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Introduced By:

LARRY PHILLIPS
von Reichbauer
Gossett
Derdowski
Sullivan
Kent Pullen

Proposed No.:

98-043

ORDINANCE NO. **13000**

AN ORDINANCE relating to labor relations, requiring the annual convention of a labor summit between King County elected officials and officials of the County's collective bargaining units and adding a new section to K.C.C. 3.16.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings. The King County council finds that its efforts to date to improve relations between the county and its employees' collective bargaining units, such as through the adoption of the labor policy ordinance and by convening a labor summit with labor leaders, have generally been successful in fostering mutual understanding and cooperation.

Nonetheless, the council finds that additional steps can be taken to strengthen relations between the county's elected officials and the county's collective bargaining units, to foster more open communication and cooperation, to improve the way in which both the county and its collective bargaining units can provide the best service to the public while treating employees in a fair and equitable manner and to create and maintain continuously open channels of communication intended to establish mutual trust.

SECTION 2. A new section is hereby added to K.C.C. 3.16, as follows:

1 **Annual labor summit.** The chair of the King County council shall annually convene
2 a summit between the county's elected officials and the local labor leadership and the
3 leadership of all collective bargaining units representing the county's work force. Such a
4 labor summit shall take place between March 1 and August 31 of each given year. The
5 intent of convening an annual labor summit shall be to: increase communication between
6 King County elected officials and the leadership and membership of local labor
7 organizations and of all the county's collective bargaining units, to identify issues and
8 problems of mutual concern, to identify solutions to problems affecting the memberships of
9 the county's collective bargaining units, to delineate ways in which the county's elected
10 officials may more closely and effectively work with the County's collective bargaining units
11 and local labor organizations to attain mutual goals and to foster a spirit of cooperation in
12 working to serve the public.

13 Meeting minutes at the summit shall be recorded and adopted by the King County
14 council at a subsequent regular meeting of the council.

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SECTION 3. Adoption of previous minutes. An initial labor summit was held on September 29, 1995 and was considered highly successful by its attendees. To serve as a baseline for future labor summits as called for by this ordinance, and for the purpose of providing historical background for future labor summits, the meeting minutes of the September 29, 1995 labor summit are hereby adopted as an attachment to this ordinance.

INTRODUCED AND READ for the first time this 26th day of January, 1998.

PASSED by a vote of 13 to 0 this 9th day of February, 1998.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
Chair

ATTEST:

[Signature]
Clerk of the Council

APPROVED this 18 day of February, 1998.

[Signature]
King County Executive

Attachments:

- 1. September 29, 1995 Labor Summit/Committee-of-the-Whole Meeting Minutes

Metropolitan King County Council
Committee-of-the-Whole
September 29, 1995

Labor Summit: Meeting with Seattle/King County Labor Council of the AFL-CIO,
King County Unions
Labor Temple, 2800 1st Avenue
Seattle, WA

Participants:

Kent Pullen, Chair of County Council, Ron Judd, Executive Secretary, Labor Council

Councilmembers: Brian Derdowski, Maggi Fimia, Larry Phillips, Louise Miller, Cynthia Sullivan, Chris Vance

Wayman Alston, Lew Dascenzo, Irene Eldridge, Robert Hasegawa, Dan Linville, Kathleen Oglesby

Introduction -- Kent Pullen summarized the objectives of the Council for this meeting:

- to hear concerns, suggestions, and ideas from labor to make county government better (this was not to be a bargaining session),
- to develop a partnership, that, for example, will to enable labor to comment on new legislation and other policy matters;
- to hear the first annual "State of Labor" address by Ron Judd, Executive Secretary of the King County Labor Council; and
- to set a precedent for continuing such meetings on an annual basis with the goal of improved communication between labor and the Council.

The discussion was informal and a two-way dialog between the Councilmembers and the labor leaders.

Formal presentation by Ron Judd - Text of "State of Labor" report and closing remarks are provided as Attachment 1.

Descriptions of Issues and Discussion

Note: The following are summaries of presentations and ensuing discussions, not a complete transcript of remarks.

Irene Eldridge, Service Employees International Union, Local 6

- Our cultural values which encourage us to be pioneers, explorers and entrepreneurs are stifled in the work place, resulting in businesses or governments failing to tap a great resource;

- We need to bring these values into the work place, providing an environment which permits them and a structure which supports them;
- Example: Group Health Cooperative was considering contracting out, to the supplier, the distribution of supplies directly to the customer (the Group Health clinics and hospitals), bypassing the warehouse and distribution done by Local 6 members. Shop stewards were convinced the members could do the work equally efficiently, more effectively, and offer better service. Group Health created a committee to study cost. The results were (a) identifying barriers to employees being as efficient as they could be (a capital investment dealt with this), and (b) Group Health opened the books showing the costs. Even though the contracting out would have cost less year one, Group Health kept the work in-house. Local 6 and Group Health are continuing to work together-- with discussions now being around gain sharing.

Bob Hasegawa, Teamsters Local 174

- Distributed information on privatization issues nationally (see Attachment 2).
- Privatization has many hidden pitfalls: lose control of service, lose infrastructure to support the service, leaving the government at the mercy of the contractor;
- Example 1: Contracting out transfer station and landfill work, the County would lose control of the waste stream. Repurchasing infrastructure, e.g. trucks and other equipment, would be enormously expensive. The county employees are hard working, know the job; there is no problem with service. Private workers with less experience could be dangerous on the road.
- Example 2: School buses operation, once done by Seattle, is contracted to Laidlaw (with union employees but members have minimum wage standards and no pensions) and Ryder (nonunion). Parents, students and the District all suffered from the strike by Laidlaw for wages and pension.

Louise Miller - response.

- County control of the waste stream may be in danger because of federal legislation. County has been lobbying this for two years. Unions need to help.
- Competition can be another public entity, e.g., Seattle exports its waste at a higher cost. Seattle is probably trying to take away customers.
- Union has been at the table since the beginning work on the King County comprehensive plan relating to solid waste.

Bob Hasegawa

- Presented information on the activities, in various states, of the largest corporation dealing with waste.
- Long-term cost of contracting needs to be looked at, not short-term low bids. Ask what the union thinks before an RFP is issued.

Ron Judd

- Communication is critical. The Seattle/King County Labor Council works jointly with the Port and with the City of Seattle on legislation at the national level, dealing with issues beyond the local level.

Maggi Fimia offered an example of bargaining that successfully kept work with public employees.

- Example of early communication: Small bus public transportation service. The Metro drivers needed to do this work and the same contract terms could not be effectively applied. Metro management sought a union proposal, negotiating how the work could be kept in-house and the contract be fair. Language was agreed to--the public got the small bus local service and Local 587 got the work.

Cynthia Sullivan inquired about the private firm doing courthouse security.

Ron Judd stated this was example of why the county and labor should be partners, not just why the county should not privatize services.

Wayman Alston, International Federation of Professional & Technical Engineers, Local 17

- Example: Why contracting out work not always the best. In 1992-93, with a large backlog of permit applications, Building and Land Development (BALD, now the Department of Development and Environmental Services) had choices for plan review, i.e., to pay overtime, cross train staff, hire temporary staff or contract out. The decision was made to contract out. The result was that the County lost control of the process: applicants had to find their plans at contractors' offices (or subcontractor's offices if they in turn contracted work), pay for revisions; DDES staff had to teach contractors the county rules, take plans back for drainage and environmental review, and inspections. The process took more time and cost more.
- *Wayman joked to much laughter that Aristotle once said: "To privatize is unwise; you lose control and perhaps your goal."*

Lew Dascenzo, Teamsters, Local 117

- Provided four examples of contracting out by the County.
- Example 1: Speedy Lube. Roads/Fleet serviced police cars, including lube and tires. When the cars went with officers to districts, the County contracted this service to Speedy Lube. Union sued. Judge ruled County could not contract. On appeal the judge ruled that contracting out was legal, not if done for financial reasons but if it was not practical for the County to do the work.
- Example 2: Detox. Union was called to a meeting and told about contracting because of matching funds from Medicaid. 33 employees were terminated, 13 hired back as part-time. Cost per bed has risen from \$262 to \$424.

- Example 3: Records and Elections. Union received a written invitation to meet to discuss the problem with handling mail ballots, particularly the need to certify the election within ten days. Agreement was reached that the County would contract for processing by a firm at SODO Center with observation by County employees. (The equipment is expensive and not cost-effective for the County to own.) The County would hire 7.5 regular part-time employees.
- Example 4: Courthouse security. Union was not called; have filed an unfair labor practice. Do not now represent guards. Recently, the security for the load dock was contracted to another firm.
- Union is spending lots of dues money in pursuing lawsuits.

Ron Judd noted these lawsuits are costing both union and taxpayers.

Cynthia Sullivan asked whether any of the locals were bidding on security guard work.

Dascenzo responded that they have met with Executive representatives and underbid the contractor but had not received any written response.

Brian Derdowski commented that courthouse security includes both operational and labor issues. The Executive is reviewing a proposal for an all in-house security plan.

(Executive Locke arrived.)

Dan Linville

- The merger seems more like a hostile take over, with the County taking advantage of an agency with a strong funding base.
- *T-shirts with a humorous "new" County logo were presented to Pullen, Judd and Locke.*
- Reducing staff at Metro does not make sense, either for union members or unrepresented employees. Neither Metro or County employees have time to take on extra work from either organization.
- Overhead costs have gone from a range of between \$500,000-800,000 per year for the 44 member Metro council to about \$3.0 million/year for the 13 member County council.
- Local 587 has cooperated with management, e.g., negotiating the van service. Now the negotiations are being strained by the merger, e.g., insured benefit levels and how they are negotiated.
- Transit passes. King County should promote transit use by providing passes to County employees as Metro has to its employees.
- Revenue problems are not caused by labor agreements but by the increased overhead, reduced fares (\$.25 on weekends), and no general fare increase for many years (put off by the Metro Council and then the County Council).
- Merger has great opportunities but there are bumps that need smoothing.

Kathy Oglesby, Washington State council of County and City Employees, Locals 21AD, 21DC, 21HD, 2084

- Example of a positive resolution when a partnership is formed. City of Seattle formed a task force to look at the effectiveness and efficiency of the Roads Department. The City was 9000 road cuts behind. Cuts are done by utilities, repaired with temporary fill which fails over time producing dips, ledges or potholes. A crew proposed a solution that generated \$369,000 in added revenue.
- Pulling together is the message of this meeting. Unions are asking that we form genuine partnership:
 - ◊ where both have an equal say at the table,
 - ◊ where we can hammer out issues (identifying what areas to work on and how to do the work),
 - ◊ where control of services and quality can be maintained with benefits to the public and public employees.

Discussion ensued among the participants.

Sullivan requested that the specifics of the cases presented be written up.

Judd agreed and offered to provide information on other successes such as the Portland Water Department.

Hasegawa noted that government has the unique opportunity and responsibility to provide economic and moral leadership by having its own workforce reflect the diversity of the community.

Derdowski noted that the world economy has devastated good wage jobs and the public has said they cannot afford the cost of public jobs. This pressure adds to the complexity of labor policy. The keys are communication, early and often, particularly to identify issues; elected officials and union leadership finding the time and energy to apply to these issues. This is an historic opportunity with a progressive Council, an Executive who is more committed, and labor leaders seeking cooperation.

Phillips stated that we needed to institutionalize identifying labor as a stakeholder when the County is dealing with a policy initiative or redirection, or a programmatic change. Government is not now looked on with great favor; we need an effective partnership if are to turn the image around. The focus should be on service delivery, not conflicts within government.

Vance reported he was surprised that privatization was an issue. Public employees are supported by this Council. There will be program issues, since County revenues are down because of annexation and incorporations. With no tax increases or service reductions, agencies need to reduce management or white collar positions.

Vance also expressed the need to keep communication open and to do this type of meeting every year.

Fimia encouraged all to create an environment for change, to not contribute to government bashing by bashing each other, and when we disagree to do it without being disrespectful. If we set goals and each focus on what we can do to reach them, good solutions will result.

Oglesby requested that the Council support the partnership of DYS and the union. Projects they are working on include self-directed work teams and ways to reduce recidivism.

Miller reviewed a number of points: (1) The 1995 budget, based on early work by Hague and Gossett, reflected the Council's commitment to youth and family. (2) The Law, Justice and Human Services Committee has given direction to the Executive to do an in-house courthouse security program, one that gets employees through efficiently and appropriately screens the public. (3) The merger charter amendment created three "mini" Metro Councils, i.e., the Regional Committees. The Council would welcome labor help with these and other multi-jurisdictional committees. (4) Our best ambassadors are the county employees. We have to ensure the public knows that the services they give are provided by King County.

Sullivan agreed that we have a service-rich government. And a note for Linville, all the governments with representatives on the Metro Council subsidized that Council.

Judd suggested that the County and its unions might do joint marketing to let the public know about the service of public employees.

Judd closed the meeting by thanking the labor leaders in the audience for their attention, staff who helped put the meeting together, and the participating labor leaders and the Councilmembers. Finally, he indicated that labor would host an annual meeting with the Council to talk about successes for partnership. The Councilmembers in attendance agreed with Ron Judd that the meeting had been very productive, and they looked forward to continuing to meet annually and to hearing his second annual "State of Labor" address to the Council in 1996.

PARTNERSHIP VERSUS PRIVATIZATION
State of Labor Discussions:
Coalition of King County Unions
and the
Metropolitan King County Council - Committee of the Whole

13000

September 28, 1995

Ron Judd

*** Welcome**

On behalf of the King County Labor Council and the Coalition of County Unions, I would like to welcome you, Council President Pullen and Members of the Metropolitan King County Council, to the Labor Temple.

*** This is indeed an historic occasion.**

We have had our researchers working round the clock on this ... as far as we know this is the first time the Committee-of-the-Whole of the Metropolitan King County Council has held its meeting in this hall.

This is also an important moment because I believe that 5 years from now when we look back we will see this meeting as the start of something much bigger. I predict that we will see this meeting as a critical part of the development of one of the most successful partnerships between labor, management and elected officials in the country.

*** This meeting is a result of Chair Pullen's invitation to us to give a state-of-labor address to the County Council.**

Before we begin, I would like to thank Chair Pullen for his invitation to Labor. He left it wide open for us to speak on the issues that are important to the County's employees.

The most basic component for any good relationship is communication. We thank you and your fellow Council members for opening up another avenue for discussions with the representatives of the County's workforce and look forward to developing other means for improving communication. And, we hope the opportunity to present a state-of-labor becomes an annual tradition for the County.

*** Everyone in this hall shares the common goal of improved and cost-effective public services for the citizens of King County.**

We recognize that we face a very real problem: the public expects quality services but tax revenues are often inadequate to meet demand. There are those in our community that argue that the solution is to turn over government functions to profit-making companies. Various promises are made for this approach. In reality, privatization rarely meets its promises.

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We would like to use this state-of-labor discussion to talk about the realities of privatization and the power of partnership. Around this table are labor leaders who have had years of experience representing workers in all levels of public service. They have seen it all. Their viewpoint is not from the lush offices of some well endowed think tank but from the front-lines of public service, from the people who actually preform the job.

* Some of the themes that you will hear today are:

Contracting out does not save money.

Contracting out ends up costing more with no direct control even though you are still accountable for the service delivered.

Public services improve dramatically when front-line workers are given a say in how things get done.

* We would like to start this conversation - and that is what we hope to have, a conversation with you - with presentations from several members of the Coalition of County Unions. After the presentations I would like to open it up to a dialogue on the issues raised. If you have questions, feel free to ask them at any time.

INTRODUCED FIRST SPEAKER

CLOSING REMARKS

* Let me state emphatically we will work with you and we will join with you in partnership.

We will work with you to save money. We will work with you to improve services. We will work with you to increase efficiency. In order to do that, however, we need create a new culture of successful partnership which is characterized by:

An environment that respects and values all employees.

A willingness to share power.

Respect and trust for all or the desire to work common goals.

Open and candid sharing of information.

Joint decision-making and agreement reached through consensus.

Cooperation even some may disagree on specific issues.

Patience for and commitment to partnership for the long haul.

Problems identified and solved jointly to better serve customers and achieve the mission

Faith that partnership will lead to a more effective organization.

Fundamentally what we have to do in a three way partnership with the Executive, the Council and Labor is to remove the barriers to allow people to do better, to be listened to. Workers have to be treated as resources. We must trust them to make decisions. This is the lesson successful corporations like Saturn and Corning have learned.

Employees who have good ideas who have never been heard should not be held responsible for poor management. It will not work to just look at reducing span of control unless front-line workers are empowered and supported. And, it will not work unless it is recognized up front that partnering represents a threat to middle managers who are in a position to obstruct these efforts.

* Fundamental to building a culture of partnership in the County is communication that addresses legislative as well as management matters.

When you are considering legislation that impacts County employees your first reaction should be to call Labor. We don't want to be in a mode where we are reacting to each other, being surprised by actions, having minimal up front communication instead of working together on jointly identified problems.

When you are thinking about hiring an outside consultant to evaluate services think about spending that money on a joint team with labor to develop solutions to the problems.