

Non-Profit Org.
U.S. POSTAGE
PAID
Seattle, Wash.
Permit No. 327

COUNTY & CITY EMPLOYEE
P.O. BOX 750
Everett, WA 98206-0750
RETURN SERVICE REQUESTED



COUNTY & CITY

EMPLOYEE

AFSCME AFL-CIO

Vol. 18 No. 2

<http://www.council2.com>

Spring 2003

NEWS IN BRIEF

Library staff start to negotiate

The newly organized King County Library employees have begun negotiations for a new contract with their employer. The 550 employees voted in December last year to join Council 2 in the union's biggest organizing win ever.

Deadline for Jerry Clark scholarship is July 1

Applications are being accepted for the Jerry Clark memorial scholarship, which awards \$10,000 annually for a student majoring in political science for his or her junior and senior years of study. The program is available to children or financially dependent grandchildren of AFSCME members who are now political science majors in their sophomore year of study and are enrolled in a full-time four-year degree program at any accredited college or university and have a grade point average of 3.0 or above. The recipient also has the opportunity to serve as an intern at the International Union headquarters in the Political Action department. The deadline for applications is July 1. Application forms are available on the ASFCME Web site — www.afscme.org. Clark served as Director of the International Union's Political Action Department for nearly 20 years. The scholarship was established to honor his memory after he died in 1990.

INSIDE



Tribute to Bob Chauvin
Page 2



Scholarship awards
Page 2



Eyman's latest scheme
Page 3

Convention goes will work hard, learn a lot—and have fun



Maria Cantwell



William Lucy



Gerald McEntee

Every two years about 400 Council 2 members meet for the union's biennial convention. For more than two days they work hard and have some fun, too.

It's a time of planning for the future, learning more about how the union works, and enjoying camaraderie with fellow union members.

When it's over they take back with them to the workplace a renewed commitment to join their fellow workers in ensuring they continue to receive all the benefits that derive from being union members.

They carry with them, too, a greater understanding of how the system works and of how they can be more effective.

And they bear with them, too, happy memo-

What: Biennial convention
Where: Tacoma Convention Center
When: June 20-22

ries of their time together.

This year Council 2 will hold its biennial convention at the Bicentennial Convention Center in Tacoma from June 20 to 22.

Among the guest speakers at the convention will be International President Gerald McEntee and Secretary-Treasurer William Lucy, who will bring members up to date on the national scene, and US Senator Maria Cantwell who will report on developments in Washington D.C.

A welcome reception will be held Friday evening, a dinner-dance Saturday evening, the PEOPLE breakfast Saturday morning and a breakfast sponsored by the Council's Women's Action Committee Sunday morning.

The convention will be preceded by a golf

See CONVENTION, Page 4

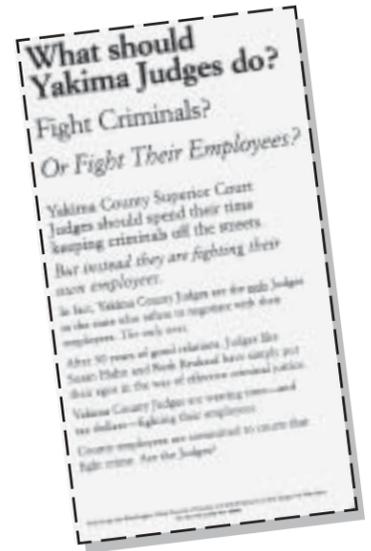
Council 2 takes judges to court

Council 2 has asked the State Supreme Court to compel Yakima County judges to negotiate with about 100 members of Local 87 in the county.

The application to the court stems from a refusal by the judges to negotiate with the Council 2 members. The judges say that the promulgation of an administrative rule by the State Supreme Court prevents them from negotiating with employees over workplace conditions.

Council 2 vigorously opposes this decision, which essentially prevents collective bargaining between the employees and their employer.

As a result, Council 2 not only has asked the State Supreme Court to order



Council 2-backed pension reform finally approved

Years of work by Council 2 on pension reform finally paid off this session.

Gov. Gary Locke signed the bill into law on May 14.

The measure establishes a new pensions board on which the views of active and retired employees will be heard more strongly than was the case with the previous board.

Members can therefore be assured that future pension policy will take their opinions into account, which was not always the case with the previous board.

To achieve this employee representation, the Select Committee on Pension Policy replaces the Joint Committee on

Pension Policy (JCPP).

The new 20-member board will include four members representing active employees and two members representing retired employees.

Also serving on the committee will be four employer representatives, four members of the state Senate, four members of the state House of Representatives and the directors of the Department of Retirement Systems and the Office of Financial Management.

Council 2 took the lead in working to achieve this breakthrough in pension governance, the name given to the process

See PENSIONS, Page 3

Council 2 newspaper advertisement

the judges to negotiate, but also has launched a media campaign to make the people of Yakima aware of how their money is being spent at this time of budget crises.

Advertisements have been published in the local press and commercials have aired on local radio stations.

For more than 30 years, judges have negotiated with court employees, not only in Yakima County, but in counties across the state, says Council 2 President and Executive Director Chris Dugovich. But in October 2002, Martin Muench, Senior Deputy Prosecuting Attorney, informed Council 2 that "the presiding judges of the Superior Court and District Court will not be participating in negotiations for working conditions."

Wages are negotiated by the Yakima

See JUDGES, Page 4

Bob Chauvin: great guy who cared for others

Chris Dugovich

It is all too true that many of our friends leave too early. One of them recently was Bob Chauvin who passed away on February 2 after a long, tough fight with cancer. He was 56.

I first met Bob in December of '79, weeks away from graduation at the University of Puget Sound. I had accepted a job at the ripe old age of 23 as a Labor Relations Representative for WPEA, the Washington Public Employees Association, and Bob was the Foreign Student Coordinator at Yakima Valley College and the President of the WPEA chapter. I was his staff person and we soon not only enjoyed working together, but became friends.

Back then Bob had the run of the college, not only with his fellow employees but with the students. He knew everyone and everyone knew him.

One of my first real experiences handling a labor issue that brought media attention came with Bob in May, 1980. On the 18th of that month and year Mount St. Helen's blew its top and buried Yakima in a thick layer of ash. Bob's members were off work for a week and all of a sudden the college was docking their pay. When it turned out that the employees at the college were one of the few to lose pay due to the mountain's eruption, Bob filed a grievance and led the way. I still laugh at how nervous I was when the local TV station showed up to cover our Chapter Union meeting. Bob handled it well and a short time later the college agreed to compensate everyone who lost time due to the eruption.

Bob continued at the college until we both came to Council 2 as staff representatives in 1982. He spent several years in the mid-eighties representing our members in the Thurston County and Grays Harbor County areas. He left to return to Yakima and Central Washington and spent some time working for the state Department of Labor and Industries before going to work for Council 28 in 1989.

After I became President in 1989 I tried to hire Bob back several times and actually succeeded for a short period, but he always returned to Council 28, commenting he was just more comfortable in the state system. During his 13 years with Council 28 he fought countless battles for a countless number of state employees. He relished his role, fighting for the underdog and doing it well.

He could tell you hair-raising stories about his time in Vietnam as a medical corpsman and was extremely proud of his service there. He was in Khe Sanh during that major battle of the war and saw more than his share of the suffering when helping others.

Bob was a true gentleman who worked hard, made it fun and never took himself too seriously. He enjoyed fishing and bragged of his three daughters, Daniel, Nicole and Chanelle. Over the years he touched and inspired many members in both Council 2 and Council 28. Many of those individuals he pushed to become active in this union are the leaders we have today.

All of us at Council 2 will miss our visits with Bob, while traveling through Yakima or hooking up during international union events. Bob had retired in the summer of 2002 and, although tied down by kidney dialysis brought on by the cancer treatment, he continued to be as active as possible.

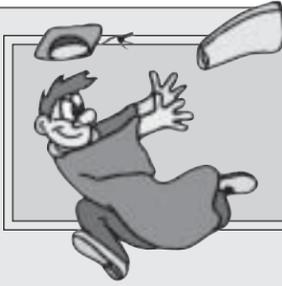
He was, and will continue to be, known as a great guy who cared about others.



Letter from the president



Bob Chauvin



Council 2 scholarship awards

Dependant Scholarship Awards:

In honor of Richard Vinson-Cardinell, past member of San Juan County, Local 1849

Recipient	Council 2 member	Local
Alana Reed	Penny Alexander	275 Grays Harbor County
Nicole Taylor	Howard Taylor	307-VC City of Vancouver
Casey Corey	Scott Corey	367 Pacific Co. Road Dept.
Michael Mellum	Michael F. Mellum	1845-I Island County



Michael Mellum

Continuing Education Awards:

In memory of Seth Hendler, past AFSCME Northwest Region Director; in memory of Art Fuller, past member of City of Walla Walla, Local 1191-W; in memory of Mike Murphy, past member of City of Spokane, Local 270; and in memory of Jerry Presler, past member of Snohomish County Engineers, Local 109-E

Recipient	Local
Susie Kelly	21-I Issaquah School Bus Drivers
Shawn Holbrook	109 Snohomish Co. Road Dept
Cynthia Sluys	114-F Bellingham Fire Dispatchers
Claire Hughes	275-H City of Hoquiam
Michael Sparber	492-CS Spokane Co. Jail Supervisors
Karen Bryan-Nielson	618 Thurston County
Michelle Lenker	1553 Spokane County Courthouse
Julie Smith	2699 Columbia River Mental Health



Susie Kelly

Summer School for Union Women Award:

In memory of Lela Shelton, mother of retired Council 2 Staff Representative T. Kae Roan

Recipient	Local
Candy Cruz	2699 Columbia River Mental Health



Karen Bryan-Nielson



Claire Hughes



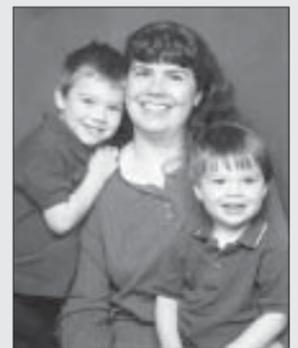
Alana Reed



Michael Sparber



Cynthia Sluys



Michelle Lenker, seen here with her children

Regional conference to be held in October

The seventh annual Northwest Regional Conference will be held in Olympia on October 17 and 18.

The conference, which is open to Local leaders from Washington, Alaska, Oregon, Montana and Idaho, gains in popularity each year. Last year it attracted 175 attendees.

The Pacific Northwest is the only region that holds such a conference, which was the brainchild of Council 2 President and Executive Director Chris Dugovich.

Among the topics to be discussed this year are collective bargaining, political action and grievance representation. The conference will feature a number of notable guest

speakers.

The conference starts with registration and a welcome reception on the evening of Friday, October 17, followed by a workshop and luncheon on Saturday.

Forms can be downloaded from our Web site, www.council2.com — click on the Northwest Regional News link.

Council 2 opposes I-807, Eyman's latest scheme

Tim Eyman's latest initiative, I-807, is yet another bad idea designed to bankrupt government while making Eyman rich, Council 2 believes.

The union is joining other labor leaders in saying the initiative is a recipe for fiscal disaster.

The measure would impose a new super-majority requirement for legislative approval of tax increases — unless voters approve them.

Pat Thompson, Council 2 Director of Legislation/Political Action says that county and city governments originally were included in the initiative, but Eyman decided to cut out local government.

Nevertheless, Council 2's executive board voted to oppose the measure in principle.

"It sets a terrible precedent that pre-



vents governments from operating efficiently that we should be concerned about," Thompson says.

I-807 also would reimpose state spending limits. Previous spending-cap handcuffs were such a dramatic failure that they were gradually amended and ultimately thrown out entirely by legislators of both parties.

The initiative comes at a time when

Washington state, facing a \$2.6 billion revenue shortfall, is struggling to maintain basic services.

If a spending cap is imposed now, it will prevent the state from restoring cuts at schools, hospitals, nursing homes and other facilities.

With health care and other costs rising at a pace above inflation, I-807 will guarantee more cuts, more wage freezes for school employees and other public employees, and more layoffs.

PENSIONS, from Page 1

whereby pensions are managed.

Pat Thompson, Council 2's Director of Legislation/Political Action, led a coalition of labor unions supporting the bill and testified before the committee.

The measure received widespread support, but passage of the bill was never a forgone conclusion.

Indeed, Thompson says the end game was as nerve racking as the beginning and middle games. So much so that he was not sure that the measure would pass this year until the final day of the regular session.

When the state senate passed the bill 45 to 3 shortly before the end of the ses-

The end game was as nerve racking as the beginning and middle games

—Pat Thompson

Council 2 Director of Legislation/
Political Action

sion, Thompson thought the path was clear to final approval by the state legislature. But, because the bill had been amended in the Senate, it had to go back to the House for their concurrence.

"The amendment was a simple one," Thompson says. "We weren't concerned that the House would have any problems with it.

"But we were wrong."

Rep. Helen Sommers (D-Seattle), Chair of the Appropriations Committee, requested two changes to the Senate version. She wanted to change the word "shall" to "may" when creating the subcommittees established by the Senate. She also wanted to set up an Executive Committee of the new Select Committee.

"Neither idea was a problem for us, but the clock was running and any delay could kill the bill," Thompson explains.

When it looked as though passage of the measure might be delayed for another year, Rep. Bill Fromhold (D-Vancouver) and Sen. Don Carlson (R-Vancouver) stepped in and worked out a deal with their leaderships to keep the pension governance measure alive and moving.

On Saturday the House agreed 79-19 to concur with the Senate and the bill was delivered to the Governor's office on Sunday May 4 with only one day to spare.

Council 2 files unfair labor charge against City of Vancouver

When Council 2 filed a petition on November 21 last year for 15 employees of the City of Vancouver to join the union, management's response was immediate.

The employees say the City launched a campaign of retaliation and coercion against them. The employees work as assistant City Attorneys and support staff in the Attorneys Office.

Many employees say they received written reprimands, although none had ever had any disciplinary actions in their careers. They add that the City also changed their hours of work and canceled flextime.

"Management even changed one job description completely for an employee who had been working there for 12 years and they threatened to eliminate his existing position," says



Bill Keenan, Council 2's Director of Organizing.

"People were followed into the parking lot after work and confronted about their knowledge of the union organizing campaign."

In spite of the intimidation, the at-

torneys won their election February 4 by a card check, indicating that the support was so strong an election was not necessary.

Now the City is challenging the support staff's petition. The challenge will be heard at a unit clarification hearing, tentatively scheduled for June 3, in front of the Public Employment Relations Commission.

Meanwhile, as a result of the retaliation, Council 2 filed an Unfair Labor Practice complaint against the City of Vancouver and the Attorneys Office on April 17. In it, Council 2 demands that the em-

ployer stop the retaliation and coercion. It also asks the commission to order the City of Vancouver to remove and destroy all letters of discipline from the employees' files, and to restore the previous conditions of employment.

That hearing is yet to be scheduled.

Election to go ahead in spite of County challenge

A union election in Skagit County will go ahead in spite of attempts by the County administration to stop it.

The Public Employment Relations Commission ruled on April 21 that the election process should move forward.

The ruling by PERC comes more than a year after Council 2 first filed

a petition for 22 members of the clerical support staff of the Skagit County prosecuting attorneys' office to join the union. The County challenged the make-up of Council 2's bargaining unit, claiming that the union is required to organize all of the other departments that were unrepresented and could not recruit

only the support staff in the Prosecutor's office.

Both parties presented their arguments to a PERC hearing on September 4. Council 2 argued that there are already several independent departments represented in Skagit County by various unions.

The election was set for May 28.

Details of approved retirement bills

Several retirement bills were approved by the state legislature in this year's session.

They are:

HB 1207 — This bill provides a \$150,000 duty-related death benefit to survivors of PERS, SERS and TRS plan members who die as a result of injuries sustained in the course of employment.

HB 1519 — Beneficiaries of a member killed in the course of employment would receive retirement benefits without actuarial reduction. This bill would apply retroactively to include any members killed on or after July 1, 2001.

SHB 1829 — This bill provides that a person does not separate from ser-

vice if the employee and employer verbally agree that the employee will resume employment with the same employer following retirement.

False claims are subject to criminal penalties.

PERS Plan I retirees must be separated from employment for three full calendar months before re-employment. If they are not, their pensions will be suspended if they work beyond 867 hours.

In addition:

✓ The employer must document a justifiable need to hire a retiree.

✓ The rehiring must be approved by specific executives, depending on the employer or under rules adopted by a local government employer.

✓ The employer must retain records

of the procedures followed and the decisions made in hiring the retiree and provide these records in the event of an audit.

✓ The retiree must not already have provided a cumulative total of more than 1,900 hours of service while in receipt of pension payments beyond an annual threshold of 867.

✓ The retiree will stop receiving pension payments after the retiree has provided service for more than about 1,500 hours in a calendar year.

The Department of Retirement Systems and Employment Security shall provide notice to employers about the retirement changes and the possible unemployment compensation consequence of hiring retirees.

County and City Employee
Official publication of the Washington State Council of County and City Employees, AFSCME, AFL-CIO
Published quarterly
President/Executive Director Chris Dugovich
Address P.O. Box 750, Everett, WA 98206-0750




COUNCIL 2 EXECUTIVE BOARD		
DISTRICT ONE Lee Lehman, Roger Moller Greg Ahles, Gerri Dellisle	DISTRICT TWO Diane Barden Prenguber Doug Peterson, Rich Needham	DISTRICT THREE Wayne Withrow Patti Cox, Conni Uhinck
DISTRICT FOUR Kevin James, Pam Dittloff	DISTRICT FIVE Tracy Arney, Ron Fredin	DISTRICT SIX Carol Travis, Yvette Lewis
DISTRICT SEVEN Chris Wood, Pam Fitzgerald	DISTRICT EIGHT Brian Snipes, Ken Thomas, Art Krumm	DISTRICT NINE Paula Laws

Voters asked to check out signature gatherers

Leaders of Washington's Voter Education Project say that not only are signature gatherers for initiatives being paid for each name they gather, but they also are misleading voters about the petitions.

The most recent example was in early May when members of the organization heard a petitioner outside Safeco Field say that Initiative 841 would "lower a federally mandated tax on health-care premiums."

The initiative would overturn ergonomics laws and is not related to taxes or health care.

"But those are hot-button issues



Voter Education Project logo

with voters so it's no surprise that petitioners used them as part of a pitch," says Jeannie Berg, executive director of the Voter Education Project.

"All they care about is the dollar that

the signature is worth. Don't be tricked by what a petitioner says."

She adds that many of the paid signature gatherers are from out of state. They do not care about nor do they understand the needs of Washington voters, she adds.

Pat Thompson, Council 2's Director of Legislation/Political Action says citizens would be appalled that their signatures have become a commodity bought and sold by out-of-state mercenaries.

"The initiative process has been hijacked by forgers and profiteers," he says.

The Voter Education Project estimates that dozens of people are hiring petitioners across the state who gather signatures

purely for the money. They will interpret it any way they feel will get people to sign, the organization adds.

The Voter Education Project is researching the misleading tactics of petitioners. When you see a petitioner — any petitioner — call the organization at 866-628-2500. They'll want to know the date, time, location and which initiatives the petitioner is carrying.

For more information consult www.votereducationproject.org, the VEP Web site, or contact Patty Wentz of the Voter Education Project at 503-970-7929.

JUDGES, from Page 1

County Commission, but judges have the power to hire and fire workers under their supervision and to set workplace conditions.

The judges want their decisions to be final on all these issues, including those that result in union grievances and complaints of unfair labor practices.

The judges cite an administrative rule adopted by the Supreme Court that they had to oversee all working conditions of their employees. Council 2 believes that this interpretation of the rule is wrong.

Dugovich points out that a similar issue arose in Spokane County where the judges also tested the collective bargaining law. The judges lost and the state Supreme Court ruled they had to bargain. Muench was the civil attorney handling the Spokane case at the time, Dugovich adds.

That hearing cost the taxpayers of Spokane County \$100,000 in legal fees.

"They are spending all this money fighting this law that has not been challenged in 30 or 40 years," Dugovich says. "All of a sudden it is a problem with them. If they have their way, they will get to decide without any negotiation what working conditions would exist on the job, such as how employees are transferred, laid off, or terminated.

"Such decisions would be their prerogative entirely.

"Clearly, we cannot accept that and we will vigorously contest this move. It's all about power and arrogance."

The judges' refusal to talk to the union

'We will vigorously contest this move'

— Chris Dugovich
President/Executive Director,
Council 2

means that a new contract on working conditions has not been negotiated. The earlier contract expired January 1.

A recent incident indicates the depth of feeling in the court offices.

One of the advertisements that appeared in a local newspaper was posted on a bulletin board for union members. Court Administrator Harold Delia directed Local members to remove the ad from the board.

The union members decided that, rather than cause a confrontation, they would remove the ad.

But they replaced it with a notice saying that an advertisement would appear in the Yakima Herald the following weekend.

A copy of the advertisement appears on Page 1.

Procedural questions were decided at a court hearing on May 15, but no date has yet been set for the hearing of the application itself.

CONVENTION, from Page 1

tournament at the Spanaway Golf Club. First prize for the winning team will be \$200 and four tickets to a Mariners game as well as regular golf prizes. Second place winners will receive four Mariners tickets and golf prizes. Those who fill third place will receive golf prizes.

Entry forms are available from the Everett office or can be downloaded from our Web site, www.council2.com.



Wenatchee 2001

CONVENTION FLASHBACK

Tacoma 1999



Spokane 1997

