APEA POLL REGARDING STATE BUDGET – PLEASE RESPOND!!

Cecily Hodges, President

As you certainly know, our state has been grappling with financial problems and state budget shortfalls for several years, and has been unable to overcome the numerous hurdles that have prevented development of a serious and reasonably stable state financial plan, which will allow the state to begin to manage its finances and deal with the budget problems.

Last year, APEA participated with the “Alaska Futures” organization, which worked to encourage the Administration and the Legislature to develop a financial plan and address the state’s financial problems. “Alaska Futures” did not recommend any specific plan or plans, but listed all the various cost-cutting and income-generating plans being discussed and tried to encourage a discussion that would fully consider all ideas and eventually move towards some consensus solution.

I’m sure you are aware that the ideas and solutions are broadly varied – cutting government even further, diverting the PFD to fund government, introducing one or more of a variety of revenue-generating taxes and/or fees. The state’s financial situation remains serious, serious moving towards grave, and the discussion will become even more intense this legislative session.

Although we have talked a great deal about the situation, and about various correction ideas and techniques, before APEA begins to advocate for any specific solutions, your Board of Directors will appreciate your opinion and the opinion of your fellow APEA members.

In the very near future, we will distribute a poll to all Locals and as many members as possible, soliciting your opinions about how to address Alaska’s financial problems.

When it arrives, please complete the poll and return it – your Board recognizes that more specific and direct action will probably be necessary to identify and implement the process of addressing the situation, but wants your opinion, hopes to identify a consensus APEA membership opinion, identifying exactly what actions, what changes, what techniques the membership recommends.

We look forward to your responses, and we will share the poll results.

Thank you!
Colleen James, a forensic nurse at South Peninsula Hospital, was honored at the Nov. 15 Lights in the Night Awards Banquet in recognition of her significant contribution to child advocacy in Alaska. This award was given to Colleen at the 2016 Alaska Conference on Child Maltreatment in Anchorage by the Alaska Children’s Alliance, an accredited chapter of the National Children’s Alliance.

In 1993, reacting to the need to know the best possible practice for caring for a child patient who had been sexually assaulted, Colleen started Alaska’s first, and longest running, Sexual Assault Response Team, or SART, program in Homer.

“I just felt very passionate that there had to be a better way to take care of victims of crime, of sexual assault, so I started researching and I found out there were a couple of programs in the United States using nurses to do the exams — and we had the first training there in Homer in 1993,” said Colleen.

Colleen was a steadfast supporter to many communities as they began the process of founding Child Advocacy Centers, and was instrumental in the founding of the Alaska Children’s Alliance and of the Child Advocacy Center in Homer. Once establishing the SART training program, she personally took it to Anchorage, Mat-Su, Fairbanks and many other rural locations in Alaska. She has coordinated and taught many multidisciplinary courses and classes in Alaska, nationally and internationally. For more than 10 years Colleen was the Clinical Forensic Nursing Services Coordinator for Central Peninsula Hospital. She served on the State of Alaska Child Death Review Team. She is a family support specialist at Sprout Family Services and currently the President and negotiator for the Homer Organization of Professional Employees, APEA/AFT Local #6572. Colleen also is on the Continuing Education Committee as a Nurse Planner for Alaska Nurses Association, an AFT affiliate.

She also continues to promote the need for evidence-based care of victims of violence to extend to forensic photography, courtroom testimony, and strangulation in the past ten years. She was instrumental in bringing new photographic concepts specific to medical legal documentation not just in Alaska, but also nationally and her methodology was recently highlighted in a forensic technology textbook that trains all levels of forensic specialists, not just nurses. She has been active in the International Association of Forensic Nursing during her career; helping to develop training, certification and the yearly scientific conferences which IAFN has hosted.

Colleen also was recognized by the Alaska Nurses Association’s annual Heroes in Nursing Awards where she received the Visionary Nurse Award, which specifically recognizes outstanding accomplishments in the area of interpersonal violence prevention, direct services, or advocacy.
APEA/AFT MEMBERS IN THE NEWS AND IN OUR COMMUNITIES
Meet Bob Murphy, SU Local #4900 New Southcentral Chair!

From state workers
Posted: Tuesday, January 10, 2017 9:00 am

Bob Murphy of the Alaska Department of Fish and Game presents a check for $750 to Brother Francis Shelter executive director Monte Hawver, Monday. The donation comes from the State Supervisory Unit of the Alaska Public Employees Association to support the shelter's services on behalf of the homeless.
Corinne McVee epitomizes a union activist. She started teaching music at the Mat-Su School District in 1981 then came to the Anchorage School District as a teacher in 1983. During her tenure as an ASD teacher she was active in the Anchorage Education Association, serving on many committees over the years and as the Employee Representative for the Music Department.

Corinne joined the APEA/AFT family when she began working as a Grant Writer in 2005 and became a member of the Anchorage Council of Education, APEA/AFT Local 4425. She was almost immediately elected to the ACE Board of Directors in 2006.

As ACE Second Vice President she was responsible for political education. With her passion and knowledge for politics she was also elected to the APEA/AFT EPIC board in 2007. If two union positions were not enough, she also served as the APEA/AFT Executive Vice President for three years.

Corinne has worked vigorously educating politicians and the public on the needs of public employees. She has given much of her time to attend countless meetings, trainings and conventions both locally and nationally with AFT.

On top of Corinne’s union activism she is a freelance musician and a member of the Anchorage Symphony Orchestra holding the piccolo/flute permanent seat since 1992. Corinne retired from the Anchorage School District as the Manager of Grant Writing Services in November of this year.

She may not be an ACE member any longer, but she is now a life member to RPEA and we anticipate seeing her advocating for the rights and benefits of our retirees.

Corinne leaves this message to the members: Unions have had my back for my entire adult life. My first union job was cleaning hotel rooms every summer to make money for college. I earned higher wages than friends who had non-union summer jobs, and my union looked out for me when I sustained an injury.

My second union job was as a public school teacher (Anchorage and MatSu). My union worked to provide me with salary increases, benefits, and better working conditions; and represented me when a principal denied me my rights.

My third union job was a grant writing position with the Anchorage School District. My union negotiated contracts with good benefits, helped reclassify me into a higher position (when my boss retired and I suddenly became the boss with no additional compensation!), and stood strongly for education and public employee issues at the local, state, and national level.

(Continued)
Our union is successful because of two things: our financial contributions and our activism. The support I received from my unions was worth every penny of the dues I paid! I became involved in union leadership because I valued what the union did for me and felt an obligation to give back.

I encourage every member to help their union grow stronger. There are many ways to put the “you” in Union! The first step is to take ownership. I hope every member will start saying “our union” instead of “the union”, or saying “we” instead of “they” when referring to their union.

I encourage all members to find a way to help your union, whether in a large way such as serving on a board or committee, or in small ways such as attending meetings, voting, volunteering for events, and contacting your legislators about important political issues. Small steps lead to big results. When we walk in unity, we win.

As a musician, I can’t resist quoting a classic union song: Solidarity Forever, for the union makes us strong!

Corinne McVee

We thank Corinne for her dedication and commitment to the APEA/AFT members.

CEA BOARD REPORT

Greetings CEA Brothers and Sisters,

2016 has been a busy year. CEA has faced some changes to our Executive Board, Sarah Christian stepped down as CEA President, and has left our HBEC board as the alternate and is now in a Supervisory position, thank you for your service, Sarah, you will be missed but at least you are staying in the extended family.

Joseph Reeves IV has officially assumed the office of the president and Lura Noss has been selected by the Executive Board to serve as CEA Vice President. With the void Sarah left us, the board has appointed Jodi Williams from Ketchikan to fill the Out of Juneau seat. If you are interested in serving your brothers and sisters as an executive board member, April 2017 we have our annual meeting and will be requesting interested parties to consider running and will be voted on during the annual meeting, more information to come later.

Joe has been with the State of Alaska since May 2001 and with CEA since March 2007 and has served on the Executive Board since June 2014. Joe also serves as the Alternate on the APEA Executive board. Joe is currently the Trainer at payroll services in Juneau. Thank you Joseph!

Lura has been with the State of Alaska since May 2004 and with CEA since November 2006. She is currently a Human Resource Technician for Health and Social Services payroll in Anchorage. Lura also serves on the EPIC board and loves politics! Thank you Lura!

(Continued)
Jodi began her state service in June 2005 and has been a member of CEA since July 2009, and is currently a Marine Highway Dispatcher for the Alaska Marine Highway System. She brings a lot of energy and new ideas to the board and we look forward to working with her. Welcome Jodi!

The board is preparing for our annual community outreach and this year has decided to donate $500.00 to Juneau Alaska Music Matters (JAMM) and $250.00 to Bean’s Café: The Children’s Lunchbox in Anchorage. JAMM is a tuition free music program that serves 600 students in three elementary schools and one middle school in the Juneau School District. Beans Café and the Kid’s Café officially merged in 2006 to form The Children’s Lunchbox, in 2009 introduced a weekend food program at Mt. View Elementary, and since then has grown to include seven Title I elementary schools in Anchorage.

The board is currently researching other ways to give back to our members, through fundraising and volunteer efforts, if you have ideas or causes you would like to see your board participate in please contact any of your board members. We are always on the lookout for volunteers for committees and community action.

With 2017 still being brand new, a new year often brings co-workers, family and friends together, to show appreciation for the love in our lives we often take for granted, to a joyful present and a well-remembered past, CEA wishes you a wonderful 2017!

In Solidarity,
Your CEA Executive Board,
Joseph Reeves   Lura Noss   Terri Moore  Tami Brown
Angelica Johanson   Mindy Jones   Jodi Williams

Privatization and Layoff Procedures, by Anne Knight

In response to questions APEA/AFT staff are receiving from our Supervisory Unit (SU Local 4900) and Confidential Employees Association (CEA Local 6133) members regarding DOT Privatization, this article, which contains contract language and FAQ’s provided by the State on the Division of Personnel’s site, was written in hopes to clarify the process.

Both of the SU and CEA contracts include language regarding the process the State of Alaska (SOA) is required to follow in order to contract out (privatization). Both contracts require that a Feasibility Study be completed PRIOR to contracting out (privatization). Additionally, if the State decides to proceed with contracting out, they are required to follow the layoff procedures that are also noted in each of the contracts. Both contracts require that impacted employees be noticed and layoff points be calculated as follows:

Notice to impacted employees is as follows:
• Permanent Employees – will be given at least ten (10) working days notice before the effective date of layoff.
• Non-Permanent Employees – Every effort will be made to provide the same amount of time as the permanent employee, but it is not a requirement.
The Classified service consists of all positions in the state service not included in the exempt service or partially exempt services. (AS 39.25.100)

Layoff points are calculated on probationary and permanent employment in the classified service. Periods of nonpermanent, emergency, exempt, and partially exempt service are not credited. Time served as a provisional employee is credited only when it has been retroactively converted to probationary or permanent status (in the same PCN). Each bargaining unit contract outlines the steps to be followed during the layoff process.

Displacing/Bumping or transferring to another position at the same job class level within the organizational unit may be an option if the employee in the position slated for elimination has more seniority than another employee in the same job class within the unit. If this is the case, the employee who is displaced by the more senior employee then has the option of bumping the least senior employee in the next lower job classification in the same class series within the unit, provided the employee who is displaced has more seniority than any employee in the next lower job classification. If there is no employee with less layoff points in that next lower classification, each lower classification is reviewed until the series is exhausted.

In some situations, bumping rights will not be applicable such as when there are no lower job classifications in the same class series within the organizational unit, or all positions within the organizational unit are being eliminated. Employees slated for layoff are informed of the option to displace/bump an employee at the same level or in a lower job classification at the time they are notified of their impending layoff and are given ten (10) working days from the date the layoff notice is received to exercise this option. Employees who choose to exercise “bumping rights” are placed in layoff status from the original job classification held.

Choosing to not exercise bumping rights does not affect layoff rights. The applicable collective bargaining agreement should be referenced for specific provisions regarding bumping rights.

At this time, the SOA has confirmed they have every intention of following the process noted above. We are tracking this situation and as additional information becomes available, we will let you all know. An extended version of this article is located on the APEA/AFT website http://www.apea-aft.org/home and the SOA FAQ’s regarding layoff is on the Division of Personnel and Labor Relations website. http://doa.alaska.gov/dop/fileadmin/Human_Resource_Services/pdf/LayoffFAQ.pdf

Field Representatives Joel Hill or Annie Knight are your contacts should you have additional questions. Joel may be reached at jhill@apea-aft.org or by phone at 907-586-2334; Annie may be reached at aknight@apea-aft.org or by phone at 907-274-1724.
Southeast Member Spotlight: Liam Carnahan  By Joel Hill, Southeast Field Representative

I’ve recently had several inquiries as to what it means to be an employee representative for the Southeast Region … who better than one serving in the position.

Liam Carnahan is a great representative at DOT. He has attended several trainings including the annual Alyeska conference, and the National Association of State Highway and Transportation Unions (NASHTU) conference.

So I asked Liam to provide his thoughts: “Being an Employee Rep is a rewarding experience. I get to work with our members to help them with issues and concerns that arise and communicate what’s happening. Members have lots of questions about negotiations, our new contract, furloughs and a raft of other issues. Being an Employee Rep allows me to be an additional conduit of information between Union staff and our members. I have an open door that allows our members to air their concerns or get feedback to our Union staff.

“I am impressed with the quality of our union staff in negotiations, training and representation. I fully recommend getting involved with our union as an Employee Representative / Shop Steward or Union staff or whatever capacity you have available.”

News From the Interior  By Jason Roach, Northern Field Representative

On January 6, 2017, APEA and SU formed a committee to put a personal touch on talking points to address possible layoffs from the State.

Other members present by phone were Liam Carnahan and Leslie Daugherty of Juneau and Sean Baski of Anchorage. We had a very productive meeting which included pulling together failed privatization studies from other states, highlighting what didn’t work, to show that it won’t save us money but will actually seriously harm the mission of Design and Planning departments in DOT.

It was our goal to put together a short elevator pitch for our members to communicate to legislators. We also wanted a longer version that members can dig deeper into. APEA also provided resources for members to make a phone call or set up an appointment to meet with their legislators to express their feelings about the layoffs.

We will continue to find creative ways to show the State of Alaska that layoffs will not only have a direct impact on our members and families but the loss of any State jobs will have a ripple effect on all of our local economies. As proud members of APEA we want to send a loud and clear message to Governor Walker:

“You cannot balance the budget and fix our state’s financial crisis on the backs of State workers.”
Adjunct Professors have always been in a “different class” of workers. They never seem to know if they have a class until right before the semester begins; they are paid by the class they teach and sometimes their classes are taken away from them at the last moment with low enrollment or by being “bumped” by a Full-Time Professor. They have virtually no guarantees over continuing employment and are considered “at-will” employees. For years, Adjuncts have been going round sometimes in circles over whether they can collect unemployment insurance between academic terms.

Now, AFT has worked with several other unions to get Department of Labor (DOL) guidance to clarify to the state agencies how to understand adjunct employment and how to apply unemployment under the law to these employees. The Advisory Letter to State Workforce agencies (Unemployment Insurance Program Letter 5-17) deals with whether an employee has either a contract or reasonable assurance to work for the educational institution once school resumes for purposes of determining unemployment eligibility.

Although the guidance is too complicated to go over in detail, and in many instances the determination depends on the surrounding facts, it does address whether employees are considered to have a reasonable expectation of resuming teaching classes in the subsequent semester. Factors to consider are any contingent nature of any offer of employment (i.e. availability of funding etc.) as well as if there is a high probability that employment will be available based on the “totality of circumstances.”

When in doubt, Adjunct Professors should file for unemployment and are eligible to do so as soon as they are finished with that semester’s work and they are unemployed (usually summers). At a recent AFT conference, a State of Washington Adjunct Professor advised all adjuncts to file during the summer as long as there is no assurance of employment the next semester and it was also advised to follow the appeals decision if initially denied because in her state applicants were routinely denied benefits on the initial filing but normally won their benefits if they appealed their case.
In Memory of former ACE Member Sharron Harris

Sharron Harris passed away suddenly on Friday, December 2, 2016. Sharron was a special union sister as she was a true advocate for her fellow workers, the children and our community. Sharron was tireless in her efforts to help others.

She started working for the Anchorage School District in the 21st Century Community Learning Center program at Baxter Elementary School from 1988-2004 before transferring to Fairview Elementary School until her retirement in 2012.

Sharron was the Treasurer for the Anchorage Council of Education, APEA/AFT Local 4425, from 2001 through 2012, and she continued after retirement to volunteer helping ACE and other Local Treasurers with setting up books, auditing and in giving general advice on how to be an AFT Treasurer.

Sharron was also very giving to her community and was active as a current officer in the Airport Heights Community Council.

RPEA Wins Partial Summary Judgment In Declaratory Relief Lawsuit

Sharon Hoffbeck, President/RPEA

In January 2016, RPEA filed a Declaratory Relief Lawsuit against the State of Alaska asking the Court to rule: 1) that the optional Dental/Vision/Audio (DVA) health plan offered at the time of retirement is constitutionally protected from diminishment or impairment--just like the retiree medical health plan is, and 2) that the State be required to restore the DVA plan to its 2013 benefit levels.

On December 7, 2016, the Superior Court held an oral argument hearing. At the end of the hearing, the Judge granted RPEA’s motion and ruled that DVA benefits are constitutionally protected just the same as the other medical benefits provided to retirees.

A court date has been set for February 2, 2017 to address RPEA’s request that DVA benefits that were removed from the plan in January 2014, be restored as closely as possible to their 2013 levels.

We met with our attorney, Susan Orlansky, and discussed our options.

The court documents and ruling can be seen at the RPEA website: http://www.rpea.apea-aft.org/

If there are questions, please contact Sharon Hoffbeck, President, RPEA at sharonhoffbeck@gmail.com.
PRIVATIZATION – THE SOLUTION THAT ISN’T

Our state’s financial problems are well known, over discussed and under addressed, but I think everyone was taken aback on 15 December when the Governor presented his initial FY18 Budget. The two items that especially jolted people were the unilateral “freezing” of all non-represented state employees’ salaries at their present dollar value and the what-seemed-to-be “done & decided” announcement that Department of Transportation’s entire Design division – over 300 positions and nearly as many people – would be abolished and privatized.

While the pay freeze was not necessarily unexpected (recall that several legislators attempted to impose a pay freeze on all state personnel at the end of last session), it is disappointing in its scope, broadness and apparent lack of analysis. Non-represented state employees include commissioners, appointees to various special boards and commissions and other executives who make substantial salaries and can weather the impact of a freeze on their wages, but non-represented also includes the clerks, admin assistants and other support personnel to those commissions, special boards and executives, many of whom cannot readily absorb the loss of anticipated earning associated with a pay freeze.

Worse yet is the idea that privatization of government work is a savings, much less an effective means to accomplish government work. Why is it so difficult to understand that government doesn’t act like a business because government is not a business? Government’s work does not “convert” to privatization or being effectively performed by a for-profit business. Do we really want businesses supporting themselves and taking profits from issuing drivers licenses, hunting licenses, or recording the deeds to our homes?

There are some exceptions – usually involving either very mundane work activities or extremely technical work activities – but, in general, government services do not lend themselves to for-profit privatization because the services cannot be “packaged” to generate profit, for sales, bargain-buying or other marketing exercises, and because the services need to have quality and provide the requisite service or assistance to the general public.

DOT’s Design activity is a good example of a highly technical, specialized work activity that seems to be an excellent fit for a certain – a substantial – degree of privatization, but a carefully balanced privatized and in-house program. In addition to the basic design of any construction project, specialized factors, such as environmental impact, must also be developed with the essential design work. These specialized factors are usually so technical and so unique that it is more cost-effective and efficient to contract-out analysis/design of the specialized factor to someone who has specialized their practice and is an expert in that specific, particular aspect of the project.

Once the full design is complete, of course, a construction firm will be contracted to perform the actual construction, itself. So, if the design element is fully contracted and then the construction effort is fully contracted, there would be no review or oversight from a public or governmental entity to assure prudent and proper expenditure of public money, to construct a public project, expended by a for-profit, private business.

As you can imagine, APEA - membership and staff - are on alert reviewing, analyzing and testing these savings schemes. This will be a major order of business for us in the upcoming months; and we will appreciate the support and assistance of every member in our efforts to help shape the state’s responses to the financial challenges, and guard against having “the cure being worse than the disease.”