

## 2006 Legal Report

Greetings! This has been a very busy year for WAFWP. We have been continuing our arduous battle against the Department for the Director's changes to your workweek, access to vehicles, exchange time and overall treatment of you as professional employees. This battle has been waged on multiple fronts:

1. Pending Grievances – We currently have three grievances scheduled for arbitration based on the Director's July 1, 2005 changes. Those are grievances for the alteration of your workweek and the limitations placed on your accrual of exchange time; a grievance based on the failure to maintain standby and overtime compensation for members of the Agency's oil spill team; and, a grievance based on the State's refusal to bargain its unilateral changes to these subjects.

We had a day of arbitration scheduled for the oil spill team. After a day of negotiations with the AG representing the State on this matter, we believed that we had reached a settlement. Unfortunately, the settlement blew up when the State believed we were bargaining a settlement on all of the pending grievances and we believed we were there only on the oil spill team compensation issue.

2. Unfair Labor Practice Complaint – We filed our unfair labor practice complaint against the Agency for making a unilateral change in your workweek, exchange time accrual methodology and the oil spill team compensation. This action has been held in abeyance by PERC pending the outcome of the grievances.
3. Meetings with Department – We have met with Larry Peck and Penny Cusick in an attempt to find some common ground on the exchange time issue. Larry has agreed to work with the ADs in expediting the processing of exchange time requests. We still need you to bring to our attention any problems you are having trying to get approval for exchange time. These requests should receive prompt attention especially in light of the changes to the HRMS system.

### Other Issues:

1. Bargaining - Steve Bell, Bryan Murphie and I have been very busy bargaining for your 2007 – 2009 contract. It continues to amaze me at the dysfunction of the State's bargaining process. We wasted hours waiting for the State to respond to fairly straightforward bargaining proposals. Once again, being part of the coalition of small unions had pros and cons. Hopefully by the time of your annual meeting we will have a tentative agreement for your review and future ratification.
2. Reclass – We are slated for the DOP review of your classifications. Beau Patterson, Ruth Milner and your Executive Board have been working on a response to the potential reclassification of your positions.

3. Salary Survey – DOP will be looking at revamping its salary survey methodology starting in the fall of 2006. We will be participating in their study process to the extent they will allow our participation.
4. Personnel Matters – We have represented several members on disciplinary matters this past year.

Overall this has been an exceedingly busy year, which we do not anticipate will slow down over the next year!

Thanks for allowing us to serve you for another year.

Sincerely,

Rhonda Fenrich  
Garrettson Goldberg Fenrich & Makler PC