

The Guardian

News from the Hardworking Men and Women of the Department of Corrections

Members of Teamsters Local 117

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McNeil Officers Win Arbitration Suit

Teamsters Stop Employer from Suspending Overtime

Officer Fallen Luciano, a 12-year Teamster, was in a bind. She had always used her seniority to work overtime – she counted on the extra income to help support her kids. When her employer took her right to overtime away last fall, there was less money coming in.

“It’s been a hard time for me and my family,” Luciano said. “I’m grateful to the Union for taking a stand.”

McNeil Island Corrections Center is one of thirteen Teamster-represented facilities at the Department of Corrections across the State. Like

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Officer David Patton and Officer Dave Cabrera at their posts on the McNeil Island dock.

117 Wages Battle on Multiple Fronts

Teamsters Local 117 is fighting back.

Over the past several weeks, your Local Union has used the Public Employment Relations Commission (PERC), the news media, and now the courts in an all-out effort to stop DOC from unilaterally implementing layoffs and to force the State back to the bargaining table to negotiate a 2009-2011 labor agreement.

In your Union’s latest move, Local 117’s legal team, working in cooperation with outside counsel, filed a lawsuit in Walla Walla Superior Court to restrain DOC from unilaterally eliminating jobs and implementing other changes in working conditions of 117 members at the Washington State Penitentiary.

You can read the legal documents in the case as well as testimony from 117 Secretary-Treasurer, Tracey A. Thompson, Director of the Corrections and Law Enforcement Division, Michael Beranbaum, and 117 General Counsel, Spencer Thal, on your Local Union’s website at www.teamsters117.org.

A hearing in the case, originally slated for Thursday January 29, has been rescheduled for February 12. If the hearing goes forward, 117 members in Walla Walla should be ready to attend.

Thompson on KTEL 1490

Ratcheting up the pressure on DOC, Local 117 has also been working to get its message out to the news media. On January 26, after a day-long bargaining session between 117 Bargaining Committee members and

State negotiators, Thompson spoke with reporters at the Walla Walla Union-Bulletin. That conversation resulted in a front page article in the newspaper with the headline, *Court Temporarily Halts Prison Layoffs*. The article can be viewed by going to the DOC News Ticker on your Local Union’s website.

In addition to print media, Local 117 is pursuing other channels of communication as well. This Friday at 8:15 am, Secretary-Treasurer Thompson, along with Correctional Officer Marina House of WSP, will be featured guests on KTEL Radio 1490 in Walla Walla. Be sure to tune in if you are a Teamster living in the Walla Walla area.

In the Unfair Labor Practice Charge filed with PERC over the State’s bad faith bargaining, your Local Union has mediation scheduled with the State for the week of February 16. We will be calling on rank-and-file members of your bargaining team for involvement in the process. If mediation fails to compel the State to return to the bargaining table, a hearing in the case will be held sometime in March.

All of these actions are important. They send a strong message to the State that the Teamsters will not tolerate DOC’s use of the \$6 billion State budget crisis as cover for engaging in anti-Union behavior. But with layoffs pending and bargaining on hold, nothing is more important than your active participation as a Union member.

Stay informed by talking to your Business Representative, and continue to monitor your Local Union’s website at www.teamsters117.org.



Officer Jim "JJ" Johnson

Officer Jim Johnson, better known as "JJ" to his colleagues at the Washington Corrections Center for Women (WCCW), was excited. It was January 21, just a day after Barack Obama was sworn in as the forty-fourth President of the United States.

"It's a great day for America," JJ said. "I grew up in Mississippi and experienced segregation when I was growing up. Separate water fountains for blacks and whites. I lived that stuff. We've come a long way."

JJ never forgot the experiences of his childhood, and the men and women who put their lives on the line to fight for justice. He took his experience with him to the Pacific Northwest, where, along with his brother, he is an active member of the A. Philip Randolph Institute of Tacoma in memory of the great labor and civil-rights leader.

"A. Philip Randolph is one of the most significant Union organizers of the 20th century," JJ said. "He's an important figure, but many people have never heard of him."

In the 1920s, A. Philip Randolph organized the Brotherhood of Sleeping Car Porters. He helped desegregate the military and helped organize the 1963 march on Washington.

Every year, the A. Philip Randolph Institute of Tacoma sponsors a community service award banquet for youth.

Teamsters Local 117 is a member of the A. Philip Randolph Institute and makes a yearly donation to the Seattle and Tacoma chapters.

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Alcatraz, the prison has a unique geography. A body of water separates the prison from the mainland. It takes about 20 minutes to cross the channel by ferry.

Teamsters staff the prison, but they also work on the ferry, and at a small depot, where members park before boarding a bus that takes them to the ferry terminal.

Luciano, who works at the dock two days a week, described the problem: "All of these years we've been able to use our seniority to work double shifts – one on the mainland and one on the island. Now they were taking that away from us."

New Policy Contested

As is often the case, the employer started to whittle away at the workers' rights in increments. First, Luciano's supervisor announced that employees working double shifts – one on the mainland and one on the island – would lose an hour's pay for the ferry crossing.

The Union filed a grievance for the workers, and won. That's when the employer took a new approach. Workers at the dock, they said, would no longer be eligible for

voluntary overtime on the island altogether.

"People were upset," Luciano said. "We'd always been able to work from one side to the other. I guess your employer can do whatever they want until you bring them to justice."

And that's just what the Union did. Local 117 filed new grievances on the voluntary overtime issue and the case proceeded through the grievance process to arbitration. The arbitration hearing was held on September 4, 2008, at the 117 Union Hall in Tukwila.

At the hearing, the Union, represented by 117 General Counsel Spencer Thal, showed that there is clear contractual language establishing seniority as the basis for the assignment of voluntary overtime. Thal also provided evidence of a long-standing past practice accommodating access to voluntary overtime posts on the island by senior officers working on the mainland.

After hearing testimony from both sides, the arbitrator ruled in the Union's favor. The parties agreed to craft their own remedy within sixty days of ruling. If no agreement can be reached, the arbitrator will make a final judgment in the case.

"We're happy about the win," Officer Luciano said. "Now we're all interested to see what the remedy is going to be."

For Regular Updates - Check the DOC News Ticker

For regular updates on bargaining, the State budget crisis, your Union's Unfair Labor Practice Charge, and pending layoffs, go to your Local Union's website at www.teamsters117.org and check the DOC News Ticker.

