



THE INSIDER

A Publication of the Public Safety Employees Association

A Publication for
PSEA Members

Volume VI, Issue I March 2005



President's Report

Jeff Manns

Since our last newsletter there has been a lot of activity within the union. As all of our State employed members know we have been embroiled in contract negotiations since the summer of 2003. Hundreds of hours have been devoted to this effort by our attorney, Jim Gasper, paralegals, staff and members of the negotiating team. The negotiating process concluded with the submission of the closing briefs that followed the week long arbitration. Arbitrator Bill Greer, has until March 11th to render his decision. For more information on the arbitration and what comes next you can go to the PSEA web page and look for the update.

Sitka PD employees are going to launch another referendum petition to strengthen their bargaining rights. See Letter to Sitka Employees.

Juneau is still working hard for public

support to return to the 12 hour shifts that patrol has worked for a number of years. They went to 8 hour shifts on January 10th. As expected, there have already been two grievances filed due to the new shifts and more are expected. The chief has assigned a group of employees to evaluate the shift change. To learn more go to www.12-stays.org.

Soldotna PD is awaiting a new contract. The process to negotiate a contract has stalled. PSEA has requested City officials for negotiation dates, but so far nothing has been scheduled. We will be pushing to get this process underway ASAP.

General membership meetings were held the end of February for both Unalaska and Ketchikan. And then there is Fairbanks PD. There are so many issues with the City of Fairbanks that PSEA believes that a lawsuit may be the only way to achieve compliance.

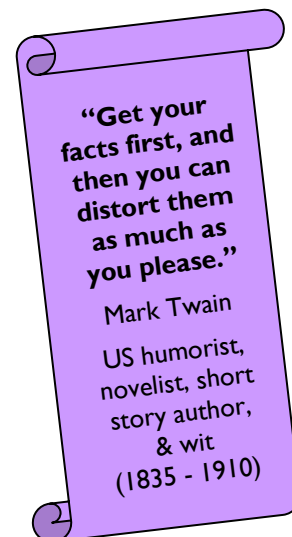
As you can see, the union has been very busy actively pursuing the rights of the members. That's our job and we are there for each one of you.

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Newsletter Format

As you can see we have gone to a different and less expensive format for the newsletter. Back in the 90's, our members demanded that PSEA publish a more professional looking newsletter which is why we produced the color version you have been receiving. Today, some of our members have criticized the color version as unnecessary and too expensive. So, trying to be responsive to the membership we will try this approach. What do you think ?





Business Manager's Report

By Keith Perrin

Disciplinary Cases

Reporting on the number of grievances we have filed for each chapter may be of interest to some of you, and if you want that kind of information in the newsletter just let us know. However, what we have been hearing, and rightfully so, is that what you really want to know is what kind of conduct resulted in disciplinary action being administered by the employer. To avoid placing yourself in a similar situation it would be helpful to know what happened to other members.

Unauthorized APSIN Inquires

Recently, one of our members was disciplined for accessing APSIN for personal reasons. The member admitted to the activity and was suspended for three days, as well as having his APSIN security authorization suspended for 90 days.

Having accessed APSIN and then disciplined for it in this case is interesting, not because of the activity nor the discipline, but because of the suspicion the employer expressed about the member being forthright during the investigation. PSEA believes that the member was completely honest during the investigation and tried to answer every question completely. But here is how it went.

The investigator went back in the APSIN records for this member for many months. Every person accessed by this employee in APSIN that didn't have a corresponding case number was reviewed. The member was asked to go through his notebook on each of these APSIN inquires and explain whether or not it was work related. Of course, other than his admitted violations we

believe they were work related, but because every entry was not documented in his notebook he couldn't always remember why he made the APSIN inquiry.

So the question is, do you always document in your notebook each APSIN inquiry? Should you? Maybe! There is no requirement to do so and it certainly would be time consuming. But you have to ask yourself if you would remember why you made an APSIN inquiry on every individual during the past twelve months. And if you can't remember why you made an APSIN inquiry is your employer going to believe you, or are they going to think you are being evasive? What do you think?

To be sure, this member's notebook was no worse or better than most, it was average. And so was his recollection of old APSIN inquires. Of course, had he not accessed APSIN for personal purposes he wouldn't have been subjected to this investigation and consequently his recollection questioned. But to be fair, he never thought that while he was conducting routine business for the employer he would need to document every inquiry he made to avoid being bitten. Well, he got bit and his notebook didn't help.



PSEA Calendar of Events

April 5, 2005

Legislative Dinner in Juneau

April 6, 2005

Corporate Board Meeting/Legislative visits

May 12 & 13, 2005

Meeting of the PSEA Health & Welfare Trustees
In Seattle

If you would like specific information about these events please contact the PSEA office with your inquiry.



Interest Arbitration was a dedicated team effort; the product of significant sacrifice & commitment

By Jim Gasper, General Counsel

Well, it's over – at least the first 3 parts. Interest arbitration doesn't happen overnight. It has two preliminary steps: negotiations (many), then impasse & mediation (we skipped it the 2nd time). Presentation before the interest arbitrator was a monumental effort – PSEA's first in 10 years. We had a lot of ground to cover; the hearing itself consumed six 10-hour days. Advocating PSEA's positions required tremendous support from the membership.

For one thing, it takes a superior dose of intestinal fortitude to sit in front of the administration (the Deputy Commissioner, two Majors and a Captain and the APFO Chief) to let them know how they're failing the troops. Those members who testified at the arbitration - their names are on PSEA's website - should be saluted for their courage in coming forward on behalf of the entire membership.

Perhaps the greatest credit should go to those members of the negotiating team – Jeff Manns, Mo Hughes, Scott Johnson, Adam Benson (Round 1), Don Kramer (Round 1) & Steve Shern. They dedicated a lot of personal time in the effort to bargain the contract over the last 20 months. Even though these guys get business leave to compensate for their lost work time, and the opportunity to travel to Juneau and Anchorage for negotiations, they also give up overtime opportunities, still have to do their regular work (which doesn't get done during their absences), not to mention the significantly reduced time they spend with their families. Eating in restaurants & staying in hotels gets old after the first few times (the glamour of travel drops off radically after the first ½ dozen times in a couple of months). The team members also spent lots of personal time talking about the contract, studying language from other contracts, and just plain dedicating themselves to

the process of getting a better agreement for everyone in the bargaining unit.



The arbitrator's decision is due for release March 11th; if favorable to our positions on monetary proposals, PSEA's next effort – as a union – will be to convince the legislature to fund the award. That will take the entire membership to convince the current body of fiscal conservatives to fund a contract that Troopers & APFOs have long deserved. We look forward to even greater participation in that effort.

If you change your address, please contact the PSEA office so that we can keep your information updated!!



If you have moved to a new location you must fill out a new health insurance form which can be downloaded from the PSEA website and mailed to the address on the bottom of the form.



Letter To Sitka Employees (Excerpts from letter reprinted)

To my fellow City of Sitka servants,

We had a very good turnout for our first organized employee meeting. I believe we had people from almost every department, including the hospital. If you were not there, please find someone who was or e-mail/ call me. I think our main purposes were achieved, which was to create or increase unity. The other was to come to an agreement that the city ordinance prohibiting collective bargaining needs to be repealed. I felt the discussion was open and honest. Many questions were raised about collective bargaining and what it can do for us. I made it clear that even though the police department maybe leading the charge for introducing the ballot proposition, it has never been our intent to separate us or our efforts from the rest of the city employees. As I told those of you who attended the meeting, I want everyone to know that on behalf of all the other PD employees that we apologize that we did not unify sooner.

Keith Perrin, who is the Business Manager of the Public Safety Employees Association (PSEA) and Reber Stein, a representative from the Alaska State Employees Association were at the meeting. ASEA is the biggest public employee association in the state and they have recently changed their constitution so they can include municipal employees into ASEA.

The process is to write a ballot proposition and get it approved by the city administration. Our PSEA legal eagles are doing this for us. Once the proposition is approved, and there is a limited amount of time to do so, we will obtain signature books to obtain the required amount of voter signatures to get the proposition on a ballot. We will be allowed 90 days to obtain

voter signatures.

Remember we all work for the same purpose and that is to serve our community.

Don Ridge, SPDEA

TRUST Fitness Reimbursements (New Procedure)

For those members in the PSEA Health and Welfare Trust, there is a new procedure for submitting your fitness reimbursement requests. The forms **must** be submitted to Labor Trust Services (LTS) for processing. LTS will review the request and insure that the member's request falls within the guidelines for reimbursement before submitting it to Welfare and Pension Administration Services (WPAS) for payment. If the request does not fall within the guidelines, LTS does not have authorization to approve and the request will be addressed by the Trustees at the next regular meeting of the Board.

To submit your request you may mail it to:

Labor Trust Services, Inc
Attn: Irene McMurdock
P. O. Box 93870
Anchorage, AK 99509-3870

Or fax it to: (907) 561-4802

REMEMBER – Copies of your receipts are required with the approved request form.

Legislative Update By Craig Persson

The following are examples of the legislation PSEA is tracking this session.

HB6: Sponsored by Rep. Harry Crawford. Allows credited service as a peace officer for employment as a State Fish & Wildlife Enforcement Officer (FWEO). Referred to the House State Affairs committee. Has not had a hearing yet.

HB40: Sponsored by Rep. Tom Anderson. Identical to last years HB91, this bill adds medical benefits at 20 years service for peace officers who are tier 2 and tier 3 members. Referred to the House State Affairs committee. This bill has not been scheduled for a hearing yet.

SB24: Sponsored by Sen. Gary Stevens. Does away with the sunset clause of the 2001 bill (HB242) for teachers only which would allow teachers to be re-employed while still retired. This bill is currently in the Senate Health and Social Services committee.

SB31: Sponsored by Sen. Kim Elton. This bill does away with the sunset clauses of the 2001 bill (HB242) which were slated to be eliminated on June 30, 2005. Under this bill a PERS and TRS retiree can be re-hired by a PERS or TRS employer after June 30, 2005 and still collect their retirement benefits. This bill has not been heard yet and is in the Senate Health and Social Services committee.

HB170 and HB 177 have been introduced by Rep. Mike Kelley.

HB 170 basically changes the make up of the PERS board so that 3 of the 5 people who sit on the board are not members or retirees from PERS.

HB 177 makes the current and future employees make up the shortfall in PERS by their contribution rates going up.

Helpful Resources At Your Fingertips!

-Family Problems -Emotional Concerns -Work Issues -Drugs/Alcohol -Stress
-Marital Problems -Parenting -Legal Concerns -Eldercare -Home Ownership

Your Member Assistance Program has the following services available to you, your spouse/partner and minor children: 1-3 counseling sessions, legal consultation, eldercare consultation services and home ownership assistance.

Confidential information and help is available 24 Hours a Day 7 days a week at no cost to you and your immediate family members from your Member Assistance Program.

Remember if you are in a remote location, Online Conference services are available to you through First Choice Health. You can find out more about your Member Assistance Program by accessing the PSEA Web Site at www.psea.net and clicking on the First Choice Member Assistance Program section.

Member Services Provided By:

FIRST CHOICE HEALTH
EMPLOYEE ASSISTANCE PROGRAM

1-800-777-4414

www.firstchoiceeap.com

Election Announcements

PSEA is accepting nominations for the following positions on the Alaska Trooper Chapter Board of Directors beginning this month. The term for these positions will be from July 1, 2005 to June 30, 2007.

President*

Southeast Vice President*

*Both of these positions are elected by statewide vote of the membership and these positions also serve on the Corporate Board of Directors.

All local representative positions are available for the term July 1, 2005 to June 30, 2006.

PSEA is also accepting nominations for the following positions on the Airport Police & Fire Officers chapter Board of Directors. The term for these positions will be from July 1, 2005 to June 30, 2007.

President*

Vice President*

Fairbanks Board Member

*Also serve on the Corporate Board of Directors.

The PSEA Health and Welfare Trust will be accepting nominations for the Airport Police & Fire Officers chapter position on the Board of Trustees. The Trustee will serve a three year term beginning July 1, 2005 to June 30, 2008. **Nominations for this position will be submitted to Labor Trust Services.**

Announcements, as well as nomination forms, can be found on the PSEA WEB site www.psea.net.

A letter to the ATC Chapter

Dear ATC members,

I would like to take a moment to express my sincere gratitude and thanks to those of you who have given your continued and unwavering support in our combined efforts to move our contract forward and maintain our health care program. This has been no small task, both in the union and out.

Just the process of getting our contract to Arbitration and refusing to let our health plan benefits be reduced, pushing HB 91, now HB 40, and bringing PSEA into the political area has been a major shift in PSEA direction. While we have reached the half-way mark in most of these areas we still have to finish the job. Our contract, whatever the Arbitrator's decision, needs to be funded and approved, our health care plan is again up-for renewal. HB 40 along with a possible Tier IV retirement bill needs to be kept abreast of.

Almost all of these are tied into a complex political process that we need to remain involved in and will remain involved in. This requires a unified front of the membership so we don't back slide to where we were. We have an outstanding office staff in place and board members who are not afraid to fight for the members and push these issues forward. Again, I thank you, the members and those board members, who have supported and stood by the membership and the goals we have taken on. For those who said we would never make it to arbitration, look for the decision on 3-11-05.

Jeff Manns

Rumors-Rumors-Rumors

Ever wonder how some rumors get started? Is there someone out there who just gets a kick out of making something up just to see the reaction? Sometimes it appears that way. More than likely though, someone just repeated what they had heard and then added their own little twists. By the time the message passes through a few hands, it usually only vaguely resembles the truth.

As an example PSEA learned that a few members of the Trooper and Airport chapters were spreading the rumor that the PSEA negotiating team had turned down an offer from the State's negotiating team for a 3% wage increase each year for three years and HB 91 (Tier I retirement benefits for Tier II & III employees). That rumor is absolutely untrue, but for reasons that can't be explained many members believed it. What really happened was that the state was fishing for a reaction and did give a verbal supposal, not a written offer, for 3, 3 & 3. But at no time was there an offer to throw in HB91. There couldn't have been.

The state's negotiating team has no authority to even make such a suggestion. HB 91 has to come from the legislature, not the administration. So, just how did that rumor ever get started? And why would our members believe it anyway? 3, 3 & 3 was offered by the state when they came to the arbitration hearing, and not before. And again, no mention of HB91.

PSEA represents employees who work in the law enforcement field. Employees who must work from gathered facts and not rumors. Can you imagine where we would be as a society if we convicted folks based solely on rumors? So, why are we so quick to accept a rumor about what the union is doing as fact? Fortunately not every member is so quick to judge. Occasionally the office will receive a call from a member who had heard a rumor and wishes to find out what really happened. To those members, thank you. To the rest of you, if you hear a rumor about what the union is, or is not, doing and you want verification, just get on the phone ask any board member. If they don't know they will find out.

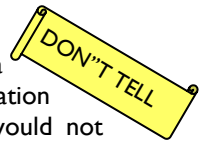
“Secret” Board Meetings

There have been a number of members express their frustration recently because they felt they were not being allowed to participate in scheduled board meetings. It is unfortunate that a few members feel this way. It is not the intent of the Board to exclude any member from PSEA's regularly scheduled meetings. In fact, the Board members have expressed frustration when they conduct meetings that are open to the membership and very few, if any, members attend.

This is not a new problem. For example, PSEA has not had a quorum of the members at an annual membership meeting since the meetings were held in Hawaii in the late 70's. Yet every year, per the Articles of Incorporation, an annual membership meeting is held.

At a recent board meeting held in Fairbanks, a number of Palmer members expressed a desire to teleconference into the meeting to discuss issues of concern. So, the local PSEA representative arranged for the conference call only to be told that no one had shown up at the scheduled time for the call. PSEA certainly understands that our members are busy and something could have come up that prevented our member's participation. However, the Board did not ignore our members and made the effort to accommodate their wishes.

To be clear, the Board did not open up a teleconference line for member participation during the entire meeting. To do so, would not only be very expensive, but would also disrupt the orderly process of conducting the Union's business. However, the Board is not opposed to scheduling a certain period of time for members to call in when such a request is made.



One issue that has been raised is the Board's usage of Executive Session. These are in fact a rarity. They are used when the issues are sensitive in nature and confidentiality is mandatory. An example of when an Executive Session is called to order is when there is going to be discussion with regards to staff personnel issues. Whether it is for conduct concerns, performance evaluations or other issues such as salary, the staff has a right to privacy and the Union has a responsibility to keep these matters private. Being members of the law enforcement community, the Board members are hopeful you understand that there is sometimes a need for confidentiality.

PSEA board members work for you. Their job is to represent you to the best of their ability and they have done an outstanding job. If you think they could do things better, tell them so. But don't be bashful to let them know when you think they are on track. The best interest of the membership is their only agenda.

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