

**TECHNICAL EMPLOYEES ASSOCIATION**  
**MONTHLY MEETING – August 16, 2006 (12 noon – 1 p.m.)**  
**Meeting Summary**

*Board Members Present:* Eric Mandel, President  
Ade Franklin, Vice President  
Patty Overby, Secretary  
Keven Sandquist, Treasurer  
Roger Browne, Wastewater Bargaining Chair  
Dave Crippen, Transit Bargaining Chair  
John Phillips, Council of Reps. Chair

**Treasurer's Report** (Keven Sandquist)

Keven noted that TEA currently has:

- \$75,000 Income to date
- \$64,000 Expenses to date (mostly legal - TEA has paid off the outstanding debt to Jim Cline of \$22,000)
- Net cash flow is a little over \$11,000 positive increase for the year
- Current bank balance is just over \$23,000 with a projection at years' end of around \$44,500. Out of this anticipate \$8,000 for two arbitrations and \$2,000 for business expenses.

A question was asked if the Board planned to present and vote on a revised Financial Plan at the Annual Meeting in September. Eric responded that the Board felt it didn't make sense to have votes on officer and financial plan at the same meeting, since the Board thought balloting gets too complicated and there are some uncertainties we are waiting to decide before presenting a new plan . The Board anticipates presenting this probably for a vote in October. However, the Board is meeting in a retreat tomorrow and will discuss further.

**Officer Elections Update**

Members will vote to elect officers at the Annual Meeting to be held the third Wednesday in September. The positions up for election are President, Vice President and Secretary.

The Nominating Committee has been soliciting nominations. Thus far each office has at least one nomination. The Committee needs to validate and confirm the nominees' interest in running. Nominations are still being sought and will close August 29.

Eric asked if there were any nominations from the floor. Diane Fjarle was nominated for Secretary.

A comment was made from a member that the Nominating Committee appears to be all Wastewater members. It is important for the Nominating Committee to achieve a balanced representation that also includes Transit members as well.

Eric noted the comment and concurred with the intent. He pointed out that this was a voluntary Committee and solicitations have been requested multiple times through the TEA Times, member meetings, and the Council of Representatives.

### **Information on VEBA**

Eric stated that he and Roger Browne had attended a meeting for union representatives on VEBA and had a few copies of handouts giving more information on VEBA if anyone wanted them. This information may be helpful to those that are eligible to vote.

He reiterated that the Board agreed to restrict the vote to those eligible for retirement, as these are the only members that will be impacted by the decision. One doesn't have to retire during the three year period (2007-2009), just be eligible for retirement to vote.

Eric reminded members that if they believe they are eligible, to let Patty Overby know by September 15. He said that there will be four separate votes for each Bargaining Unit because that is how the County offered the plan. The vote is all or nothing issue. The decision will bind the entire bargaining unit. The decision is not an Individual one.

Roger then reviewed specifics of VEBA. He said that the main purpose is to shelter the cash out of 35% unused sick leave at the time of retirement to a separate account that is to be used for medical needs as outlined by IRS. By choosing to participate in VEBA, this money is not taxed. The one potential negative to participating in VEBA is that members would not get the extra cash paid out as a lump sum upon retirement, though that lump sum is taxed by IRS (unlike VEBA savings). The DRS has notified TEA that choosing to participate in VEBA will have no effect for PERS 1 employees on their pension calculations.

Discussion centered on:

- Is there a sunset to access the dollars in VEBA? (Response: No. This is different than the current Flexible Spending Account that employees can elect to participate in each year. The FSA you have to spend all by the end of the year or lose it.)
- Are there survivorship rights with VEBA? (Response: yes. It is surviving spouse, children then heirs. Heirs have to pay taxes unless they are dependents as defined by the IRS.)
- Where did the 35% cash out figure come from? (Response: it is a historic legacy of prior negotiations with the County. It usually is negotiated. King County is one of the most generous in cash out of unused sick leave. The City of Bellevue offers 10% and Snohomish County 20 or 25% cash out. If you leave County employment before retiring, there is no cash out of sick leave.)

## Update on Transit and Wastewater Negotiations

1. Transit (Dave Crippen): At the end of June TEA made a wage proposal to the County. There was a mediation session the first of August and TEA thought the County would be making a counter proposal. The County did not have anything to propose. The next mediations sessions are August 29 and 30 and TEA anticipates receiving a new wage proposal from the County at that time. These proposals are non-binding and "What If" proposals.

In an effort to promote better communications, the Bargaining Team and Committee agreed to have a series of noon meetings to report on bargaining process. The first meeting with Transit members was held a few weeks ago. The next one is anticipated to occur the first week in September.

Questions/discussion centered on:

- What is the timeline for best case/worse case? (Dave responded that there is a big range for settling the contract. Best guess for a negotiated settlement would be sometime the end of this Fall. If TEA and the County can't reach agreement, then we move to arbitration. The last time the timeframe from a decision to go to arbitration to the arbitrator's award was two years. However, this time it could be as short as one year. Transit has not had a COLA increase since 2004.
  - Process if there is certification for arbitration, and the role of the Transit Bargaining Team.
  - Concern about the County honoring a last "what if" offer.
  - Aren't we two years behind? (Dave noted that TEA and the County negotiate three-year contracts. The first contract was 2002-2004. The current one is 2005-2007.)
2. Wastewater (Roger Browne): Wastewater had its first mediation session prior to July's regular meeting. The next session is scheduled for August 30. King County is meeting August 21 with the mediator to present a list of issues, which TEA has seen. There are about eighteen issues total, most of which are relatively simple.

Questions/discussion centered on:

- What are Wastewater's options? (Roger replied that Wastewater does not have access to arbitration. It will be a negotiated or imposed contract settlement. He hoped by the next meeting to have an update on whether or not there will be a settlement by the end of the year.)

### **Update on Wastewater Designer IV Status (Exempt vs. Non-Exempt)**

Eric said that the County had unilaterally sent letters to four Wastewater Designer IVs notifying them that they are no longer FSLA exempt and would now be non-exempt.

Roger Browne sent a letter to the head of labor relations noting TEA's objections. The change affects employee's working conditions and takes away the three days of Executive Leave that those members received as exempt status.

Eric stated that Wastewater management was not in favor of this change. It was strictly Human Resources decision. He added that Nancy Grennan (HR) has agreed to hold off on this conversion until after the meeting set up for August 28.

Discussion/questions followed:

- The first Wastewater contract TEA proposed all TEA members as non-exempt. The County said it would cost them over \$1 million to implement this. It is interested that they are now willing to start piece-mealing.
- Concern was expressed about this being the start of changing other positions in TEA to non-exempt.

### **Update on Grievances/ULPs**

Ade reported that TEA received an oral remedy for a couple of Transit grievances. TEA should be getting a formal written remedy soon. There is one class grievance going to arbitration January 6, 2007.

Eric reported there are three ULPs: one on whether or not the County can unilaterally choose to reclass whole groups of people; a ULP relative to the Right-of-Way group that was denied by PERC and where TEA has appealed the ruling; and finally there is a preliminary ruling on another Transit ULPL that there was deficient filing on certain aspects where TEA claimed internal skimming which PERC found did not apply - TEA asked legal counsel to amend the ULP and refile it.

### **Issues for the Good of the Order**

- Why do TLT's have to pay the same dues as FTEs? A member has been told that she cannot file a grievance. Don't understand why a TLT must pay the same dues rate if they cannot file grievances. (Response: TLT's serve at the will of management. The dues rates are the same but the initiation rate is less, unless the TLT is here three years. King County has said by law that they are not obligated to allow TLT's grievance because they serve at the will of the County and can be let go at any time. TLT's do receive the benefits of changes in wages that other members benefit from. Eric said that the Board may want to discuss this further at a future meeting.)
- Harris Health Trends sent letters to members notifying them what status they had reached. The letter was very confusing. Eric stated that originally HR

had send a global email stating that all members but TEA would be receiving a letter. He contacted HR and requested that TEA members receive notification since TEA had signed an MOA with the County that members would participate now, even though actual implementation would not occur until a contract was signed. Members should have received another global email from HR clarifying the letter from Harris.

- On TEA web site there is a link to a new blog where members can comment on issues. Roger Scrafford was recognized for his work on the TEA web site.

The meeting adjourned at 1:00 p.m.

---

Patty Overby, TEA Secretary