

TECHNICAL EMPLOYEES ASSOCIATION
MONTHLY MEETING – March 16, 2005 (12 noon – 1 p.m.)
Meeting Summary

Board Members Present: Eric Mandel, President/Acting Treasurer
Roger Browne, 1st Vice President
Dave Crippen, 2nd Vice President
Patty Overby, Secretary
Eric Davison, Treasurer

Treasurer's Report

1. Account Update

Eric reviewed the following:

- \$28,000 in the bank (\$18,000 of this is being held for Transit Arbitration.)
- \$7,500 outstanding debt owed to Jim Cline (which is interest bearing).

Transit Arbitration Implementation

Eric reported that the County did not want to sign the Transit contract. They feel it is not necessary since it is an Arbitrator's decision, and the decision was made after the contract expired (12/31/04).

TEA wants assurance that the Arbitrator's decision and all non-wage agreements carry forward until a new contract is signed. TEA, through legal counsel, has gotten the County's agreement to sign a Memo of Agreement where the County recognizes the legal enforcement of the Arbitrator's decision and all non-wage agreement. Legal counsel's opinion is that this signed Memo of Agreement is a legally enforceable document.

Eric added that the County thus far has acted in good faith in implementing wages, executive leave for exempt staff. Members should be receiving their retro checks April 7.

Transit members are now obligated to pay dues and the Special Assessment. Special Assessment notification will be sent out to all Transit members within the next two weeks. The assessment is based on the former salary, not the new one per the Arbitrator's decision. Members have the option of crediting voluntary contributions against their assessment.

Discussion centered on the following:

- Has anyone checked to see if other arbitration contracts have been signed? TEA made a big deal about equal rights as a union and it appears the County is discriminating against Transit members. What is legal counsel's opinion on this? (Roger responded he thought Local 587 was an arbitrated award - he will check and see if the County signed this.)

- Will terms of the contract continue until another contract is signed? (Eric replied that legal counsel's opinion is that case law establishes conditions will continue until a new contract is signed.)
- Understand that legal counsel is unclear if a grievance or claim brought now against the County for something that occurred in 2002, 2003 or 2004 would be valid now since the contract expired 12/31/04. If a TEA member felt they were aggrieved in these years, could that member file a grievance? (Dave responded that there is a possibility that even if the contract was signed, a member would not be able to file a grievance for something that happened in those years. Doubt a member could file a grievance now for an occurrence that happened in 2002, 2003 or 2004. King County is acting as though a contract is in place, however.)
- Why do we need to sign a MOU if we have an Arbitrator's decision? (Eric responded that in order to have something legally enforceable, we need something signed by both parties.)
- Ordinance 11480 defines a role for the King County Council in labor negotiations. Feel TEA can only be made whole if the contract is signed. (Dave replied that TEA and Jim Cline were a party to agreeing that we didn't want to go to the Council on the Arbitrator's decision.)
- As a member of the Transit Negotiating Team, think the County's not signing the contract is a slap in the face.
- What is the status of the cost of living adjustments? (Dave said that for transit it stops through the end of December 2004. Wastewater goes through June 2005. The calculation for COLA is different for Transit versus Wastewater.)
- Have there been discussions about rolling over Transit's contract another year? (Dave reviewed some options. The Board asked Jim Cline to send a letter demanding that the County start negotiations on a new Transit contract. The County has responded saying they are willing to begin negotiations.)
- Does medical roll over? (Dave said yes. However, we have been notified that HR wants to re-enroll Transit members. This issue needs to be reviewed by legal counsel.)
- Some members felt we should push the County into signing the contract. What is the impetus for the County to sign anything? (Eric said we will need to clarify if the provisions continue if the contract isn't signed. How big an issue do we want to make of this if the MOU gives TEA a legally enforceable document? TEA needs to carefully assess the implications if it is to push for signing the contract.)

Status of Wastewater Contract (Roger)

Wastewater is conducting a salary survey. He suggested members look at TEA's web site to see who is involved in the subcommittee for this effort. The County has acknowledged we need to start the process for next negotiations but agreed to wait until we get further along in the salary survey.

Grievance Committee Report and Proposed Bylaw Change

Roger said that he is proposing amending the current Bylaws on the makeup of the Grievance Committee from 5 to 9 total members. He is proposing increasing the current 5-member makeup (4 members plus 1st Vice President) to 9 members (8 members plus the 1st Vice President). There is a need to have more members available to deal with potential grievances and to be available to sit in on meetings between management and TEA members. This proposed amendment will appear in the next TEA Times for action at the April 20 Regular TEA meeting.

Roger reported there is a potential Transit grievance in process and a ULP hearing the end of this month. On the Wastewater side there is a grievance in going to arbitration, and a pending personnel action we are working on.

Introduction and Discussion of Proposed Bylaw Amendments for the Bargaining Committee

Eric reported that there would be proposed amendments modifying the language relative to the Bargaining Committee. This information will be presented to TEA members in the upcoming TEA Times for action at the April 20 Regular meeting.

As noted at last month's meeting, the current Bylaws do not reflect actual practice. The proposed amendments change the Bylaws to reflect what members want to see. The options being discussed including retaining two bargaining units to having 4 (2 for each of the wastewater and transit supervisors and 2 for the rest of transit and wastewater employees).

The Council of Reps. has discussed these alternatives at several meetings and voted at their last meeting to support the amendment keeping two bargaining committees - one for Wastewater and one for Transit that would represent both staff and supervisors.

There will be a proposal to delete reference to the "Pre-Bargaining Committee" because there is no need to have this.

Ken Madden said he might also present another option keeping two bargaining committees but keeping the language simpler.

King County Medical Health Care Initiative

Eric stated that there has been a County Coalition working with various unions on a health care initiative. TEA has not been invited into that coalition. We recognize the issue of health care is serious and will have an effect on TEA. Eric has made inquiries to see if there is interest in having TEA sit in on the coalition in an advisory role while still maintaining separateness from what the coalition does. The question is what more TEA gets by remaining separate from the coalition.

Wyatt Wood noted that King County has no control that sits on the Coalition - it is the unions.

Elizabeth Morgan stated that she had been made aware that if you have major medical, the insurance company could now question your doctor if he is providing best practices. She thinks this is a change in medical practices agreed to by TEA in the contract.

- ✓ **Action:** Eric asked Elizabeth to forward information to him. He will follow up with Jim Cline to get a legal opinion.

Political Action Committee Startup Discussion

Eric said that the Bylaws call for the formation of a Political Action Committee (PAC) chaired by the President and consisting of four additional members who are appointed by the Board. He said that last year the Board, in the absence of a PAC, gave donations to various King County Council candidates running for office that were part of the Council's Labor Committee and supportive of unions. He is interested in getting this Committee going and asked for volunteers.

The meeting adjourned at 1:15 p.m.

Patty Overby, TEA Secretary