

**MEET & CONFER MEETING**  
**May 26, 2011**

**FIT TESTING AND MASKS (N95)**

Director Ryan discussed the need to comply with the Occupational Safety and Health Administration (OSHA) guidelines pertaining to proper use and fit testing of masks. Several models of masks were reviewed, as well as current policy regarding facial hair. While full beards will not allow for a proper seal, goatees will accommodate the masks depending on the style of the goatee and how far the hair is grown down the neck. This compromise was reached rather than reverting to previous grooming standards requiring men to be clean shaven unless medical documentation is supplied. The grooming policy will be revised and employees will receive a 30-day notice. Barry Keith, Safety Officer and Robert Duffy, Occupational Safety Consultant III from Yuma discussed the fit testing process and displayed several models. Fit testing will be conducted annually during range qualification. Once employees are fit tested for a specific model that is the only authorized model they may use.

**STAFFING ISSUES**

Chronic Absence Classification (CAC)

There are some employees who abuse sick leave and are chronically absent. While this is a relatively small percentage of staff, it is a big issue. The CAC policy was implemented by the previous administration and I am considering eliminating it. This would be an internal policy change and not a Personnel Rule change. Employees can use leave when they are genuinely sick, but there are often consistent patterns of absence in conjunction with RDO's and holidays. This puts other staff at risk and costs the state tremendously in terms of overtime and compensatory time to cover those posts. I want supervisors to supervise their employees. This includes holding them accountable, providing counseling, PACE entries and using progressive discipline when appropriate.

Employee Discipline

Revisions to Department Order 601 continue. The impetus behind the changes is me. I want to make a distinction between a mistake and misconduct. Additionally, in reviewing the timeframes, it became apparent that too much time was allotted for the investigative process and not enough time was left to review of the findings. The 601 process will be simplified and a 120-day start to finish timeframe will be imposed. Extensions can be requested in 30-day increments as needed/justified. Simplifying this process will empower supervisors to manage their employees.

CO III Training

Division Director Patton discussed a recently approved mandatory training program for CO III's to be conducted at COTA. More information will be forthcoming. If you have questions regarding inmate programs contact Chuck Manning at (602) 542-3830.

### Staff Rotation

The initial rotation of employees who had been in a position for three years or more is now 100% complete. It took five quarters to do it, but 97% of employees who were required to rotate kept the same shift and 90% kept at least one of their two RDO's. Rotation will continue with significantly fewer staff being affected each quarter.

### Collapsing Posts

Division Director Patton discussed questions raised after the last Director's Open Letter was published. To clarify, critical posts will not be collapsed, but that does not mean that all posts will be filled all the time. Priority posting charts are used within each unit.

### Assaults

Offender Operations reviews the morning report and evaluates/rates all Serious Incident Reports (SIR) related to staff assaults. Overall we're doing a better job of reporting the incidents and this provides valuable information for the Legislature.

## **BUDGET**

The budget is in. The furlough program is suspended and I don't believe there will be a need for them to be reinstated. As an agency we fared well compared to other agencies. The Governor and Legislature are very supportive of public safety and our department.

### New CO Positions

The Governor supported a request to establish 102 CO II positions per year for three years in order to replace 306 positions abolished by the previous administration. The Legislature did not authorize the positions. We will keep trying. Overtime will continue to be authorized and funded through vacancy savings in order to maintain or enhance safety/security.

### Population Management

For the first time since 1971, we've experienced negative growth. We have 400 fewer inmates than we had a year ago. We have no indication of why this trend is occurring or when it will end. As a result, some temporary beds will be taken offline to eliminate density within specific units. Additionally, plans are underway for Winchester to house general population inmates; moves will occur within the next 30 days. Protective custody will continue to be an issue and more units will slowly be converted to house this special population. From a population management standpoint, this custody level presents the biggest challenge. Contract beds at Kingman are being methodically filled with minimum and level 3 inmates. This is intended to free up other beds until new beds come online in 2013.

## Retirement System Reform

Division Director Krause provided an overview of Pension Reform outcomes. The Legislature reviewed all the funds. Changes to retirement eligibility do not affect current employees. Detailed information is available on the Intranet.

## Personnel System Reform

Some consideration was given to reforming the current personnel system, but it did not occur. I don't know if the issue will be reintroduced next year.

## **REQUEST FOR PURCHASE (RFP) UPDATES**

### Inmate Store

The Inmate Store RFP is in the evaluation phase. It was protested by a responder and canceled and reissued. I hope an award will be made shortly.

### 5,000 Beds

This RFP is currently under evaluation. Statutorily it must be reviewed by the JLBC and the Board of Supervisors must approve the short listed site before an award can be made. The JLBC conducts their last hearing on June 9<sup>th</sup> and are scheduled to break until September. I have a feeling they may return in July or August.

### Health Services Privatization

The same issues with the JLBC apply to this RFP. The Request for Information will be issued tomorrow. Interested parties will have 30-days to respond. We can't meet to prepare/finalize the RFP if the JLBC is not back to conduct the hearings.

## **ADC MAINTENANCE FUND**

The Cheyenne kitchen was damaged in a storm. The roof is condemned and repairs will cost \$2 million. We received \$4.6 million for building and renewal. Most of that will be used on locks and perimeter security systems. Legislation was passed which mandates a 1 time only \$25.00 visitation application fee for anyone over the age of 18. The funds will go directly into the maintenance fund. Additionally, ACI is annually "swept" of funds. The funds were previously deposited into the General Fund; they will now be routed to our maintenance fund.

## **EMPLOYEE ORGANIZATIONS**

I continue to receive complaints regarding unauthorized recruitment activities at the institutions. I am urging you to follow policy regarding solicitation and recruitment. If this continues I will revise the policy and suspend the offending organizations.

## EXECUTIONS

Director Ryan provided a brief overview of the legal proceedings pertaining to the Beaty execution. After a stay and several delays the 9<sup>th</sup> Circuit Court of Appeals and the U.S. Supreme Court ruled to proceed. Warrants for Bible and West have been issued.

## QUESTIONS

Q – It's been quite some time since we've received any salary increases. Families are suffering with the rising cost of living. Are there any plans for increases?

A – I wish I could tell you yes, but I'm not going to convey false hope. If anything, the pension reforms are telling in terms of pay packages/benefit increases.

Q – California will be releasing inmates due to overcrowding. How will this impact our department?

A – It may increase the caseload for PO's depending on the number of Interstate Compacts we receive. We currently have 83 people from California under our supervision. I expect to have more information next week.

Q – It seems that it would behoove ADC to request information from the private prisons operating within the state regarding the inmates they receive.

A – Legislation has been introduced for the last three years, but it's never made it out of committee. It is a funding issue as far as monitoring goes. I agree with the issue of notification, but I am more focused on reestablishing the CO positions we've lost.

Q – Health Services staff are very concerned about their continued employment status. Do you have any information to provide to them?

A – I empathize with their concerns. There are approximately 600 filled Health Services positions. This will represent the largest Reduction in Force (RIF) in ADC's history. The RFP is a time-consuming process and HB 2154 was a Legislative decision which is now law. We must comply with the law. I believe most Health Services employees will be hired by the private company as they are marketable from the standpoint of education, experience and training.

Q – A Spanish only speaking offender was assigned to a non-Spanish speaking PO. It is virtually impossible to provide the required notification and information to the offender.

A – Provide the specifics to Division Director Patton. Logic would tell me he should be reassigned and we may want to look at offering conversational Spanish courses/training for staff.

Q – Can staff on TWA or Administrative reassignment while under investigation work overtime?

A - No