

MEET & CONFER MEETING
November 15, 2013

Director Ryan greeted the group and noted the weather is expected to become windy with possible dust storms. He stressed the need to take care driving back after the meeting. He addressed the following questions and agenda items:

SUBMITTED QUESTIONS AND ANSWERS

Question 1 - Has the administration given any thought to possibly sending staff back to the FEMA Training site in Anniston, Alabama? They have some great programs RE: WMD Law Enforcement Protective Measures; WMD Law Enforcement Response Actions.

Answer 1 - The courses offered at the Center for Domestic Preparedness (CDP) at Anniston, Alabama are principally formulated for Law Enforcement HAZMAT Teams and First Responders to Chemical, Biological, Radiological and Nuclear Incidents. There are a few courses regarding Hazardous Materials Evidence Collection and Environment Health Training and these would be more suitable for our Safety Consultants/Officers.

CDP does offer three courses which would be beneficial to our agency Command and General Staff. The Incident Command: Capabilities, Planning and Response Actions for All Hazards would be suitable for our assigned Planning Section Chiefs. The Instructor Training Certification course will allow us to continue building our ICS Instructor Cadre (must have completed 300/400 to qualify). There is also Hospital Emergency Response Training for Mass Casualty Incidents, which would be appropriate for our Medical Unit Leaders/Corizon partners to attend.

Our Emergency Planners and Medical Unit Leaders could benefit from attending the Pandemic Planning and Preparedness course.

Question 2 – Self defense techniques either change or are added every year but current staff are not taught these new techniques.

It has been noted that the self-defense review goes over less and less each year, basically only going over blocks and strikes or only a verbal review of techniques, and non-security staff that have not had the initial self-defense training are included with security staff in the yearly review.

Would it be possible to look into teaching current staff the most current self-defense curriculum as well as improving the yearly training to include a more thorough review?

Has the administration considered non-security staff possibly having separate training from security staff? Having non-security staff together with security staff hinders what little review security staff get due to non-security staff having to be taught the initial technique.

Answer 2 – Staff Development and Training is in the process of a complete review of ADC's self-defense training. Self-defense experts will be brought together to identify the most critical and reasonable self-defense skills needed for a corrections officer and these will be reviewed and approved by management. The curriculum will be updated to reflect the requisite self-defense skills and instruction will be standardized to ensure consistency in instruction whether in pre-service or in-service. Instructor certification criteria will also be reviewed and updated as appropriate.

ADC will not train security and non-security separately on self-defense, however, participation in the physical portion of the refresher training will be optional for non-security staff. Additionally, the majority of non-security staff and contractors are now authorized to carry O.C. The O.C. has been purchased and a condensed version of the O.C. training has been developed. The training is scheduled to be completed by the end of the fiscal year.

Question 3 – Has the administration considered a revision on Department Order #512 Employee Pay, Work Hours, Compensation and Leave? There isn't a section that covers "under payment".

The issue is not about getting a raise. It's about what happens when an employee is shorted on his/her regular time or over time. While trying to get compensation corrected, here were some things discovered:

1. There's a whole section in DO 512 on "OVER" payment, but not a section on under payment.

Answer 3-1 – Although titled "Collection of Salary Overpayments", DO 512.05 1.1 to 1.3 is applicable to under payments and overpayments. We are currently in the process of revising DO 512 and the revised policy will clearly address under payments in addition to overpayments.

2. There are no time frames set for PAR corrections in policy. All timekeepers, supervisors, and even the ADW have asked for clarification on this matter and received different answers; 2-3 pay cycles for PAR corrections was the common answer.

Answer 3-2 – DO 512.01 section 1.1.2.3 states " It is the responsibility of the Employee to verify the past attendance printed on the P.A.R., making corrections as necessary." If Central Office Payroll receives all the correct documentation timely, PAR corrections take two pay cycles. The revised policy will clarify the timelines.

3. When a PAR correction is done on your pay stub, there isn't any notification of when it's going to be corrected nor of which week the correction is being made for.

Answer 3-3 – Central Office Payroll processes hundreds of payroll corrections each pay cycle, and there are insufficient staff to personally notify each employee of the completed correction. Staff should contact their timekeeper with specific questions and are encouraged to develop positive working relationships with them to ensure errors and minimized and corrections are expedited.

4. Is there one centralized location for all employee PARs? Each timekeeper has his/her own filing system, which makes it difficult trying to do a PAR audit. ASPC-Phoenix Alhambra has had three different timekeepers in the past months and now it's back to only one.

Answer 3-4 – Central Office Payroll keeps copies of all PAR's on site for six months, and then the PARs are transferred to the DOA archives where they are stored an additional two and a half years.

Question 4 – If an employee has been directed/ordered not to accrue/accumulate any comp/overtime and the employee finds following proper procedure will absolutely place the employee in an overtime position, which directive shall the employee follow – the proper procedure or no overtime? This issue arises a great deal:

1. Following proper weapons exchange procedures for employees 'direct reporting' to hospital duty when the employees have been directed/ordered that no comp/OT will be allowed.
2. Employees returning vehicles, conducting vehicle inspection, returning equipment, etc. following a transport, when the employees have been directed/ordered that no comp/OT will be allowed.

Answer 4-1 & 4-2 - **Always follow procedures that are dictated by policy and post orders.** Proper weapons exchange for "direct reporting" at the hospital should not take a long time. Officers must arrive on time and conduct the weapons exchange with a clearing port. One should be available either at the hospital or in the transport vehicle. Again, with the return of vehicles and equipment, this is another process that should not take a long time to complete.

If you are running into a situation where you may be required to work past your scheduled hours, notify your supervisor regarding the matter and keep him/her informed of what the situation is. They will either approve the OT/Comp or instruct you with a different alternative.

3. Employees directed/ordered to maintain uniform compliance arriving to clear metal detector – boot unlaced, trousers un-bloused, shirttail out even though the employee knows the boots, trouser belt etc. must be removed.

Answer 4-3 - DO 503 requires all personnel to present a neat and professional image when representing the Department. You represent the Department when you are in uniform. While it is understood that you have to clear the metal detector prior to entering the prison, you need to arrive in enough time to accomplish that process. Being in partial uniform, not wearing it according to its design is contrary to what is expected in the policy. It just looks unprofessional. When on state property, you need to be in proper uniform. Shirts must be tucked in, footgear laced, trousers bloused, etc.

Director Ryan provided the following information and opened the forum to questions:

BUDGET

The inmate population is growing. In FY10, ADC only grew by 65 inmates for the entire year while the forecast had been for an increase of 151 per month. FY11 saw a decrease of 296 and FY12 had a decrease of 304. Projected growth for FY13 was 0, but we saw an increase of 809 inmates. ADC is projected to grow by 800 inmates during each FY14-16.

As you know, we have 500 medium security beds at CCA in Eloy coming online in January 2014 and the remaining 500 are scheduled to come online in January 2015. We are requesting to accelerate the second 500 and may have them online as early as July 2014.

Division Director Patton is reviewing ADC beds – the medium security side of Cimmaron may be reallocated to Close and we may reinstitute double-bunking at F/E.

We have restored a number of the 565 lost CO positions; a decision package was submitted to restore 296 CO's for maximum and close custody. We will await the Governor's budget proposal.

The inmate population is becoming increasingly aggressive in nature. CO rover positions were recently established at F/E and PV to assist staff with counts and to continuously move throughout the unit to monitor inmate activities. Overtime/Compensatory time is authorized to support these positions. Discussion ensued regarding cross-leveling and mandatory/priority posting. If we receive funding for the 296 positions the need for the rovers would be reduced and we would return the second officer to double-bunk areas.

Additionally, due to population growth, we also requested an additional 1500 medium security beds – this is only preliminary authorization to start site selection – no funding was included.

A decision package was also submitted for \$8 million for the second year of the AIMS replacement project and \$600,000 was included for substance abuse programs. A \$59 million request is focused primarily on population growth and CO's while another \$2 million was requested to address well issues at ASPC-Lewis.

The requests were submitted to OSPB although the outcome will likely not be announced until January – meetings and discussions will be ongoing.

EMPLOYEE DRUG TESTING

As discussed in previous meetings, employee arrests and off-duty misconduct continue to be a concern. There were 45 employee arrests during the first quarter of this FY. If that rate holds, we're on track for 180 which will exceed the previous high of 157. I shared arrest statistics at a previous meeting and you were astounded at the number and type of arrests. Since then, we've revised policy and doubled the sanctions for DUI's. If aggravating circumstances are included, such as assaulting the arresting officer, dismissal is appropriate.

ADC can't make attending counseling a condition of employment, but we have provided information and various sources of support for staff self-referral on the intranet.

Random drug testing for all employees will commence no later than March 1, 2014. We plan to test 1/3 of the workforce per year and there is a zero tolerance policy – positive results will result in dismissal.

Question – Will the test be by urinalysis or oral swab?

Answer – Urinalysis

Question – Who will pay for the test?

Answer – The Department will pay for the test and they will be administered on-site.

Question – What about prescription drugs?

Answer – Employees will be contacted by a Medical Review Officer (physician) who will review their prescription usage – if the physician finds that the use/positive results are due to the legitimate use of a prescription drug, ADC will not be notified.

Random testing of employees who possess a CDL and drive as part of their work duties will begin no later than February 1, 2014. This is a federal mandate. DI's for both programs will be signed and published next week.

Question – Can we get an update on the “Forbidden 3” management technique you discussed at the last meeting?

Answer - This is a program from the Washington Department of Corrections. It's basically three rules for inmates:

Don't assault staff

Don't assault each other

Don't assault in groups

A lot of work is being done to make sure we have the right inmates in maximum custody. If all goes well, Central Unit will be used for Close Custody. We continue to experience many challenges in managing the inmate population. We have more than 3500 males in protective custody – this is 9.4% of our population. The objective for most seeking PC is to get to a single cell - 75% of the inmates in detention are there for refusing to house. We had 481 apply for PC and 82 were proven to be legitimate and approved for PC status.

The National Director's Association is developing a model for all Directors to implement. Thirty-three letters were sent to other state and federal correctional agencies seeking to “trade” predatory inmates – bad for bad. The strategy is to remove the predator from their power-base – for example, relocating a known gang leader to a state where that gang is not affiliated. If the strategy proves sound, it should result in vacancies in our maximum unit beds.

Question – Can state time be used to prepare grievances?

Answer – Employees can use annual or comp time, but the Personnel Rules do not allow for paid/work time to prepare grievances – the current ADC policy was suspended when the Personnel Rules were revised. Discussion ensued regarding ADC policy vs. Personnel Rules – the Rules override policy. Please refer the employee to Employee Relations.

Question – Did we ever get an answer regarding the approval of long-sleeved polo shirts and adding hash marks for years of service to the long-sleeved shirts?

Answer – Ms. Rittenhouse will request a status update from the Uniform Committee.

Question – Why are doors in Cook Unit allowed to remain on “access”?

Answer – Medium custody units should have doors on access. Inmates are authorized to move throughout the yard when the yard is open. Security staff should be active and unpredictable. They should learn where inmates live and know who should be in the area and who shouldn't. Discussion ensued regarding different custody levels, types of housing units and inmate management techniques. The key is consistency. The same type of offender in different locations should be managed similarly.

COMPENSATION PLAN

The Compensation Plan is nearly finalized and should be approved by ADOA before our next regularly scheduled meeting. Director Ryan offered to convene a special Meet and Confer meeting to discuss it and provide specifics regarding compensation strategies. The group agreed a special meeting would be beneficial.

EMPLOYEE AWARD CEREMONY

The annual ceremony will be held December 5th in Tucson at the Berger Center. We have amazing employees doing great things and approximately 250 will be recognized. The finalized listing will be disseminated next week so supervisors and employees can make arrangements.

The holiday season is fast approaching. Be cognizant of signs of suicide – watch out for each other and encourage others to get help if they need it. The statewide DUI taskforce will soon be activated. Enjoy the season, make good choices and be safe!

cc: Executive Staff
Wardens
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File