

# MEET & CONFER MEETING

June 5, 2014

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

## **SUBMITTED QUESTIONS AND ANSWERS**

Fraternal Order of Police, Lodge 44 did not pose any questions for the meeting. Question one was posed by the AZCPOA. Question two was posed by ACA.

Question 1 – Why is there a pay discrepancy amongst equal grades throughout the Department?

For example, COIII's and Sergeants are both grade 18's that had to have 2 years experience as a COII before they could promote to their position.

For example, COIV's and Captains are both grade 20's that are supervisors and they have equal responsibilities while at work (i.e. ADO).

Answer 1 – The Personnel Rules allow for the establishment of alternative rates (special rates) based on prevailing practices in the marketplace. Establishing special rates is one type of approach used to address the growing gap between compensation of employees. To do this, the ADOA conducts salary surveys to determine the entry salary for specific job classifications based on the characteristics of the job and job duties. Depending on the results of the survey, the ADOA may establish a special rate which is typically higher than the standard entry rate for the pay grade. Although job classifications may have the same pay grade (e.g., Correctional Sergeant/Correctional Officer III – grade 18), the results of the salary surveys dictate that in comparison to other “like” positions in both private and public organizations, the characteristics of the job are different and warrant different entry rates. For example, Correctional Sergeants supervise and Correctional Officer III's do not. It is not uncommon for positions with supervisory responsibility to receive higher pay for this additional responsibility.

Under Personnel Reform, agencies have the ability to establish special entry rates and/or thresholds for certain positions, regardless of the grade, using the same concept described above. In an attempt to resolve salary compression issues within the security series, ADC established new thresholds for certain classifications. Salary compression occurs when the salaries of individuals in one grade, such as Correctional Officer, come close to or overlap the salaries of individuals in another grade, such as Correctional Sergeant. ADC has 242 unique classifications statewide and we are working to address compression issues on a priority basis as funds allow.

OSPB and ADC will study the salary schedules over the summer and ADC will submit budget decision packages to the Governor's office, due September 1<sup>st</sup>. The new Governor will make decisions in late 2014 or early 2015.

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## Question 2 - Rotation

Answer 2 – Director Ryan is still committed to rotation. We have a 24/7 operation and that won't change. Ernie Trujillo will chair a work group that will take another look at rotation to see how we can make it fairer or improve it. Those interested in volunteering on the work group can contact Ernie or can send an email with thoughts on policy and/or ideas for coming up with a better product to his attention. The first meeting is scheduled for June 11<sup>th</sup> at COTA. A product will be complete within 30 days.

## Question 3 – Audit Process

Answer 3 – The team assigned to the audit process is overseen by Inspector General Greg Lauchner. Institutions are audited annually, and then reviewed by chain up to the Directors office. The audit process is an instrument to measure how well a complex is doing--not intended as a "gotcha". For example, recently, an auditor queried a driver by asking if all lug nuts were on van wheels and the driver responded "yes." (It is important that those with a CDL use the checklist and do an inspection prior to driving.) This question, whether intended or not, was phrased like a "gotcha." Mr. Lauchner will address this with his auditors to ensure this type of thing doesn't continue to happen. Attention to detail is critical to success because inmates are students of our behavior; therefore the time spent on checklist details is important. If you think an audit finding is too picky, challenge it. If we take care of the little things, big things won't happen.

## Question 4 – Stipends, Equity, and Merit Pay

Answer 4 – There was no allocation of additional funds for salary adjustments or merit in the FY2014 budget. Personnel Reform dictates that ADC develops a Compensation Plan, subject to ADOA approval, which is published and available for your review.

Stipends - The improving economy caused us to lose our competitive edge because our pay was no longer competitive. As a result, we made a conscious decision to use vacancy dollars from 500 vacant positions to reinstate stipends for hard to fill geographic locations; Florence (excluding Globe), Eyman, Winslow, Lewis, and Safford. Lewis is included in anticipation of the 500 new max beds, which will generate 150 new positions.

Equity – The equity adjustments were made because of salary compression issues among Sergeant, Lieutenant, Captain, COIII, COIV, CCO, and CCO Senior. Those below midpoint received an increase that brought them to more equity. There were also some market adjustments for investigators. We were losing investigators because starting pay at competing law enforcement agencies was equal to what we were paying long-tenured investigators who were also supervisors.

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Merit Pay – ADOA has approved ADC's merit pay plan in concept. Specific eligibility is being finalized for those who met or exceeded expectations on their most recent MAP or PACE. Potentially 6,400+ employees will receive merit pay as a line item on their last pay check in this fiscal year, June 26<sup>th</sup>. Not all agencies have the funding to give merit incentives, but ADC was approved to allocate \$2.5 million. Merit is a onetime payment that will not change base pay.

There are three tiers for merit pay:

- 1%; top 20% highest performers (example: \$40,000 base pay = \$400 merit pay)
- .75%; next 30% below highest performers—middle performers
- .5%; next 50% below middle performers

When determining which category employees fall in, ties on MAP or PACE scores will be rounded down. When there was a question about why the date June 1, 2013 was chosen as the cutoff for eligibility for merit, i. e. those eligible for merit must have been hired before that date, the Director responded that the date was based on ADOA guidelines and was chosen to correspond with performance rating periods.

It should be noted that FY 2014 merit incentives are being funded with unintended vacancy savings. ADC does not delay filling CO positions to create vacancy savings; we recruit and hire COs continuously.

### Question 5 - Uniform

Answer 5 – The uniform DO #503 is being substantially revised and because of the number and extent of changes, that will take some time. Hash marks on sleeves to denote years of service and other recently-approved changes can be issued as a DI in the next several weeks.

### Additional Questions/Discussions:

1. There was discussion regarding operating procedures not covered in policy, as staff were asked to bring phase II and III inmates to chow hall and to bring maximum custody inmates out unsecured during consumption of medications, because placing cuffs behind the inmate for watch-swallow meds was taking too long. Staff requested a policy modification.

The Director asked staff to send an email with their request to the attention of Carson McWilliams, and cc the Director, for further consideration.

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2. There was discussion regarding mandatory overtime at Eyman. Staff expressed interest in working overtime in four hour blocks of time in lieu of eight hours, before or after an eight hour shift. The Warden said “no” to their request. The staff at both Eyman and Lewis asked if the overtime could be voluntary rather than mandatory—the staff can voluntarily sign up for four hour blocks of time before or after their shift.

Carson McWilliams stated that voluntary overtime only works when people sign up for both four hour shifts to ensure the full eight hour shift is covered. The mission is to cover the full eight hour shift and make sure that coverage fits the Department’s needs. Concerns are that they won’t get enough volunteers to sign up, as it is not a wise decision to allow someone to leave four hours early—needs of the institution come first. Ernie Trujillo mentioned that there are not enough volunteers to cover eight hour posts each day; collapsing posts cannot always occur.

Ernie added that maximum custody units are labor intensive. We would have to fill every vacancy in lockdowns and then allocate overtime to the units. The impact to the yards is lots of overtime, which contributes to burn-out. People need to step forward as we will need more people to volunteer.

The Director shared that Carson’s office provides an overtime hours report. He is willing to share the overtime usage report to illustrate which areas are not pulling their weight. Some overtime increases are due to inmate unrest or relocation of staff to other complexes, however, the need for overtime is largely due to employees not coming to work, compounded by vacant positions. This equates to \$1.5 million, on average, in overtime pay per pay period. The overtime report is fairly consistent from month to month. The Director encouraged the staff and their peers to be team players, have each other’s back and work ethics.

Carson will share the overtime report with the Wardens and will post it on e-briefing.

3. Does more overtime equate to less money for merit pay?

The Director explained that the forecast and budget for last year, this year, and next year account for zero growth, although the inmate population continues to grow. The reality is that the system grew by 800 to 1,000 this year, with a projected zero growth rate. The cost of the 500 new beds at the Lewis complex is \$50 million. This generates 150 new positions; of which 115 are new CO’s that will be recruited for a tentative opening date in December, 2014. Officers are in a cycle of continuous hiring; COTA is adding a new class every two weeks or less. The Department must use its personal services funding to ensure prisons are staffed, whether through hiring or paying overtime to current staff.

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The Director explained the cost savings of the SRCCC model in Tucson. (There is no Community Corrections Center (CCC) in Maricopa County, where 60% of our inmates come from.) The CCC will be used to better manage movement in and out of the prisons—a viable means of handling technical violators more effectively and cheaply. The concept has to succeed; empirical information is being gathered to make a case for it. This will help to level off or slow down the growth we are experiencing in the prison system.

### Close

The Director thanked those who attended. He asked those interested in volunteering on the voluntary overtime committee to notify Carson McWilliams.

cc: Executive Staff  
Wardens  
Paul O'Connell  
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