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COUNTY & CITY EMPLOYEE



# COUNTY & CITY EMPLOYEE

AFSCME AFL-CIO

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Winter 2010

## Library workers win fight for affiliation — finally

**I**t has taken a long, long time. In fact, the process of affiliating Timberland Regional Library members with Council 2 has been the longest in the history of the union — by far.

Normally affiliation takes a few weeks. But in the case of Timberland the process took more than a year.

"The employer fought it all the way," says Council 2 Director of Organizing Bill Keenan. "And all for nothing."

The Timberland Library system serves 421,000 people through 27 branches in Grays Harbor, Lewis, Mason, Pacific and Thurston counties.

The process began in August 2009

when library members, who already had an existing contract and existing officers under an employees' association, voted to affiliate with Council 2. The election saw an 86 percent voter turnout — largest in the organization's history — with 71 percent voting to join Council 2.

But the employer challenged it. When

the dispute could not be resolved, it was taken to the Public Employees Relations Commission (PERC).

Before the commission made its ruling, the employer challenged another aspect of the affiliation, the one that included all

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## Making life better for others

*This is the first in a series of articles highlighting the services that Council 2 members perform for the communities that they serve.*

**W**hen next you wait at a light before crossing the road, glance down and look at the dip in the sidewalk that allows those in wheelchairs to use the crossing. Then give a thought for those who built the concrete facility — people like Jack Aubrey, Seattle City worker and Local 21 president.

"Our satisfaction is that we are giving people accessibility to cross the street," says Aubrey, nicknamed "polar bear" for his distinctive silver white beard. "We are giving them a facility so that they don't have to hop in their wheelchairs up or down the curb, which could cause them to lose their balance or even topple. It also means they don't have to go out of their way to find a driveway or other suitable place to move from the sidewalk to the road."

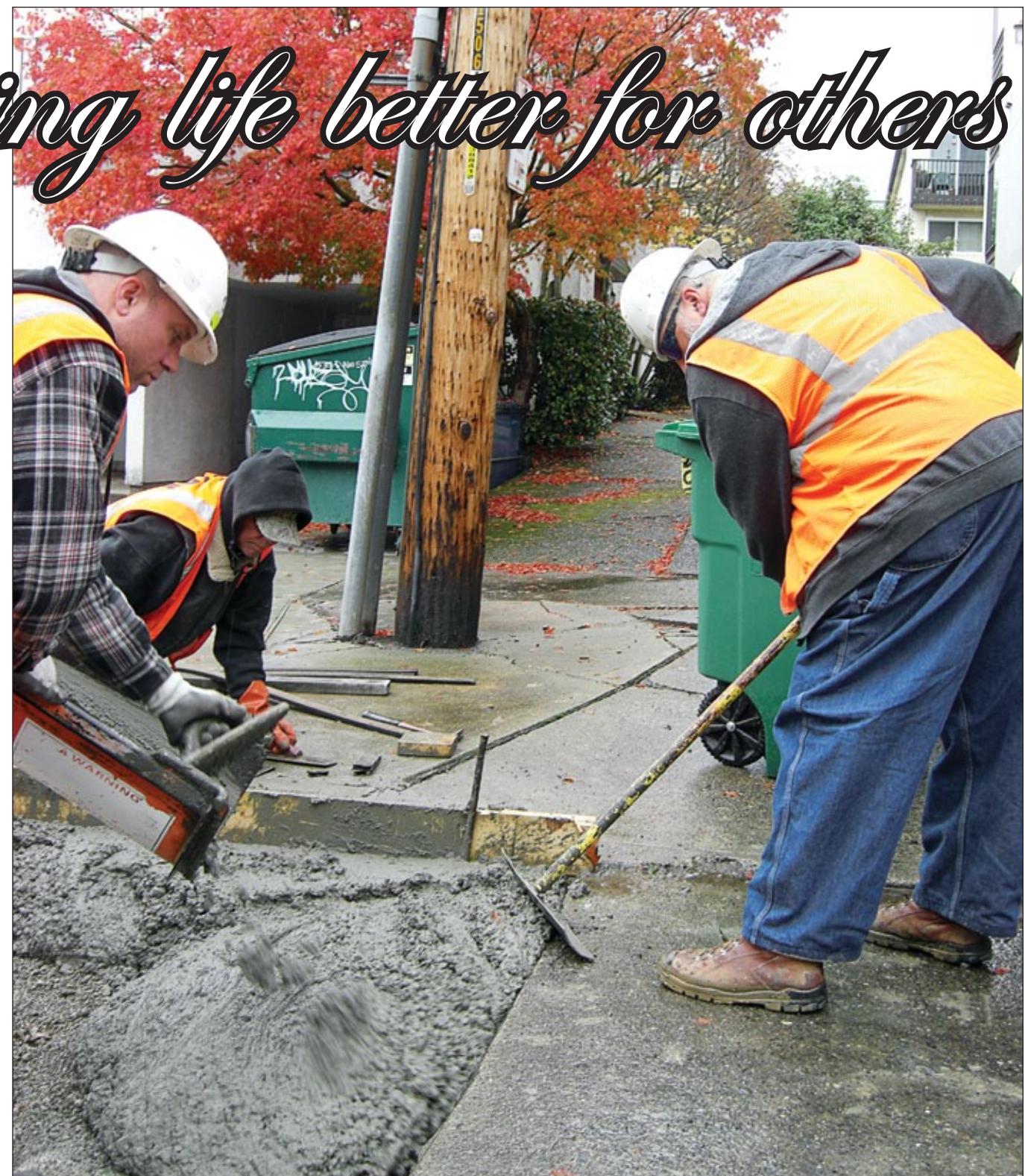
"We believe we are being helpful and that we perform a good job."

Creating ramps is part of what Aubrey, a truck driver who lives in Shoreline, does these days in his work for the City of Seattle, but the major part of his work is repairing main arterials and residential streets.

Sometimes the work order calls for a ramp to be created where one did not exist before; at other times it calls on Aubrey and his fellow workers to replace older ramps, bringing them up to today's newer and more demanding standards. The ramps now include color fiberglass inserts that assist those visually impaired to identify the edges of the ramps.



**Jack 'Polar Bear' Aubrey**



**Seattle City worker Jack Aubrey, right, helps build a concrete street panel. With him are fellow workers Mike Houston and Pete Hagan.**

"The new ones also are wider and have an improved slope, which cannot be more than an inch per foot," Aubrey explains. "We have to make sure that we are not hindering the people in wheelchairs, so that they don't have to work hard to get up the slope."

The work is not without its humorous incidents. There was that embarrassing moment when Aubrey slipped and fell into a ramp he had just completed building. And the time he accidentally buried his phone in the ramp he was paving.

"I couldn't figure out where it had been

placed until I had someone on the crew call my number and I heard it in the ramp," Aubrey recalls.

But those were minor incidents in his 26 years of public service — a service that smooths the way for others to live just that little bit better.

# Our union has been through tough times before

**CHRIS DUGOVICH**

The Washington State Council of County and City Employees, AFSCME, AFL-CIO has been around since 1946, some 64 years. For more than half a century, the union has been working on behalf of local government employees to retain and enhance their rights as public employees.

In 1946, when our charter was granted by the American Federation of State County and Municipal Employees, the local unions were directly chartered through the International Union without a state council.

A handful of our local unions existed even before AFSCME's creation and were chartered directly from the AFL-CIO. After the creation of Council 2, the initial job of the new organization was to affiliate with the state council all the then existing local unions.

Local 120 Pierce County-City of Tacoma, Local 109 Snohomish County Roads, Local 113 City of Everett, and Local 87 Yakima County, just to name a few, were all part of this process. Local 21, City of Seattle employees, although a low number, was organized in 1962 during the Seattle World's Fair. The theme of the Seattle World's Fair was Century 21. Due to the event and its theme, AFSCME granted the City of Seattle employees the Number 21 for its charter.

In the early 50s, gains that the union made included allowing local government employees to participate in the Public Employment Retirement System and Social Security. Until then, it was not even an option to participate and only the larger jurisdictions had set up their own retirement systems. Some still exist in Tacoma, Seattle and Spokane.

For a period before 1959, Orville Schwartz, a City of Spokane employee, served as president of Council 2. In 1959, Jerry Burke, the president of Snohomish County Roads Local 109 was elected and served a two-year term. In 1961, the Council 2 convention changed its constitution in reaction to its growing membership of 2,000 local government employees and elected its first full-time President/Executive Director, Sam Kinville.

All local government employees continue to benefit from Sam's foresight. In 1966 he lobbied for, and gained passage of RCW 41.56, the collective bargaining law that has served us well during the past 44 years. If you step back and think about the difficulties of organizing or gaining any type of wage or benefit increase without any legal obligation whatsoever for the employer even to discuss these issues, you know how significant and important the collective bargaining law has been. These rights embodied in law have served us well both in good times and the tough times we are seeing today.

Sam served until he accepted a position in the Washington State Labor Council and the union elected Larry McKibben, a member of the staff, to the position of president/executive director. Larry served in the position until his retirement in the fall of 1989 and guided the union through the negotiation under the collective bargaining law of its first contracts and brought about its growth to a membership of approximately 7,800. He also served a term as an AFSCME International vice-president.

In the Fall of 1989 I became President/Executive Director of Council 2. We now boast close to 18,000 members statewide.

The real history of the union involves the countless number of grievances settled and won that have saved jobs and all the contracts that have sometimes slowly, but surely, made local government employment an excellent profession. This union over the last 64 years is why our membership has a retirement plan, health insurance and the ability to bargain collectively. It is also why today, however impossible it's been to save all the jobs, we've been able to save so many.



## Letter from the President

# Initiatives' failures are silver linings in cloudy picture

It could have been worse.

Although cuts to state government are almost certain in the wake of the midterm elections in November, the failure of three initiatives ensures the retention of sources of income for local government that would have been lost had the initiatives succeeded.

And that income could save jobs that might otherwise have been lost.

- Initiatives 1100 and 1105 — which would have closed state liquor stores, thereby cutting off a source of revenue for local government services — were defeated.

As a result, \$200 million in local government income is

## Elections 2010

retained.

- Initiative 1082, which would have privatized workers' compensation and would have caused the loss of hundreds of jobs, failed.

These results help to temper the challenge facing the state legislature and Gov. Chris Gregoire who will have to balance the state budget on the back of a \$4.5 billion deficit. But, of course, the challenge

remains great.

Another piece of good news is that the private sector appears to have stabilized, with 900 jobs being added in Washington state in August.

Although 2,200 jobs have been lost in the public sector, improvement in the private sector is likely to lead to improvements in the public sector over time.

The reason is a lagging effect that causes conditions in the general economy to be delayed before reaching the public sector.

• Prosecutors supported by Council 2 win in three counties — Page 4

# Legislative Weekend gets a new look

Because of a lack of available hotel rooms in Olympia, this year the Legislative Weekend is taking on a new identity.

It will be called the Executive Board Weekend, but it is not being held exclusively for the executive board. The weekend will be open to all members of Council 2.

The weekend will be held in Tulalip from January 27 through 29 and will include some special events.

Council 2 members who wish to attend the event should contact their staff representatives or call Council 2 at 1-800-775-6418.

Next year the event will return to Olympia.



2011

Jan. 27-29	Executive Board Weekend Tulalip Resort, Marysville
June 3-5	Council 2 Convention, Westin Hotel, Seattle
Oct. 7-8	Fall Executive Board meeting Suncadia Resort, Cle Elum
Oct. 21-22	Presidents' Conference Campbell's Resort, Chelan

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PICTURES: JOHN OHLSON

**Council 2 members get to work at the local presidents' conference held in Chelan in October.**

## AFSCME expert outlines benefits of new health-care act

The new health-care act will bring a number of benefits for Council 2 members, says AFSCME's Steve Kreisberg.

Speaking at the local presidents' conference in Chelan in October, Kreisberg said the new legislation — officially called the Patient Protection and Affordable Care Act — creates:

- Greater access to benefits
- Patient protections to eliminate coverage gaps and
- Benefit mandates to promote long-term cost restraint and higher value.

The first of the benefits will be seen in plan years that began after September this year, added Kreisberg, who is AFSCME's health care policy and collective bargaining director.

"Grandfathered" plans — those that existed on March 23, 2010 — are exempt from some of the mandates, but not all. Plans lose their grandfathered status if they make significant changes.

Among the new benefits are provisions in the act that require dependents under age 26 to be covered under their parents' plans. The insurer needs to include them regardless of how much money they have, whether they have a job, whether they are students and wherever they live.

Insurers cannot adjust benefits based on the age of the child. Until January 2014 a grandfathered plan does not have to offer coverage to an adult child who has employment based on health insurance coverage.

Pre-existing condition limits for children under age 19 are excluded in plan years that began after September 23 2010 and for adults those that begin on or after January 1, 2014.

The measure also means the elimination of lifetime dollar caps on health-care benefits and the phasing out of annual dollar benefit limits from \$750,000 this year to \$1.25 million after September 23 2011 and \$2 million for plan years that begin on after September 23, 2012.

Among the rules that do not apply to grandfathered plans are preventive care with no cost-sharing, patient protections that allow plan participants to select their own primary care provider and pediatrician, internal and external appeals minimum requirements and quality reporting requirements.

Plans will lose their grandfathered status if they eliminate all or most benefits to diagnose or treat a condition; they increase a percentage cost-sharing requirement (coinsurance), they increase deductibles, out-of-pocket expenses and co-payments in excess of the medical inflation rate plus 15 percentage points.

Also included in the new legislation are medical loss ratios — the amount that health insurers actually spend on medical costs. The act requires that commercial insurers spend at least 85 cents of every dollar paid in premiums on medical claims. For small-group and individual policies, the figure is 80 cents.



**AFSCME's Steve Kreisberg, left, who spoke at the presidents' conference, with Council 2 Deputy Director Pat Thompson at the conference sign-in desk.**

The remaining 15–20 cents of each premium dollar can be used to pay expenses that do not directly benefit customers, such as payroll, advertising and profit.

From January 1, 2014 there will be no eligibility period for benefits greater than 90 days and no pre-existing condition exclusions. Annual dollar benefit maximums will be eliminated.



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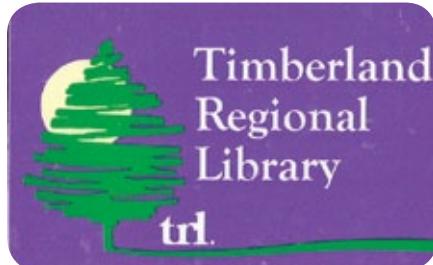


## From TIMBERLAND, Page 1

300 staff members in the bargaining unit — managers, supervisors and their staff. The employer said that the 27 managers in the unit should be treated separately.

Instead of initiating a hearing with PERC, Council 2 suggested that a separate bargaining unit be formed to satisfy the employer's objection. Some 70 percent of the managers signed cards authorizing the creation of such a unit.

"Once we thought we had the two matters resolved, the employer raised another



objection," Keenan says. "They decided that the 27 supervisors should not be in the base unit."

"So we asked the supervisors to choose whether they wanted to join the managers' bargaining unit. More than 70 percent signed cards authorizing them to be part of the managers' unit."

Council 2 filed an amended petition to include the supervisors in the managers' bargaining unit.

"Once again, we thought we had the matter resolved," says Keenan. "But once again we were wrong."

"While we were waiting for a hearing before PERC to determine whether there should be two or three units, we received a decision from PERC saying our original

**'After more than a year, we finally got this resolved.'**  
—  
*Council 2 Director of Organizing Bill Keenan*

election to affiliate was appropriate."

Therefore, in terms of the ruling, the 246 members who were not managers or supervisors were approved as members of Council 2.

It had taken almost a year to reach that point. Council 2 formed a new local 1938 and began the bargaining process for a new contract.

A hearing on the unit for the managers and supervisors was held in July with a PERC mediator. Following the mediation and discussion with the parties, Timberland Regional Library officials agreed to withdraw their objection to the single bargaining unit for supervisors and managers, agreeing it was appropriate.

By early October the second unit of supervisors and managers was certified and bargaining for that unit began.

"After more than a year of litigation and the employer filing four objections, we finally got this resolved," Keenan says.

But the saga is not yet over. In mid-November the bargaining for the base unit was referred to mediation with PERC.

## Receive free insurance

You can receive up to \$20,000 accidental death insurance free, simply by being an AFSCME member.

You will receive:

- \$10,000 of coverage for death due to any type of covered accident at home, at work or while traveling anywhere in the world.
- Plus \$10,000 in additional coverage due to accidental death in your workplace.

An application form is available on the Council 2 web site at: [www.council2.com/afscme-insurance.pdf](http://www.council2.com/afscme-insurance.pdf).

# Prosecutors backed by Council 2 win in three counties

Three prosecutors who have always had good relationships with Council 2 were elected to new terms in the November elections.

### STEVE TUCKER

Steve Tucker has an extensive record of service in law enforcement.

Not only has he served as the elected Spokane County prosecutor for 12 years, but he also spent 10 years as deputy prosecutor and, before that, served as a Washington State patrol trooper for 11 years.

Tucker served in the U.S.

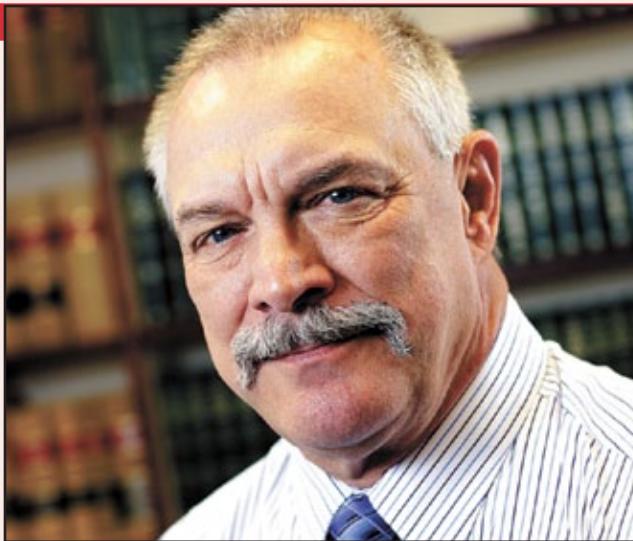


PHOTO: THE INLANDER

Air Force and the Air National Guard for six years. He is a member of a number of associations and

### SPOKANE COUNTY

boards.

Among them are:

- The Washington Association of Prosecuting Attorneys, of which he is president-elect;

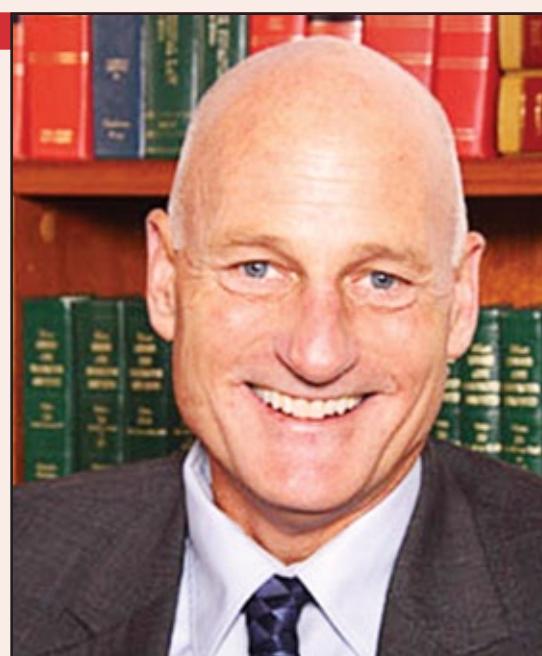
- The Washington Bar Association;

- The Regional Drug Task Force Policy Board; and
- The Spokane County Domestic Violence Board.

### MARK ROE

Mark Roe started his work as a Snohomish County deputy prosecutor shortly after graduating from the University of Puget Sound with a law degree.

Since then he has taken dozens of cases to trial as Snohomish County's Chief Criminal Deputy Prosecutor and has personally handled or supervised the handling of thousands of felony cases, many of which are primarily sexual



assault, child abuse and violent crimes, including dozens of homicide cases, several aggravated murder

### SNOHOMISH COUNTY

cases and two death-penalty cases.

For 20 years, Roe has been involved with the victim's rights organization Families and Friends of Violent Crime Victims and has served on its board of directors for many years.

He helped create and improve Snohomish County's child-advocacy center, Dawson Place and is regularly invited to train victim advocates in assisting crime victims.

### TONY GOLIK

Tony Golik earned a bachelor's degree in administration of justice from Portland State University after which he began his legal career by serving as an intern in the Spokane Prosecutor's Office while studying at Spokane's Gonzaga University.

After earning his law degree he was appointed a deputy prosecutor for Spokane County,



becoming a major crimes prosecutor in 1997 and prosecuting murder trials,

### CLARK COUNTY

third-strike cases, elder-abuse cases, robbery and most serious assault cases.

In 2000 he became deputy prosecutor for Clark County prosecuting all types of criminal cases.

In 2004, he became a major crimes prosecutor for Clark County and has personally prosecuted many of the most serious cases in the county.