



King County

Office of Labor Relations Staff Report

SUBJECT: The proposed Ordinance would approve and adopt a Collective Bargaining Agreement between King County and the King County Corrections Guild (KCCG), representing approximately 558 employees in the Department of Adult and Juvenile Detention (DAJD), providing for their wages, hours and other terms and conditions of employment, and establishing the effective date of said agreement.

CBA Description:	King County and KCCG representing Corrections Officers and Corrections Sergeants in DAJD
County Spokesperson:	Dave Topaz, Labor Relations Negotiator - Senior, Office of Labor Relations
Union Spokesperson:	Dennis Folk, President, KCCG

UNIT OVERVIEW: The KCCG bargaining unit includes approximately 518 Corrections Officers and 40 Corrections Sergeants who work in the Adult Divisions of DAJD. These employees staff the adult jail facilities at the King County Correctional Facility (KCCF) in Seattle and the Maleng Regional Justice Center (MRJC) in Kent.

BARGAINING HISTORY:

This bargaining unit’s previous CBA¹ expired at the end of 2016. Negotiation of the successor CBA began approximately seven months before contract expiration. The parties reached two tentative agreements during the bargain, but neither were ratified by the Guild’s membership. The parties reached impasse after returning to mediation following failure to ratify the second tentative agreement. Based on the mediator’s recommendations, the Public Employment Relations Director certified the issues for interest arbitration. After a hearing, the interest arbitrator issued his determinations on June 10, 2019 (Att. 2). That award, which adopted the parties’ tentative agreements and issued determinations on the outstanding issues, are final and binding on the parties pursuant to RCW 41.56.450.

SUMMARY OF KEY CHANGES:

- 1. Contract Term:** January 1, 2017 through and including December 31, 2019
- 2. Compensation Changes:**

¹ Ordinance 18091, adopted July 27, 2015

a. **General Wages Increases (GWI):** The GWIs raised the starting wage rate for a Corrections Officer from \$27.85 to \$30.21, which is expected to aid in recruitment when combined with DAJD's other hiring incentives.

- 2017 – 2.25%
- 2018 – 3.00%
- 2019 – 3.00%

3. Additional Changes:

- a. **Compensatory Time Limits** – A key provision of the CBA is a new annual cap on the accrual of compensatory time, which is projected to significantly contribute to the reduction of mandatory overtime (MOT) by increasing available working hours. The prior contract provision had a replenishable cap of 82 hours of compensatory time, while the new CBA provision is a non-replenishable annual cap of 82 hours. As an additional incentive to reduce MOT, employees can earn an additional 40 hours on volunteer overtime.
- b. **Notice of Leave Use and Cancellation** – Under the new CBA, vacation requests submitted after the annual bid must be made 72 hours in advance. The prior CBA required only one hour of notice. In addition, annual bid cancellation requests must now be made 72 hours in advance, except under agreed conditions, and overtime may be scheduled 72 hours in advance. The expected impact is that DAJD will have more notice to plan backfill coverage, and less need for last minute MOT.
- c. **Monthly Range Fee Reimbursement** – Gun qualified employees are able to be reimbursed for range fees of up to \$15 per month.
- d. **Biweekly Longevity Pay** – The parties reached agreement on aligning this premium pay with the biweekly payroll system, rather than semi-monthly.
- e. **No Reversion of Donated Leaves** – This agreement aligns with provisions under the Master Labor Agreement, and the revised King County Code².
- f. **Standardized Work Out of Class** – This provision was standardized to 5% for most work out of class, to align with the Master Labor Agreement.

FISCAL IMPACT:

The fiscal impact of the Agreement is detailed in the Executive's Fiscal Note for the proposed ordinance.

² KCC 3.12.223(B)(3)

ATTACHMENTS:

1. Proposed Ordinance 2020-XXXX (and its attachments)
2. Interest Arbitration Award
3. Transmittal Letter
4. Checklist and Summary of Changes
5. Fiscal Note for PO 2020-XXXX (CBA)
6. Contract Consistency with Adopted Labor Policies



King County

Dow Constantine

King County Executive

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May 14, 2020

The Honorable Claudia Balducci
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Balducci:

This letter transmits a proposed ordinance that would, if enacted, ratify a collective bargaining agreement (CBA) with the King County Corrections Guild (KCCG) for the period of January 1, 2017, through December 31, 2019. Adoption of this proposed ordinance will enable King County and the Department of Adult and Juvenile Detention (DAJD) to provide bargained for wages, hours and working conditions in support of our employees who provide essential corrections services.

This CBA covers approximately 540 Corrections Officers and Sergeants in DAJD and is in part the result of an interest arbitration award. The interest arbitration award is final and binding pursuant to the Revised Code of Washington (RCW) 41.56.450. These uniformed officers supervise the jail populations at the County's two adult corrections facilities. They are highly valued for their public safety role by providing safe and secure detention.

This CBA improves DAJD's ability to efficiently manage staffing resources, with the goal of reducing mandatory overtime. A new annual limit on the accrual of compensatory time will increase available work hours for existing staff and reduce the number of vacant shifts which require backfill/mandatory overtime. This negotiated CBA also increases the length of time for the required notice of cancellation of leave, allowing more time for advanced scheduling which will reduce the need for unplanned mandatory overtime.

This agreement includes retroactive general wage increases of 2.25 percent in 2017, and 3 percent in 2018 and 2019. These wage increases are expected to aid in recruiting, while staying consistent with wage increases for other County bargaining units during the same period. This CBA also adopts standard provisions regarding work out of class pay and longevity payments, and eliminates the payment of incentives while in no-pay status. These standard provisions create efficiencies for payroll administration.

The Honorable Claudia Balducci

May 14, 2020

Page 2

The negotiated CBA advances the King County Strategic Plan's guiding principles and goals of providing financially sustainable and efficient government services by advancing consistent and standard labor practices.

Supplemental budget authority required to fund the \$4.8 million unbudgeted retroactive wage portion of the agreement will be included in the upcoming budget supplemental omnibus ordinance. Please note that supplemental budget authority was previously requested in Proposed Ordinance 2019-0393, which has since been requested to be withdrawn. A complete allocation of the costs associated with this CBA can be found in the accompanying fiscal note, which has been reviewed by the Office of Performance, Strategy, and Budget.

Thank you for your consideration of this proposed ordinance, which will maintain continuity of detention services. The negotiated CBA will improve the Department's ability to manage its staffing resources in a cost-effective manner. The agreement is the product of significant work by King County and KCCG to achieve a final agreement.

If your staff have questions, please contact Megan Pedersen, Director, Office of Labor Relations, at 206-263-2898.

Sincerely,

A handwritten signature in black ink, appearing to read "Dow Constantine".

Dow Constantine
King County Executive

Enclosure

cc: King County Councilmembers
 ATTN: Carolyn Busch, Chief of Staff
 Melani Pedroza, Clerk of the Council
Shannon Braddock, Deputy Chief of Staff, Office of the Executive
Karan Gill, Director, Council Relations, Office of the Executive
Dwight Dively, Director, Office of Performance, Strategy and Budget
Megan Pedersen, Director, Office of Labor Relations



King County

Checklist and Summary of Changes for the attached Collective Bargaining Agreement

Name of Agreement
King County Corrections Guild (Department of Adult & Juvenile Detention) (Interest Arbitration Award)
Labor Negotiator
Dave Topaz

<i>Prosecuting Attorney's Review</i>	Y
<i>Legislative Review Form; Motion or Ordinance</i>	Y
<i>Executive Letter</i>	Y
<i>Fiscal Note</i>	Y
<i>Six Point Summary</i>	Y
<i>King County Council Adopted Labor Policies Consistency Ordinance</i>	Y
<i>Original Signed Agreement(s)</i>	Y
<i>Does transmittal include MOU/MOA?</i>	N/A

<i>Six Point Summary of changes to the attached agreement:</i>
1. 122 hour annual accrual and use limit for compensatory time off
2. Wages of 2.25% for 2017, 3% for 2018, and 3% for 2019
3. 72 hr notice to use leave after the annual leave bid
4. 72 hr notice to cancel annually bid leave
5. Ability of Captains to schedule voluntary overtime 72 hours in advance
6. Standardized out of class pay at 5% flat



FISCAL NOTE

Ordinance/Motion No.	Collective Bargaining Agreement - Implementation of Interest Arbitration Award and Resulting Salary Schedule		
Title:	King County Corrections Guild (Department of Adult and Juvenile Detention)		
Effective Date:	1/1/17 to 12/31/19		
Affected Agency and/or Agencies:	Department of Adult and Juvenile Detention		
Note Prepared by:	Matthew McCoy, Labor Relations Analyst, Office of Labor Relations	Phone: 263-1966	
Department Sign Off:	David Pierce, Asst. Finance Manager, DAJD	Phone: 477-2337	
Note Reviewed by: Supplemental Required?	Andrew Bauck, Budget Analyst	Phone: 263-9771	
NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>		

EXPENDITURES FROM:

Fund Title	Fund Code	Department	2017	2018	2019
CX	10	DAJD	\$ 1,442,000	\$ 1,895,000	\$ 1,952,000
<i>TOTAL: Increase FM previous year</i>					
<i>TOTAL: Cumulative</i>			\$ 1,442,000	\$ 1,895,000	\$ 1,952,000

EXPENDITURE BY CATEGORIES:

Expense Type	Fund Code	Department	2017 Base	2017	2018	2019
Salaries	10	DAJD	\$ 42,125,000	\$ 999,000	\$ 1,292,000	\$ 1,331,000
OT	10	DAJD	\$ 9,357,000	\$ 211,000	\$ 287,000	\$ 296,000
PSERS & FICA	10	DAJD	\$ 10,296,000	\$ 232,000	\$ 316,000	\$ 325,000
Total	10	DAJD	\$ 61,779,000			
<i>TOTAL: Increase FM previous year</i>				\$ 1,442,000	\$ 1,895,000	\$ 1,952,000
<i>TOTAL: Cumulative</i>				\$ 1,442,000	\$ 3,337,000	\$ 5,289,000

ASSUMPTIONS:

Assumptions used in estimating expenditure include:

- Contract Period(s):** 1/1/2017 – 12/31/2019
- Wage Adjustments & Effective Dates:**
 - COLA:** 2.25% in 2017, 3.00% in 2018, 3.00% in 2019
 - Other:**
 - Retro/Lump Sum Payment:**
- Other Wage-Related Factors:**
 - Step Increase Movement:**
 - PSERS/FICA:** 20%
 - Overtime:**
- Other Cost Factors:**
 - Monthly range fees of \$15 paid for all gun qualified officers (expected cost of \$50,000 per year) included in above totals. This fee is retroactive to 1/1/2017.

Contract Consistency with Adopted Labor Policies

Contract: King County Corrections Guild (Department of Adult & Juvenile Detention) (Interest Arbitration Award) [295]

County Department(s):	Department of Adult and Juvenile Detention
Term of Contract:	January 1, 2017-December 31, 2019
County Negotiator:	Dave Topaz

Labor Policy	Is Contract Consistent with Adopted Labor Policies? If not, please explain.
Contract Consolidation	Y
Diversity	Y
Project Labor Agreements	N/A
Performance Evaluations	N/A
Continuous Improvement	Y
Labor-Management Committees	Y
Labor-Management Partnerships	Y
Mediation	Y
Binding Interest Arbitration	Y
Interest-based Bargaining	Y
Timeliness of Negotiations	Y
Compensation	Y
Overtime	Y
Benefits	Y
Reduction-in-Force	Y
Contracting Out of Work	Y
Use of Temporary and Part-time Employees	N/A
Civilian Oversight of Sheriff's Office	N/A
Sheriff's Office Implementation of Report Recommendations	N/A
Legislative Branch Employees and Officials	N/A