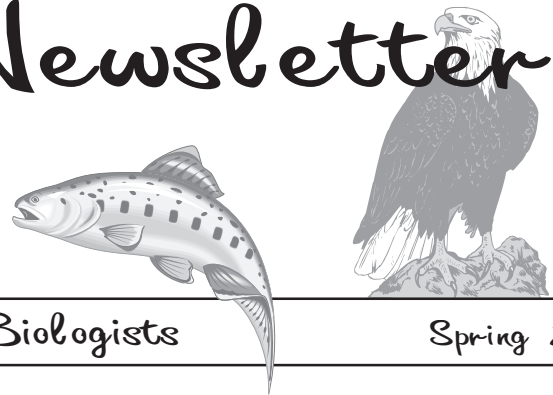
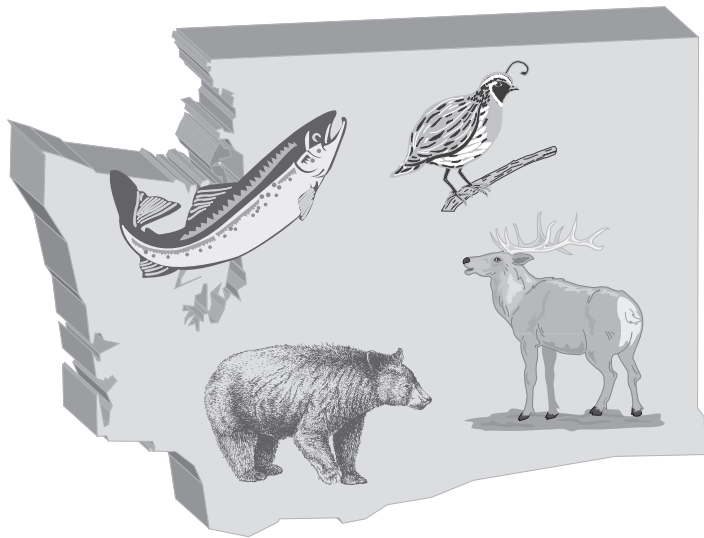


# WAPB Newsletter



Washington Association of Professional Biologists

Spring 2005

## Presidents Corner

The purpose of science is to seek the truth. As scientists we peel away the dusty layers of myth and perception to reveal reality. Sometimes speaking the truth can get you in trouble.

In the year 1600 the Dominican monk Giordano Bruno was burned at the stake for preaching the Copernican theory of a sun-centered universe. His heresy came from stating that the church's theory of an earth-centered universe was wrong. He really should have had a Job Representative help him during the trial; unfortunately he was unrepresented. Evidently the Civil Service rules no better than they are now. The conflict between scientists who speak the truth and the entities whose interests are not served by the facts remains to this day. And that's where WAPB comes in.

I would like to share my own recent experience with you as a case study; it's a common situation. My supervisor received a scathing letter accusing me of being "unprofessional", "questioning the integrity of numerous businessmen and citizens", "over zealous behavior", being "relentless," and having "killed a lot of dreams". The letter was spiked with such descriptors as "total fabrication", "disdain", "disgust" and "abhorrence." All of this because I said a ditch was a channelized stream and not an entirely artificial watercourse. I based this decision on a combination of field observations in conjunction with aerial photos and a 100 year-old survey map to determine the ditch in question is within WDFWs jurisdiction per WAC 222-110-020. Based on the evidence I was left with one, and only one, conclusion and it wasn't the conclusion they wanted. The US Army Corps of Engineers later determined that these were also waters of the United States and within their jurisdiction too. Unfortunately the complaining party failed to take my earlier advise to get the permits before doing the work and they did the work without any permits. Now I have become the focus of their wrath. Such are the hazards of being an Area Habitat Biologist.

Through my involvement with WAPB I have witnessed good people get burned before for stating facts that are inconsistent with the wishes and desires of project proponents. Through this vicarious education I knew what I needed to do. I knew that if I did not answer the allegations, or if the Agency believed the other party, this could end up in a discipline. Under the Weingarten Rule we have the legal right to representation in the

event of potential discipline so the first thing I did was contact a Job Representative. The Collective Bargaining Agreement (CBA) provides us with the right to respond to complaints within seven calendar days. I knew I needed more time and the CBA provides for extending the timeline, if mutually agreed, so I requested, and received, an extension from my supervisor. I sent draft copies of my reply to my Job Representative and WAPB Attorney for review and comment prior to giving the final version to my supervisor prior to the agreed-to deadline. I prepared my response with the expectation that this would result in a Laudermill hearing. A Laudermill hearing is a pre-discipline (or sometimes pre-termination) meeting that provides an employee with the opportunity to respond to the charges in person. If you ever find yourself in a Laudermill situation you should definitely ask for a Job Representative and, if the charges are serious enough, an Association Attorney. In this case, I did a thorough job of answering all the allegations and proved there was no cause for discipline and no need for a Laudermill hearing.

Some of the things I did that helped my case was keeping my supervisor in the loop from the first moment I realized I might have trouble with this entity. I kept all of my e-mails and letters professional knowing they are open to public disclosure. I avoided the temptation to express my concerns in personal terms when I got that gut instinct that this proponent was not going to follow the rules. I reviewed applicable Agency policy and procedures and actively sought guidance from my supervisor. When the entity responded, as I thought they might, I was prepared. After reviewing the facts my supervisor called the complaining party and he admitted the letter was "just venting". I'll take my lumps and learn from my mistakes if it makes me a better person but no one should be disciplined without just cause. I'm pleased that the CBA was followed, my rights were protected and I had the opportunity to convey my side of events to the Agency. It is my hope that by sharing my experience it may help prevent others from getting burned.

## WAPB ANNUAL MEETING

March 18th • 9 am - 3 pm

Summit Lodge at Snoqualmie

(See Page 4 for more information & directions)

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## Fish Program Uniform Issue

by Adam Couto

Fish program members may have been surprised earlier this year when Lew Atkins, Fish Program Assistant Director, informed Fish program staff that efforts to secure field uniforms for staff who wished to wear them were being discontinued because of objections raised by a labor union. We wish to inform all of our members that we were not the union in question. Dave Kloempken sent the following letter to Mr. Atkins on behalf of the WAPB board:

"It was brought to our attention you decided to drop the idea of purchasing uniforms for fish program staff. WAPB represents over 300 staff members with the majority of them being located in regional and district offices. The majority of these same members also spend most of their time in the field working with the public and very little time in an office. As I'm sure you know, many of our members feel strongly about wearing uniforms in the field and feel it promotes a much more professional and positive image of WDFW. Since your most recent email update on uniforms, several members have approached me and asked for WAPB's assistance.

After discussing this with our Board, we felt it was important to let you know we support WDFW's efforts to provide uniforms to staff volunteering to wear them. We'd also ask that you reconsider your decision and continue exploring options to purchase uniform apparel for those requesting it." Although our request for Mr. Atkins to reconsider his decision was unsuccessful, we felt it was important to make our voice heard and separate ourselves from the other labor union.

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## Legal Report

### Contract

The main issue facing the Association at this time is securing the ratification of the new contract by the legislature. WAPB is working in concert with the other state employee unions to address any concerns the legislature may have concerning the details of the new contract. Stay tuned for updates, as the contract makes its way through the ratification process.

### Classification Revisions

Please review the new general classifications for all state employees on the Department of Personnel's Website. We are encouraging all employees to incorporate as much language from these series classifications into your CQ's as possible. Such an incorporation will assist us in any classification conflicts in the future.

### General Issues

We have had a couple of disciplinary meetings since the last report. Remember, if you are called before your supervisor for an interview or meeting concerning your conduct, you have a right to have an Association representative present during these meetings. Do not hesitate to ask for a representative.

## General Updates



### Contract Ratification

Last fall WAPB members voted to ratify the newly-negotiated labor contract by a wide margin. The contract now must be approved by the legislature. Governor Gregoire has signaled her intent to sign off on the new contracts, which give union-represented state employees our first pay increase in four years. If approved, the new contracts will become effective July 1, 2005.

### Grandfathered Employees

In 2000 a ruling called RU-500 identified what positions belonged in which union after the merger of the Fisheries and Wildlife into WDFW. At that time employees were provided a "one-time" grandfathering option to stay in their union of choice instead of moving into their correct bargaining unit. Under new laws it appears the grandfathering agreement may be null and void. WPEA and WAPB have entered negotiations to determine how those employees can be reassigned to their correct bargaining unit.

### PERC Rules on ITAS and Career Seasonal Employees

PERC reviewed our request to accrete new employees in the ITAS job classification. After much discussion WAPB and WDFW agreed to mutually withdraw the request to accrete these positions. The ITAS employees are an important part of WDFW but it was agreed that they did not quite fit the WAPB bargaining unit description.

Regarding Career Seasonal employees, PERC issued a decision in ruling 8577 (available on our website) that included "all employees" in specified work groups. Until this ruling Career Seasonal employees were overlooked because the bargaining unit description did not specifically state "career seasonals", although it did include "all permanent". The oversight has been corrected and we are happy to welcome Permanent Career Seasonal employees into WAPB.

### Bookkeeper

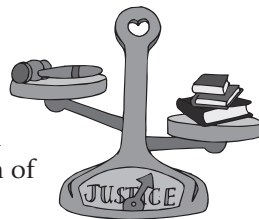
WAPB has been endowed with tremendous Treasurers; most recently Lauri Vigue and Kirt Hughes. After several terms Lauri decide it was time to retire from her position. Kirt, much to our loss, recently transferred to a WPEA represented position. The treasurer is easily the most challenging and time-consuming of all WAPB board positions and these people will be impossible to replace. To ensure a continuation of the high-level of service provided by past WAPB treasurers, the board intends to hire a bookkeeper for the routine financial duties. The treasurer will continue to oversee WAPB finances, but at a reduced (and more appropriate) workload.

### New Board Member

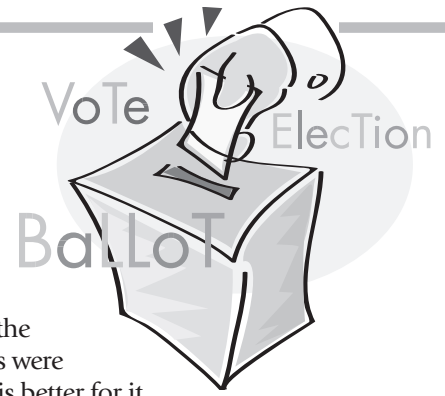
Camille Speck, Marine Resources, was appointed to serve the remainder of the term for the Member-at-large Board position that was vacated when Adam Couto was elected Vice President. Camille brings a fresh new perspective and energy to the Board. If you see her, please congratulate her on her appointment.

### By-laws

With a new contract, accretion of new work groups, and new Civil Service laws it has become apparent that our by-laws must be updated. The Board met in late March to update the by-laws to reflect changes in the membership and the board. All members in good standing will have the opportunity to vote on the revisions in May.



# Candidate Biographies



## Steve Bell ■ Candidate for President

I earned my BS in Natural Resource Management in 1996 and a Masters in Natural Resources in 2001. I have worked in state service for a little over nine years. I have worked in various Scientific Technician positions, been a Forester and a WDFW Area Habitat Biologist since 2001.

In 2003 I reluctantly agreed to run for President of WAPB. I was reluctant because I knew the changes in the Civil Service rules, accretion of new work groups, and contract negotiations were going to be challenging for our union. And they were. But we survived and I think WAPB is better for it. This is my vision for the future of your union. I want to establish a 501(c)4 Research and Education Foundation to establish a scholarship separate from our dues funded by voluntary donations. I want to expand and reorganize the board to reflect the recent changes to our union. I think there is too much power vested in the President and I think the members would be better served if certain specific duties were delegated to key board positions. Because unions will be negotiating new contracts every two years I would like to institute a training plan to development the skills of the Negotiating Committee. I want to clarify our role in future legislative activities. And finally, it is my goal to try and double our war chest savings by the time my second term is over. It has been a sincere pleasure and distinct honor to represent you over the last two years. If you will have me as your President for two more years I will continue the fight to bring the respect and dignity you deserve back into the work place. Thank you.

## Bryan Murphie ■ Candidate for Secretary

Bryan Murphie will be seeking a second term as your Secretary. Bryan was raised in Montesano, WA. Promptly after graduating High School in 1987, he left to serve in the US Army. Returning home, he first attended Grays Harbor Community College, then the University of Montana, all the while working seasonal and temporary technician positions, as well as several non-field related jobs, to fund his education. During this time, Bryan worked in a foundry fabricating metal parts, counseled veterans searching for employment, served as a Park Aide for WA State Parks, patrolled various job sites as a security guard, tracked Northern goshawks in Wyoming, pileated woodpeckers in Forks, elk in the east Olympics, searched rivers for harlequin ducks, checked squawfish in the Tri-Cities, and counted honey bee tracheal mites in Montana. He graduated from the University of Montana in 1996 with a Bachelor of Science degree in wildlife biology. He has been a Fish and Wildlife Biologist II with WDFW since 1996. Bryan's position is divided into two parts. Half of his time is spent working in the Region 6 Wildlife Program providing technical field support primarily with a terrestrial emphasis. Much of this work involves black-tailed deer and Roosevelt elk. The other half of his time is spent within the Puget Sound Ambient Monitoring Program based in Olympia. This work is focused on marine birds and marine mammals.

## Pat Miller ■ Candidate for Wildlife Program Position

District Wildlife Biologist for the St Helens District in Region V, with agency for 28+ years. Previous WAPB involvement includes; Vice President, President, Member At Large, Newsletter Editor and most recently Wildlife VP under the Pilot program. I hope that my past experience in Association activities can continue to serve members into the future.

## Camille Speck ■ Candidate for Member at Large Position

My name is Camille Speck and I grew up on a sailing/live-aboard on the working waterfront of Sausalito Bay, CA. Growing up on the wrong side of the docks in the second wealthiest county in the nation taught me the importance of representation early in life. My family moved to Port Townsend in 1983, where I attended high school. In 1992, I graduated from The Evergreen State College with a BA/BS. My scientific interest focused largely on marine ecology with an emphasis on marine mammals. After a stint with NOAA, I began 7 years of itinerant scientific technician jobs. I have worked with a variety of species and habitats: hooting spotted owls, searching for marbled murrelets in forest stands, observing fishermen/pinniped interactions on the Columbia River and 6 winters hiking the Hoh and Quillayute watersheds looking for spawners and counting redds. I have been at Point Whitney since 1999 where I am now a Fish and Wildlife Biologist 3. I oversee a crew of scientists and technicians tasked with assessing recreational shellfish harvest and bivalve populations on public tidelands. I recently bought a 121-year-old house in Port Townsend where I live with my beau, a cranky 77-lb bulldog, a 12-year-old frog and two freakishly large goldfish. During the rush of union recruiters spurred by Washington State's Human Resource Reform, I gathered "showing of interest" signatures for WAPB. I like the fact that WAPB has minimal paid infrastructure—no recruiters, no expensive offices to maintain and reasonable dues, while also maintaining excellent legal counsel. The executive board of WAPB consists of people that work for the same agency as YOU, joined by common goals of advocating for the state's fish and wildlife and their habitats and promoting fair and safe working conditions for all members. My experience in all but one job classification between Sci Tech 1 and F&W Bio 3 uniquely prepares me for representing the newest WAPB members, the scientific technicians.

**WEBSITE:** [wapb.olympiaonline.com](http://wapb.olympiaonline.com)

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## WAPB Annual Meeting

This year's WAPB Annual Meeting will be held **May 18, 2005**, from **9 am to 3 pm** at the **Summit Lodge at Snoqualmie**. Lunch will be catered and provided free of charge to everyone who RSVPs by May 1, 2005. For those traveling, rooms are available at the lodge for \$60.00 per night. This is a special rate for WAPB members attending the meeting.

In order to make this year's meeting more fun, we will have door prizes and have time set aside for you to weigh in on issues affecting your working conditions, or to ask questions of WAPB board members. We look forward to seeing you there!

### Directions:

From the west side: Take I-90 east from I-5 or Hwy 18. Take exit 52.

From the east side: Take I-90 west from Cle-Elum. Take exit 53.

RSVP to: Steve Bell, Adam Couto, or [wapb@olympiaonline.org](mailto:wapb@olympiaonline.org)

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## Job Reps

Lynda Hoffman - *Habitat Program, Region 2*

Jeff Korth - *Fish Program, Region 2*

David Brock - *Habitat Program, Region 4*

Julie Stofel - *Wildlife Program, Region 4*

Region 5..... VACANT

Dave Kloempken - *Habitat Program, Region 6*

## WAPB Numbers & Emails

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Bryan Murphie, Secretary

([bmur7@msn.com](mailto:bmur7@msn.com))

Kirt Hughes, Treasurer

([kirthughes@centurytel.net](mailto:kirthughes@centurytel.net))

Camille Speck, Member at Large

([streamwalker@hotmail.com](mailto:streamwalker@hotmail.com))

Pat Miller, VP Pilot/Wildlife Program

Bruce Baker, VP Pilot/Fish Program

# WAPB

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