

ALASKA LABOR RELATIONS AGENCY
Minutes of Business Meeting
Friday, May 20, 2005

1. Call To Order

Chair Gary P. Bader called the meeting to order at 10:02 a.m. Chair Bader and Board Member Dennis Niedermeyer attended in person. Vice Chair Aaron Isaacs, Jr., and Board Members Colleen Scanlon and Gary Atwood attended by teleconference.

Staff members Margie Yadlosky, Jean Ward, and Mark Torgerson also attended. Chair Bader introduced himself to new Board member Atwood and asked other board members and staff to introduce themselves, too. There were two members of the public in attendance: Susan Hartlieb from Alaska State Employees Association and Loren Burnham from Associated General Contractors.

2. Approval of Minutes From December 16, 2004, Business Meeting

Aaron moved to accept the minutes as written, and Colleen seconded the motion. By unanimous roll call, the motion carried.

3. Old Business

a. Status of Pending Cases

Margie, Jean and Mark provided an overview of pending cases, including those in the hearing process. Mark noted that the most significant change in the caseload was the 50% increase in unit clarification (UC) petitions since January 1, 2005. Gary Bader asked Jean if she knew the reason for the increase but Jean was unsure of the cause. Jean said she would assist Margie on the UC caseload.

1. Case Flow Chart: Mark noted again the increase in UC petitions and asked the Board if there were any questions about the chart. There were no comments.

2. Update on Unit Clarification Petitions and Unfair Labor Practice Charges: Jean and Margie updated the Board on the status of these cases. Jean made progress on the unfair labor practice caseload, which is currently at twelve cases. Six of the cases are in abeyance and six are active. She has findings drafted in two cases that will eventually be scheduled for hearing if informal resolution is unsuccessful. Mark added that he is current on decisions and orders, and he will also assist on the UC caseload.

3. Update on Election Petitions: Jean reported that for the first time in the history of the Agency, there were no elections to report. There is one unit amendment petition to change the representative's name of the Fairbanks North Star

Borough from the Alaska Public Employees Association to the Fairbanks North Star Borough Employees Association, Local 6125, APEA/AFT.

4. **Summary of Recent Board Decisions:** Staff provided Board members with a copy of this summary, prepared by Mark. There were no questions. Gary Bader commented that he felt these summaries were a good example of what a Bench Order would be: short and understandable. Mark said he would continue to work on Bench Order content.

b. **Budget**

Mark reported that the Agency is projected to spend the amounts allocated in the budget. Mark said the Agency's fiscal year 2006 budget, which begins July 1, 2005, has been approved by the legislature. It is the first time in several years that the Agency received the funding it requested. In addition, the legislature has approved a bill that provides salary increases to state employees who are not covered by collective bargaining agreements. The Governor introduced the bill to provide similar pay for similar work performed by noncovered employees and union employees alike.

c. **Action Items**

1. **Letter to Jim Gasper:** Mark recently responded to inquiries made by attorney Jim Gasper. There were no Board comments or questions.

2. **Staffing needs:** The Board had asked staff members to explore staffing needs to help keep the caseload more current. Mark spoke with Department of Labor and Workforce Development administrative staff and with Agency staff. Because of lean operating budgets generally, it is very difficult to get approval for additional staff. Mark said that in discussions with staff, they all felt it is important to try to provide a career path to provide staff an incentive to stay with the Agency. Gary Bader said he and Mark would meet with Guy Bell to discuss this idea. Gary noted that there is a lot of experience among Agency staff, and it would be difficult to replace if any staff member retires or otherwise leaves the Agency. Gary also noted he had discussed part-time staffing with Agency employees, and the feeling was it takes too much time to train part-time help, and it's not worth the time.

4. **New Business**

a. **Board Member Update**

Gary Bader again welcomed Gary Atwood to the Board. Gary Bader said that we had a full Board for about two days and then Randy Frank resigned. Gary Bader said ALRA needs to get the other Labor position filled to help Gary Atwood, who must sit on all cases. Gary Bader said he would contact Lorraine Derr at the Governor's Office of Boards and Commissions to determine the criteria for getting someone on the Board. Colleen said that interested persons must be sure to send in an application to

Boards and Commissions. Mark heard that former labor member Ray Smith, who sat on the Board for more than seven years, may have submitted an application. Dennis said Ray told him that Ray had submitted an application. Mark said that perhaps the Board might consider writing a letter of recommendation for Ray if they felt so inclined. Colleen and Aaron worked with Ray and felt he was a good Board member. Mark agreed. Gary Bader said that if Aaron, Colleen and Mark liked Ray, that is good enough for him. Mark will contact Ray to see if he is still interested.

b. Draft 2004 Annual Report

Mark reported that staff completed a draft of the 2004 Annual Report. The Department's Assistant Commissioner, Guy Bell, reviewed the report and, except for a few minor editing changes, complimented staff on the report. Dennis inquired if the report was based on a calendar year, and staff said yes. Dennis asked if we usually provide new Board member information if it occurs after the end of the reporting period. Mark and Margie had discussed this and decided to put in the current information. Colleen moved to adopt resolution 05-01, and Aaron seconded. By unanimous roll call vote, the motion carried. Staff will send the report to the Governor and key legislators.

c. Next Board Meeting: December 16, 2005

Gary Bader reminded Board that the next Board business meeting is scheduled for December 16, 2005, and there are hearing dates the prior four days before the meeting. All Board members said they received their business meeting materials in adequate time to review for this meeting.

d. Regulation Amendments Proposal

Board members were provided with a flow chart outlining the regulation process. Staff also provided them with a list and brief summary of regulations for possible amendment. Mark explained that the process begins when the Board votes whether or not to proceed with drafting regulations. Board members discussed and agreed that staff should proceed with the drafting process. Colleen moved that the Board direct Agency staff to go ahead with the drafting of regulations in accordance with State procedures. Gary Atwood seconded. By unanimous roll call vote, the motion carried.

e. Travel Procedure Update

Margie said that Sherry found the travel materials (included in Board packets) on the Internet. Staff has not received any official information on the new procedures, which are supposed to go into effect July 1, 2005. Staff will contact the Board when they receive updated information. Margie did not think it would affect Board members much. She thanked the Board for their voluntary, unpaid service.

f. July ALRA Conference, Seattle

Mark described the ALRA conference and meeting, an annual affair put on by the international Association of Labor Relations Agencies. Regarding travel to the conference, Mark spoke with Assistant Commissioner Guy Bell, who said that while the Department will normally send only one Agency employee to each conference, we might be able to send a staff member and a Board member. Board members discussed and agreed that they would rather send two staff members to the Seattle conference. Mark said he'd like to send Jean and Margie in that case. Aaron and Mark described their conference experience and both found the conference and training very helpful. Mark has participated on committees and also moderated some of the conference's panel discussions. Mark noted that the ALRA Academy is especially helpful. One participant who attended this Academy found it useful even though he had worked in labor relations for 22 years. Board members asked staff who do attend the conference to report back to the Board on their conference experience.

g. Hearing Week, First Quarter 2006

Mark asked the Board to set aside hearing weeks for the first three quarters of calendar year 2006. The Board asked staff to contact each of them, as done previously, and determine the availability of members for hearing weeks.

h. Other

1. Gary clarified that, as requested previously, he wants staff to provide a brief summary of the issues in cases for the deliberations process. The summary does not need to be a 'Mona Lisa.' Mark said he did not provide a summary on a recent case because the issue was simple and Jean's written findings concisely captured the issues.

2. During the most recent budget process, the Office of Management and Budget denied the Agency's request for a capital budget of \$35,000 to upgrade the Agency's database. Mark said the Agency would again include this request in the upcoming fiscal year 2006 budget. Board members agreed this was a worthy request.

5. To Do List

a. Work on getting another labor member to the Board. Gary Bader will call Lorraine Derr; Mark will contact Ray Smith to determine his interest in appointment to the Board.

b. Career path: Gary and Mark will meet with Assistant Commissioner Guy Bell.

c. Staff will start the regulation drafting process.

d. Staff will include a Capital Improvement Project request to upgrade the Agency's database.

e. The issues to be addressed during hearing deliberations are to be summarized by Mark or Jean at the beginning of deliberations.

6. Public Comment

There was no comment from the two public attendees. Aaron congratulated Colleen on her recent college graduation. Colleen thanked Aaron and the Board and said "one down, one to go."

The meeting adjourned at 10:56 a.m.