



Members of TEAMSTERS LOCAL 117

The Guardian

News from the hardworking men and women of DOC

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OFFICER UNIFORM BILL PASSES SENATE 45-3!

HB 2346 may be on the way to Governor's desk to be signed into law



Classification Counselors, Robert Stricker (r) and Sidney Clark (l) of LCC, testify before the Senate Human Services & Corrections Committee on February 23, 2012.

In a tremendous victory for Teamsters at the DOC, the State Senate passed a bill on Wednesday, February 29 that would exempt correctional officers from wearing uniforms made by inmates.

For years, correctional officers and sergeants in our State's prisons have endured the humiliation of faulty, unprofessional uniforms. Correctional staff have grudgingly dealt with buttons popping off their shirts, seams in their pants bursting, and chuckles from the offenders they supervise.

MORE PROFESSIONAL UNIFORMS

Now, with the passage of HB 2346 out of the Senate on a vote of 45-3, it is very possible that those days are numbered.

Under the bill, the DOC will be required to provide uniforms for its officers and sergeants from outside vendors, such as Blumenthal's, the company that manufactures uniforms for the State Patrol.

HB 2346 reads, "Under no circumstance shall offenders under the custody of the department of corrections make or assemble uniforms to be worn by Washington state correctional officers."

117 MEMBERS SHINE IN COMMITTEE

The victory in the Senate follows a House vote of 92-3 in favor of the bill and a couple of tense committee hearings.

Dozens of members of Local 117 from

FURLOUGH CASE GOES DOWN TO THE WIRE

Final decision expected in mid-May

Like many at the DOC, Pat Johnson knows something about sacrifice. Johnson's wages are down 3%, and she's paying more for her healthcare. Her meds are too pricey, and her car is in need of repair.

At the beginning of last year, the State told her that, in addition to the other sacrifices, she'd need to take several days off without pay – "temporary layoffs", they called it.

Johnson, a 22-year employee at Airway Heights, was incensed. "It created two classes of employees. I work in records, which is the hub of our facility. Given the liability, the heavy workload, and the responsibility we face – it wasn't right."

LOCAL 117 FIGHTS ESSB 6503

The furlough was a scheme cooked up by the State to squeeze more out of its employees. Under State law ESSB 6503, agencies were directed to achieve "a reduction in employee compensation costs" through mandatory furloughs, among other methods.

Other unions, including WFSE and SEIU, fought the law, but to no avail. Only Local 117 has managed to achieve an arbitrator's ruling in its favor.

"We negotiated strong language in the contract that protected the rights of our members," said Local 117 Secretary-Treasurer Tracey A. Thompson. "We held that the language protected our members when the State implemented furloughs without regard to seniority."

Arbitrator Anthony Vivencio agreed. On

UNIFORM BILL

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across the State took time off work to attend the Human Services & Corrections hearing on February 23 and the Ways & Means committee hearing on February 27.

Members faced tough questions from legislators on the committees. Several legislators were especially concerned about the loss of jobs for inmates.

But while acknowledging the need to keep inmates busy, members made a strong case for uniforms:

"Our presence, our professionalism, and the way we look play a huge part in the authority that we have," said Greg McCombs, a Sergeant at the Coyote Ridge Correctional Complex.

"We are assaulted in those uniforms and have been murdered in those uniforms. Our uniforms need to be professionally made," said Robert Stricker, a Classification Counselor at the Larch Corrections Center.

In the end, DOC Teamsters were able to persuade legislators that passing the bill will boost morale, improve uniform quality, and create a safer work environment for staff in our prisons.

JUST A FEW STEPS TO PASS THE BILL REMAIN

A few short steps remain before the bill can become law. Now that HB 2346 has passed the Senate, it goes back to the House for concurrence. The Senate and House budgets must then be reconciled to include funding for the bill.

At that point, it goes to the Governor's desk for signature. The Governor has 20 days to sign the bill.

Tremendous thanks to all of the Teamsters who testified, lobbied, emailed and called their legislators to voice their support of the bill.

Thanks also to Local 117's political action team, Teresita Torres and Lily Wilson-Codega, for their incredible work.

Teresita has been on the ground every day during session working behind the scenes; Lily has been working with members across the State, many of whom answered the call at critical junctures this session to leverage key votes on the bill.

In all, over 150 members, including Teamsters working in many industries, testified in committee hearings and lobbied tirelessly for the bill.

We will continue to keep you posted about the status of the bill. In the meantime, congratulations to everyone for all of your hard work in getting one critical step closer to higher quality, more professional uniforms for our State's correctional officers!

FURLOUGH UPDATE

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May 5, 2011, Vivenzio issued a decision, concluding that the State was in violation of the contract and that affected employees must be "made whole for any economic losses resulting from the Employer's action."

That was nearly a year ago. So why haven't members been compensated for the DOC's violation?

Rather than simply pay the award out of a budget surplus that existed at the end of the 2009-2011 biennium, the DOC sought to "clarify" the award. They argued that no one is entitled to the remedy because the same employees would have lost wages if they had applied the seniority provisions of the contract.

The DOC's legal finagling has resulted in further delay. The case went back to hearing on January 25. Briefs in the case are currently due on March 22.

FURLOUGH II HEARING

In the meantime, your Union's legal team presented a case in a separate arbitration hearing last December on behalf of members who were affected under Furlough II. At this point, the sole issue for resolution is whether Vivenzio's earlier decision on Furlough I is binding with respect to Furlough II.

Johnson, along with many others at the DOC, still holds out hopes that the furlough arbitration will be decided in the Union's favor.

"It would be wonderful – I could fix my car, get a cheapo TV, and buy medicine. The most important thing is that they couldn't furlough us again," she said.

Arbitrator Vivenzio is expected to make a final decision in the Furlough I case in mid-May. At stake is approximately \$1 million for 800 affected employees.

All legal documents in the case can be read on your Union's website at www.teamsters117.org.



(from r to l) Sarena Davis (117), Ryan Andelian (MCC), Michael Boe (MCC), Eric Smith (WCC), and Tony Tellez (WCC), with Senator Lisa Brown's Senior Policy Advisor, Marcus Riccelli.

IN OUR VIEW (published in the WWUB on 2/29/12 and the Everett Herald on 3/3/12)

PRIORITIZE STAFF SAFETY IN OUR PRISONS

By Tracey A. Thompson, Local 117 Secretary-Treasurer

On the night of February 4, four brawling gang members at the Washington State Penitentiary in Walla Walla turned on officers trying to break up the fight.

One of the inmates stabbed the shift sergeant with a State-issued toothbrush that had been sharpened into a shank. Four officers, including the sergeant, were injured in the incident and transported to the hospital for treatment. If not for a notebook in his pocket, the sergeant likely would have been seriously wounded or killed. Close custody units in the prison have been on lockdown for four weeks.

ATTACKS ON STAFF COMMONPLACE

This brutal attack on correctional staff who work in our adult prisons is just one of many in the last year.

Last summer, two correctional staff were assaulted and taken hostage in the textile factory at Clallam Bay Corrections Center by inmates armed with scissors.

One inmate was shot and killed as he attempted to escape. Last March, an officer at the Washington State Penitentiary was stabbed in the face with a ball-point pen. Last January, Officer Jayme Biendl was savagely murdered in the prison chapel of the Monroe Correctional Complex.

Correctional staff are exposed to other forms of assault by inmates on a routine basis. In the past seven months, one correctional officer at Monroe has had bodily fluids thrown on him five different times. In January, an inmate threw a cup of blood into the officer's face and eyes, requiring a hospital visit and testing for Hepatitis and other infectious diseases.

SB 5907 NOT NEARLY ENOUGH

Last year, the State took a small step toward prioritizing staff safety by implementing SB 5907. Correctional staff were hopeful that meaningful change would occur. While there have been some minor improvements, it is not nearly enough. Officers still regularly

work single-person posts. OC (pepper spray) has not been made available to all correctional officers. Violent offenders' custody levels are still overridden to justify a reduction in staffing levels.

Line staff positions are being cut, yet the Department is poised to spend \$4 million dollars on a pilot program for inmates at two prisons in Eastern Washington. Correctional officers are fighting to get legislation passed so that they do not have to wear uniforms made by the inmates they oversee (HB 2346), yet the Department opposes that legislation because it will take away sewing jobs from inmates.

Correctional staff understand the value in keeping inmates busy and that there is a need to reduce recidivism rates. The problem is one of balance. Staff safety should not take a back seat to budget considerations. Yet it does. Staff safety should not be less of a priority than the interests of inmates. Yet it is.

It is long past time for balance to be restored. The safety of brave men and women who work inside our adult prisons should be a high priority for our elected officials and for the general public.

Remembering Officer Jayme Lee Biendl

Officer Jayme Lee Biendl - In memoriam (1976-2011)



Officer Jayme Biendl

January 29th marked the one-year anniversary of the death of Jayme Lee Biendl, the Washington State correctional officer who was tragically murdered in the prison chapel of the Monroe Correctional Complex last year. Jayme's savage murder had a devastating impact on our State's corrections' employees. It reverberated through communities across Washington State, and it struck a painful chord in the family of law enforcement professionals

across North America.

Thousands mourned for Jayme at her memorial service at the Everett Comcast Center last February. Family, friends, police, sheriff, firefighters, state patrol, Canadian mounted police, and corrections professionals from as far as New York gathered to grieve and pay their respects to their beloved friend, sister, co-worker, daughter, and former Corrections Officer of the Year.

JAYME BIENDL MEMORIAL RUN

On January 29th of this year, family, friends, co-workers, and community members celebrated Jayme's life with the first annual Officer Jayme Lee

Biendl Memorial run. Jayme's family requested that proceeds for the event benefit the Behind the Badge Foundation, an organization dedicated to serving law enforcement families and their agencies that have been stricken with the tragedy of officers killed in the line of duty.

The anniversary of Jayme's death is a time to honor the life of our fallen Sister. It is a time of remembrance, a time to mourn her tragic, untimely loss, and a time to rejoice in Jayme's life.

For all of us, Jayme Lee Biendl made the ultimate sacrifice, and we will never forget her!

DOC SHOP STEWARDS GEAR UP FOR 2013-2015 BARGAINING

Bargaining with the State to start at the end of June



DOC Bargaining Committee - 2008

Shop Stewards from across the DOC will gather in Seattle on March 9 to discuss and

strategize a bargaining plan for the upcoming 2013-2015 biennium contract negotiations.

At the March 9 meeting, Stewards will prioritize key contract issues and establish a communications action network at all of the facilities for disseminating

information during bargaining.

Bargaining will be led by Local 117's Secretary-Treasurer, Tracey A. Thompson.

If you have issues that you would like your Union's bargaining team to consider during negotiations, talk to your Shop Steward or Business Representative.

Bargaining with the State will kick off in June.

The deadline for a ratified agreement to be included in the Governor's budget is October 1.

WELCOME NEW LOCAL 117 BUSINESS REPRESENTATIVE

Local 117 hires Richard Groff



Richard Groff

Richard Groff is determined to affect positive change for members at the DOC.

As a Criminal Justice major at Washington State University,

Groff learned about the serious challenges and problems facing law enforcement agencies across our State. At the DOC, he confronted those problems firsthand.

One of the biggest challenges he saw was apathy and a failure to act.

"I saw a lack of action in the people I considered leaders," he said. "In too many cases, they stood by and did nothing."

While employed at the DOC, first at MICC and later at MCCCW, Groff gained experience in custody and non-custody positions alike. Over his 4 1/2 year career in Corrections, he has worked as an Officer, a Mental Health Counselor, and a Correctional Sergeant.

In 2011, Groff's desire to implement meaningful change led him to a position as a Local 117 Shop Steward. As a Union Steward, he has represented members in investigatory and disciplinary proceedings, provided testimony in arbitrations, participated in LMCC meetings, and attended bargaining sessions.

Starting March 1, 2012, Groff will be in a new role – Teamsters Local 117 Business Representative.

His application for the position reads: "As a Local 117 Business Representative, I will stand up and fight for what is fair, honest, and in the best interest of the members."

In addition to his DOC assignment at CCCC, SWRBO, HQ, and CI, Groff will represent members in a variety of law enforcement jurisdictions.

Please join your Local 117 Brothers and Sisters in welcoming new Teamsters Business Representative, Richard Groff!

BFOQ LAWSUIT - STATUS UPDATE

Trial date in the case likely to be set for early next year

A quick update on the status of your Local Union's lawsuit filed in federal court on September 21 as part of its long, ongoing fight with the DOC over the BFOQ issue:

Recall that your Union is seeking an injunction to prohibit the DOC from denying male officers the right to hold certain positions at WCCW and MCCCW provided that they possess the necessary qualifications.

The complaint also seeks to remedy the adverse impact on female officers as a result of BFOQ designations, such as an increased workload, safety concerns, excessive overtime, restrictions on job bidding, and missing scheduled breaks due to the lack of relief staff.

Your Local Union's legal team is busy preparing for trial in the case. Part of the pre-trial proceedings involves meeting with all parties to the lawsuit to develop

a "discovery plan" for collecting evidence.

On February 8, your Union met with the State to begin this process. Columbia Legal Services (CLS) participated in that meeting as well.

CLS has become a party to the lawsuit because it wants to preserve a settlement agreement that it reached with the State involving BFOQ designations. CLS may fight alongside the DOC against any challenge to the BFOQ designations.

It is important to understand that whatever CLS's role, it won't stop your Union from vigorously defending your rights in the case.

As it now stands, the case is expected to go to trial early next year.

You can read a copy of your Union's complaint in the BFOQ case on the Local 117 website at www.teamsters117.org.