

# MEET & CONFER MEETING

## January 29, 2015

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Director Ryan greeted the group and addressed the following questions and agenda items.

### **Item 1** - Meet and Confer policy revision

The Meet and Confer Executive Order issued by Governor Napolitano and our Policy are being reconciled. Director Ryan recently met with Employee Organization representatives President Len Sustaita (AZCPOA), President Richard Mehner (FOP), and member Mindi Kraicinski (ACA), Deputy Director Jeff Hood, Division Director Carson McWilliams, SROD Joe Profiri, and NROD Ernest Trujillo for discussion on parts of ADC policy that are not being fulfilled – either by the Department or the Employee Organizations. DD McWilliams formed a 501 Committee which consisted of the QEO and OEO Members whom are R. Mehner, M. Kraicinski, L. Sustaita, along with SROD Profiri, P. O’Connell, J. Roberts and C. Hacker-Agnew who collaborated to develop and suggest policy language that is more consistent, makes policy compliance easier, and conforms with Lean Transformation underway under Governor Ducey. (The Lean Transformation initiative is being spearheaded by the Governor’s Transformation Office and will focus on efficiencies in processes.) Per a briefing by SROD Profiri, the revised DO will ensure the language is consistent regarding the time frames for questions to be submitted by QEO and the OEOs; will generally ensure that language applying to the QEO also applies to the OEOs; includes mention of e-briefings; changes language on how bulletin boards can be used by the organizations; includes language in policy on time frames for meeting requests and how many eligible employees will attend; plus other changes. The revised draft policy will be submitted to Executive Staff for review and comments. The Committee will meet again following the Executive Staff review to discuss any comments and finalize a draft for the Director’s review and approval.

ACA’s Mindy Kraicinski posed a question regarding the intent of only one QEO. Director Ryan confirmed that the Executive Order intends for there to exist only one QEO, as one Employee Organization is always the majority based on membership enrollment via payroll deduction. The Department is responsible to verify that majority (by checking payroll deductions) annually, however this has not been done in recent years. With the updated DO policy revision, this action will be taken as required. Director Ryan stated that his open door/open email policy has been in play, six years ago tomorrow, and he stands by this. The purpose of Meet and Confer is to raise issues of systemic nature. Continue to elevate localized issues through the Warden at each complex, as opposed to waiting three months for the Meet and Confer. We will tweak the DO and continue to move forward.

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**SUBMITTED QUESTIONS AND ANSWERS**

AZCPOA did not pose any questions. Questions one through three posed by Fraternal Order of Police, Lodge 44. Questions one through four posed by ACA.

**Richard Mehner - FOP**

These are questions from Officers in the Units collected by Fraternal Order of Police Members:

**Question 1** - With recent legislation passed in 2014, a change was made to the Cancer Insurance Program (CIP), soon to be known as the FIREFIGHTER, PEACE OFFICER AND CORRECTIONS OFFICER CANCER INSURANCE PROGRAM, administrated by PSPRS. The change now allows CORP Members to join CIP. According to the program, CORP employers must enroll into the program. FOP is requesting that ADC enroll into this program, if not already, before the 1/31/2015 deadline, thus allowing CORP employees to purchase the benefit.

**Answer 1** - Colleen McManus confirmed that the Public Safety Personnel Retirement System (PSPRS) has not yet voted, but is expected to on 2/25/15. Because it has taken PSPRS so long to take action on this, they will send out our CORP member enrollment packets prior to their annual July billing and will give employers options regarding when they begin the program. PSPRS will give us 3 months to gather all the information to participate. The deadline has been extended. We anticipate that we will enroll in the CIP and will have more information and direction from PSPRS following their 2/25 board meeting. Our HR Benefits staff will follow this closely and will disseminate information to staff as applicable.

**Question 2** - At ASPC-Winslow, Operations staff are asked to work two major holidays a year and at least one weekend a month. Can this be applied state wide? This would assist all complexes in reduction of staff shortages, and help the units with additional duties such as searches, UA's, etc.

**Answer 2** - DD Carson McWilliams explained that Winslow has taken this option based on their high officer vacancy rate and the limited pool for staff volunteering for overtime shifts. Yes, this can be applied statewide. This use of support staff was used before with success. It builds teamwork and assists the unit with working more efficiently. Something will come out soon on how to work it out statewide. Director Ryan stated that policy clarification is not explicit right now. There is a limitation on number of overtime work hours in a given week for a non-exempt employee; the non-exempt

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employee cannot work more than sixteen hours per day, cannot work more than twenty-four hours overtime per week, and must have one full 24 hour RDO per week. In the past, fatigue has been the reason for a car accident on the way home from work. We don't want people to be worn out. We will do something in the policy. There are exceptions, such as fire crews and officers coming back from the hospital, who can run over a few minutes. You are encouraged to talk with your supervisor so that there are no issues.

**Question 3** - When considering uncovered employees, FOP is requesting that the response time for Administrative Inquiries be changed for uncovered employees from 3 days to 5 business days. (DO 601.03.1.2.2) Since uncovered employees have a very limited recourse to appeal a discipline under such matters and missing a policy, confusing a fact or any other mistake in the response has the potential to cost the employee their job. FOP does not believe granting this request has the potential to harm any investigation and would appreciate your consideration.

**Answer 3** - This issue was discussed with Director Ryan and the Inspector General, Mr. Lauchner. An Administrative Inquiry has to be completed within 30 days from the time the Department becomes aware of a matter that would result in the issuance of an Administrative Inquiry. Within those 30 days, the approving authority must determine mistake or misconduct, issue disciplinary sanctions, resolve the issue, or determine whether to elevate the AI to AIU for further investigation. DD Carson McWilliams confirmed that we will recommend the policy and forms be changed to five business days for all staff to prepare their initial response.

**Mindi Kraicinski – ACA**

On behalf of ACA, the following questions are provided:

**Question 1** - Status on pay increase proposal

**Answer 1** - Director Ryan confirmed that the Decision Package for pay is not in the Governor's budget. Governor Ducey has made it clear that the budget will be corrected by FY2017. There is a hiring freeze for all state agencies, effective February 1, 2015. ADOA has provided a draft list of job classifications/positions excluded from the freeze, as they are directly related to public safety. Colleen McManus explained that security positions are excluded from the hiring freeze, but that there are other "mission critical" positions needed to maintain normal operations, such as the physical plant workers, such as locksmiths and plumbers. The list of positions excluded from the hiring freeze will be submitted to ADOA for approval, and the freeze will go into effect. [Post-meeting

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note: It has been confirmed that the job classifications Correctional Lieutenant, Correctional Captain, Correctional Major and Correctional Administrator I have been added to the list of positions excluded from the hiring freeze. Recruitment and selection was immediately resumed for those job classifications.] Moving forward, positions will be added to the excluded list if they meet ADOA's criteria. For positions not on the "excluded" list, requests to fill can be submitted through the chain of command for approval consideration by the Director or Deputy Director as "mission critical."

Director Ryan shared that this past year we were able to add geographic stipends for hard to fill positions, eliminate salary compression in the CO series, and make market adjustments for Investigators. Additionally, several thousand employees received merit pay. These actions had a positive financial impact on over 6,000 employees. We hope to do the same this fiscal year through vacancy savings, but this remains to be seen, as money is very tight and many funds are already committed through the end of the fiscal year. We are fully committed to meeting the needs of institutions, or will otherwise set aside vacancy savings as a contingency. Most of what is in the budget is an annualization of beds; 1,000 beds in CCA and 500 at Rast have to be annualized. The Governor's budget recommendation supports the request for 3,000 medium security beds. ADC is experiencing 960 per year growth, and the greatest need is for medium custody beds. Director Ryan recently toured the Yuma complex, including the medium security unit at Cheyenne. Seven years ago, two of the buildings were condemned due to water damage and have not been in use; staff fed inmates in the visitation room of the 800-bed unit while waiting for the Legislature to fund repairs. Now, the Cheyenne kitchen and vocational building will be back on line in March, with the reactivation of 324 temporary beds that had been redlined. ADC has less than 2% vacant beds and needs 5% to run the system effectively. Special program beds for sex offenders, general population, and protective custody complicate this. We tried to distinguish "good versus bad" from all temporary beds, eliminating the "bad" temporary beds in phases. ADCs temporary beds are now double bunked beds in some dorms. Our validated classification system allows us the ability to override 10% of classification actions. There were 4,000 beds in the original design of the La Paz, Whetstone, and San Carlos units. We requested oversized utilities and 250 additional bunk beds against the walls in each unit, thereby getting 5,000 beds at the price of 4,000.

**Question 2** - Comment on Rep Kavanaugh's bill for increasing inmate pay: pros/cons, Director's perspective? Rumors that this is a move toward more privatization?

**Answer 2** - This bill has no connection with privatization. Inmate Pay is for Inmate Intergovernmental Agreements. The bill will allow, but will not require, that inmate pay could go up to \$1.50. We are submitting two bills this year; one for inmate pay increase

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and the other for a Fallen Employee Memorial site in the courtyard between the 1645 and 1601 buildings. Our buildings are part of the Capitol Mall and subject to regulations. We have initiated legislative language for the memorial; will need an external group to shepherd through the legislation. The memorial will honor ADC employees who die in the line of duty, while serving the Department. It could take eighteen to twenty-four months for that organization to complete the fundraising, design and dedicate the memorial.

**Question 3** - We would like to revisit the topic of 10-hr shifts for graveyard, to be an incentive for COs to request to be assigned to that shift. There is a great deal of interest, and we would like to request this be given consideration as a serious option.

**Answer 3** - DD Carson McWilliams explained that it takes more staff to run graveyard shift with a 4/10 shift than it does for a 5/8 shift. We currently have 637 vacant CO II FTEs statewide and are unable to change shift hours in this manner.

**Question 4** - Staff morale continues to be a problem; what are some specific steps the leadership is taking to improve staff morale?

**Answer 4** - DD Carson McWilliams recommends that first, staff morale begins with you. Your work ethic, your self-motivation and the pride you take in your job. Many things impact staff morale; working conditions; co-worker and supervisor interactions; number of daily tasks; inmate interactions, etc. Administrators and supervisors can improve staff morale by communication, providing tools needed, getting to personally know staff, being fair, being professional, leading by example, just to name a few. Now some are better at it than others, but we do strive for our leaders (through Employee Engagement, open door policies and working directly with staff) to try and improve the workload and conditions. Using teamwork, respecting each other, being professional and having strong work ethics can assist to improve morale overall.

Over the course of last year we rolled out many services for staff:

- We rolled out a major Employee Assistance Program offering many services free of charge or at discounted rates to employees.
- We introduced e-briefings from the Director to provide better and more direct communication with staff. Many of these messages celebrate the achievements of one or more staff.
- All prisons publish a newsletter highlighting and celebrating staff in these publications. We encouraged that each Warden circulate their institutions newsletter with other Wardens electronically. They can be placed on the intranet at all prisons statewide.

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- We delivered equity adjustments to many employees and merit-based bonuses to all eligible employees last year. Over 6,000 employees received some type of monetary acknowledgement.
- We added geographical stipends for officers at Eyman, Florence, Lewis, Safford and Winslow.
- The most recent employee engagement survey reflected a significant increase in the number of engaged employees – an indicator that Department-wide, people are feeling better about their jobs and ADC as a place to work.
- We will publish an employee retention plan soon noting the many things we are doing to keep our best staff. You are encouraged to embrace the new staff, making sure that everyone is welcoming and introduced to each other.

DD McWilliams recommends that everyone learn and practice our now enhanced Core Values the Director is preparing to introduce to staff....PRICE....Professionalism-Responsibility-Integrity-Courage-Efficiency, and be part of the solution to make our work place the best we can.

Director Ryan explained how the executive team revisited the mission and vision statement, including core values during the summer strategic planning sessions. One side of the Directors medallion, used for spot recognition, currently displays the core values acronym R (responsibility) I (integrity) C (cooperation) E (efficiency). The decision has been made to modify the core values displayed on the medallion to P (professionalism) R (responsibility) I (integrity) C (courage) E (efficiency). Governor Ducey has placed an emphasis on processes and efficiencies through the Lean Transformation initiative.

### **AZCPOA**

No questions submitted

#### Additional Questions and Discussions:

1. Two years ago there was a Parole Symposium where a national study of parole officers with PTSD was provided. Thinking about this study made us wonder if there might be a correlation between the number of call-ins and PTSD.

When we know that someone has PTSD issues, we will work privately with that individual. In addition, we are studying the Corrections Fatigue to Fulfillment class to track data that will prove or disprove positive effects of the training. The Employee Assistance Program (EAP) has a host of programs to support this and many other things that fall under the EAP umbrella.

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2. There is a rumor that the hiring freeze exclusion list does not include Lieutenant, Captain, Major and Administrator I positions. Is this true?

These are considered to be safety and security positions and have been submitted to ADOA for addition to the excluded position listing. Note: please refer to post meeting comment in FOP question number one, page one of this document.

Director Ryan clarified that the position control process is a correlation to available funds in the fiscal year. Management has to decide to fill positions or not, considering overtime from week to week and month to month, influenced by projected dollars in the budget. Being fully funded for all positions is not an expectation and will never happen. We always will have vacancies.

3. A suggestion was made to provide an in-service day at the institution on a voluntary basis; including staff from the central office; possibly a continuation of training.

DD McWilliams commented that this occurs currently as the need arises. It is great for building respect and teamwork. We want to be sure that people are always doing this. Director Ryan has also pulled a few shifts in the past, however not in the past six or seven years.

4. Request was made for no boots on the field.

DD McWilliams will write up a proposal in support of no inmates in boots on the athletic field.

5. Question was raised in regards to the submission of the annual leave request.

Director Ryan redirected the question to the individual's institution Warden.

#### Close:

We will meet again in three months. During this time, think of issues that affect our agency as a whole to be responsive to our employees. When bringing issues to this forum, please submit a thorough description of the issue, complete information about what you have done to try to resolve it (i. e., the who, what, when, where, etc.), and a proposed solution.

The budget hearings will be held on Tuesday and Wednesday next week. The Senate and House Appropriation Committees have a number of inquiries on different bills. We will share what we can as things move forward.

The Director thanked those who attended.

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cc: Executive Staff  
Wardens  
Paul O'Connell  
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