



MEMORANDUM

Date: August 9, 2018

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Meet and Confer Agreement with Pima County Corrections Officers' Association and the Pima County Sheriff's Deputies Association**

Several members of the Board of Supervisors have been approached regarding approval of a Meet and Confer Agreement by Mr. Steve Portell who states he represents both the Pima County Corrections Officers' Association and the Pima County Sheriff's Deputies Association. I have no concerns regarding the Board approving an appropriate Meet and Confer Agreement with both organizations, provided they follow the same procedures that led to our recognition of the Service Employees International Union (SEIU), and now successor union, American Federation of State, County and Municipal Employees (AFSCME).

Unfortunately, Mr. Portell has missed a number of critical steps in developing an appropriate Memorandum of Understanding (MOU) with the County. These are:

- 1) Evidence that the particular organization represents a majority of eligible employees. As you will recall, the Board required an election to be held and verified as independent by our Elections Department for SEIU. Both the Corrections Officers' Association and Sheriff's Deputies Association should be held to the same standard since there is a competing union, particularly as it relates to law enforcement through the Fraternal Order of Police.
- 2) Each union should have identical MOUs, no union is more important or special than another. Hence, the MOUs proposed by the Corrections Officers' Association and Sheriff's Deputies Association must conform with and be identical to the MOU with AFSCME. Presently, the Corrections Officers' Association MOU draft does not meet this standard. Furthermore, the Sheriff's Deputies Association draft MOU does not meet the standard and also attempts to inappropriately insert the Law Enforcement Merit System Counsel, which is not a party to any negotiation between the County and the particular union.
- 3) The AFSME MOU, which potentially represents 5,000 or more employees, contains a clause regarding union release time, allowing 4,800 hours. A review of the hours

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of paid time per year indicate that, in Fiscal Year (FY) 2016/17, AFSCME utilized only 259 hours of union activity hours. In FY 2015/16, 654 hours and for FY 2017/18 1,386 hours.

To allow 4,800 for the Corrections Officers' Association and Sheriff's Deputies Association representing less than 500 employees each, is clearly inappropriate. Given the historical utilization of paid time for union activities associated with AFSCME or SEIU it is appropriate to limit both Associations to no more than 1,040 hours paid leave for union activities, if authorized by an election. The release time is even more critical in these unions because of the high percentage of overtime paid by the County to members in either Association.

If either Union desires to establish an MOU, they need to first, hold a qualifying election and develop an MOU that is identical to the AFSCME MOU, with exception to the amount of paid leave time.

I will not recommend any MOU that deviates from that MOU already established between Pima County and AFSCME.

CHH/anc

c: The Honorable Mark Napier, Pima County Sheriff
Tom Burke, Deputy County Administrator for Administration
Cathy Bohland, Director, Human Resources