important issue for me and the other members at our institution," said Richardson, a Sergeant who has been with the Department at Clallam Bay for 21 years. "When you put in 20-30 years you deserve to be treated fairly. The contract language was clear – it was just a question of making sure it was enforced."

## Arbitrator rules in favor of Local 117

The arbitrator issued his decision on June 30. He ruled that management's assignment of overtime had indeed violated Article 17 of your Union's collective bargaining agreement. Sergeant Ahrens was awarded a make-whole remedy in the case.

"I feel pretty relieved. They've already started making changes and recognizing the positions as overtime. They're following the contract now and that's all I wanted them to do," Ahrens said.

# Transitions fortify Union at DOC

**L**ots of exciting news to report with respect to staff and members who will be taking on new roles and responsibilities that will strengthen our team as we get closer to bargaining.

First off, congratulations to Correctional Officer Dave Roberts of MCC, who will now be representing the Union membership at DOC as Recording Secretary on the Teamsters Local 117 Executive Board. Roberts is a longtime Shop Steward and has been a participant in a range of Union activities, such as lobbying actions in Olympia and serving on your Local Union's Bargaining Committee during contract negotiations. Roberts began his E-Board tenure effective June 10, 2010.

## **New Business Representative, Michelle Woodrow**

In another bit of exciting news, your Union has hired Michelle Woodrow, formerly of the Law Enforcement Support Agency (LESA) in Tacoma, to join the Local 117 staff as a new Business Representative at DOC effective July 1, 2010. Michelle served as a Union Shop Steward at LESA for 10 years and brings a 20-year background

in law enforcement to our team.

Michelle will be taking over Analtha Moroffko's jurisdiction at WCCW, MICC, and MCCCW, while Analtha moves over to WSP in Walla Walla and Eydie Dean will represent members at CRCC.

Finally, effective August 1, Michael Beranbaum will be moving from his position as Local 117 Director of Corrections and Law Enforcement to a new role at Teamsters Joint Council 28, where he will provide negotiations and organizing support for Teamsters Locals across the State.

This is an important transition that will enable Teamsters in Washington State to grow their membership and bargain stronger collective bargaining agreements.

During the transition, Michael will be coordinating with Local 117 Secretary-Treasurer Tracey A. Thompson and General Counsel Spencer Thal, who, along with Business Representative Joe Kuhn in Eastern Washington, will be managing the DOC team through negotiations and as we prepare for the next legislative session. Staff Attorney and Public Sector Coordinator Jim Smith, who is a



*New Local 117 Executive Board Recording Secretary, Dave Roberts of MCC*



*Michelle Woodrow, new Business Representative at MICC, WCCW, and MCCCW*

former Deputy Sheriff, will also be lending his expertise in contract negotiations and law enforcement to the new DOC team.