

Benefits and Rights Under Your UNION CONTRACT

a brief guide for

King County Department of Transportation
Professional & Technical members
(Planning and Professional Units)



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INTRODUCTION

As a member of the IFPTE Local 17 King County DOT Professional and Technical contract in either the Planning or Professional bargaining unit, you are covered by a union contract that gives you additional benefits and rights beyond those given to County employees by the Personnel Guidelines. The current contract is in effect from January 1, 2006 until December 31, 2008 and contains significant improvements over the last contract. The purpose of this pamphlet is to give you an overview of some of the benefits of being a member of your union.



- Jay Osborne,
Program
Analyst IV

There are some basic rights that you have as a union represented employee. **PART I: BASIC RIGHTS AS A PUBLIC EMPLOYEE UNION MEMBER** discusses these rights. There are also many things that are unique to your contract, such as executive leave, step progression, bereavement leave and the ability to donate sick leave to more than one employee and use sick leave to help those you care about. **PART II: CONTRACT PROVISIONS** gives you an overview of some of these.

Besides getting better working conditions and wages, a union is important for giving employees a voice at work. The best way to make your voice heard is getting active in the union. **PART III: ABOUT YOUR UNION** gives an overview of the structure of the union and how to get informed and involved.

This is not exhaustive and is intended only as a helpful guide. It is not a substitute for knowing the actual contract, which you can get to online at: ***http://ohrm.metrokc.gov/labor/cbaindexdoc.htm#046_046***.

You should ask your Steward or Union Representative if you have any questions or concerns. Contact information is provided at the end of this pamphlet.

PART I: BASIC RIGHTS AS A PUBLIC EMPLOYEE UNION MEMBER

You Have the Right to Representation.

You have the right to have either your Union Representative or steward join you in any meeting that may result in discipline. This is called your Weingarten right. Usually it is your responsibility to assert this right or you waive it. If you believe you are being investigated or that you are being brought into a meeting that may lead to discipline, you should say:

“If this discussion could in any way lead to my being disciplined or terminated, I respectfully request that my Steward or Union Representative be present at the meeting. Without representation present, I choose not to respond to any questions or statements.”

At a Weingarten meeting, the steward’s role is more than a passive observer, notetaker or witness. The steward is there to assist and counsel the employee being interrogated.

You Have the Right to Due Process.

Public employees are entitled to due process before “property” is taken from them. Under this body of law, a regular employee’s job is “property,” and so you are entitled to due process if your property will be impacted by a demotion, suspension, termination, or reduction in pay. Your Loudermill right encompasses your rights to: oral or written notice of the charges against you; an explanation of the employer’s evidence; and an opportunity to present your version of what happened, before the final decision is made. If you are being disciplined you should contact a steward right away for help.

You Have The Right to Be Free From Discrimination.

By contract and federal, state and local law, bargaining unit members are entitled to a workplace free of discrimination. It is a violation of the contract for either the Employer or the Union to discriminate because of **race, color, religion, national origin, sexual orientation, marital status, age, sex, ancestry, or sensory, mental, or physical disability.**

You have the right to be free from discrete discriminatory acts as well as a **hostile work environment**, whether it is from management or co-workers. You can challenge alleged discrimination through the contract's grievance/arbitration procedure; in addition you are also able to pursue discrimination claims through Federal and State agencies and courts. Washington State law also protects you from discrimination for participating or not participating in Union activities.

PART II: CONTRACT PROVISIONS

Leave for your own medical condition:

Sick Leave:

If you are benefit-eligible, you may use accrued sick leave for:

- Your own personal illness;
- Your own incapacitating injury;
- Temporary disability caused or contributed to by pregnancy and childbirth (for female employees);
- Exposure to contagious diseases and resulting quarantine;
- Your medical, dental, or optical appointments (with supervisor's approval).

How To Use Sick Leave:

You need to fill out the leave request form and give it to your supervisor. You may be required to get a medical certificate, although your employer cannot ask about the specifics of your medical condition.

Donation of sick leave:

Any employee who maintains a minimum sick leave accrual balance of one hundred (100) hours may donate to any other leave eligible employees a portion of his or her accrued sick leave. Sick leave hour donations are strictly voluntary. No employee may donate more than twenty-five (25) hours of accrued sick leave in a calendar year, to a specific individual, but may donate to more than one individual in a calendar year.

Leave for family members' medical condition:

Your contract allows leave to be taken to care for your spouse or domestic partner, child, a child of the employee's spouse or domestic partner, the employee's parent, a parent of the employee's spouse or domestic partner, any person for whose financial or physical care the employee is principally responsible, or any person who was in loco parentis to the employee. *In loco parentis* means literally, "in place of parent;" an example might be if Mrs. Smith who lived next door when you were young and acted as your parent you can use sick leave to care for her. A steward or union representative can help you with this definition.

You use this sick leave in the traditional way. If you have any questions about how this may apply, please speak to a steward or union representative.



- Bernie
Thompson,
Project/
Program
Manager III

Leave for family members' death/

Bereavement Leave:

You are entitled to take three days off with pay for bereavement leave. These days are not part of your sick leave or vacation balances. You may request to take up to an additional three days for bereavement leave, to be deducted from your sick leave balance. Bereavement leave is available to you for each instance of death of a loved one. The definition of who you can take bereavement leave is identical to the definition of who you can use sick leave to take care of listed above.

To use Bereavement Leave, fill out an absence request form and check the appropriate box. This form is submitted to your supervisor for approval.



- Maria Van
Horn,
Administrator
IV

OTHER TYPES OF LEAVE:

School Volunteer Leave:

You may take up to three days of sick leave per year to volunteer in a school. Schedule this leave like any other leave, note: "school volunteer leave."

Executive Leave:

This applies to FLSA-exempt employees who are not entitled to overtime/comp-time compensation. In recognition of extra responsibilities each FLSA-exempt employee will receive a minimum of three (3) days of Executive Leave annually, and up to a total of ten (10) days. These days cannot be carried over payroll years or cashed-out. **Your supervisor will work with you to determine the amount of leave to which you are entitled.**

Military Leave:

In accordance with County policy, you are entitled to 15 days of paid leave for the purpose of taking part in active military training duty. You must submit a written request and documentation to your supervisor. You may be eligible for more than 15 days

of leave. If you are called into active military service, your medical, dental, and life benefits will continue until your active duty has been completed.

Jury Duty:

If you are called to serve on a jury, you will receive your regular rate of pay for all workdays you miss because of jury duty. However, you must give any jury fees you receive to the County, less mileage.

Organ Donor Leave:

Leave eligible employees are entitled to five days of paid leave to participate as a donor in a life-giving or life-saving procedure. There must be a reasonable expectation that the employee's failure to participate may result in serious illness, injury, pain, or the eventual death of the recipient. Organ donor leave will not be charged to your sick or vacation leave accounts. Advance notice must be given to the supervisor, as well as written medical documentation.



- John Shively,
Transportation
Planner III

What happens to your Leave benefits if you retire?

Vacation Leave is cashed out at 100 percent based on your current rate of pay. This means if you are earning above step 10 merit, special duty, or lead pay, you will be paid out at a rate that includes all of these that apply. To be eligible for vacation cash-out, you must have completed your first six months of County service. **Eligible employees may cash-out their vacation upon any separation from employment, not just retirement.**

Sick Leave is cashed out at the rate of 35 percent times your rate of pay in effect at the time of separation. This means if you are earning above step 10 merit, special duty, or lead pay, you will be

paid out at a rate that includes all of these that apply. To be eligible for sick leave cash-out, you must have successfully completed at least five (5) years of County employment. **You only get to cash-out your sick leave upon retirement or death.**

In September 2006, the DOT- Professional & Technical bargaining unit voted to establish a Health Reimbursement Arrangement-Voluntary Employees Beneficiary Association (HRA-VEBA).

From Jan. 1, 2007 until Dec. 31, 2009, any member's sick leave cash-out will be deposited into an individual HRA-VEBA account. The cash-out deposit will be tax-free, as well as any withdrawals from the account. Funds in a HRA-VEBA account may only be used for qualified medical expenses, which includes many things from health insurance premiums to aspirin and eyeglasses. For more information about HRA-VEBA, see:

<http://www.metrokc.gov/employees/benefits/hraveba/>



- Sue
Osterhoudt,
Transportation
Planner IV

Transfers:

For Vacant Positions in this Bargaining Unit:

Prior to the initiation of any competitive process to fill a vacant bargaining unit position, regular employees in the bargaining unit holding the same classification as the vacancy will have the opportunity for a lateral transfer. The County is required to notify members when there is such an opportunity, and those “expressing interest” will be interviewed for the position.

For Vacant Positions in the Local 17 Transit Professional and Technical Bargaining Unit:

You will compete for this position along with any other candidates. If you are transferring to Transit P&T from a position in the Planning Unit of this bargaining unit, you will retain your seniority date when you transfer. Reciprocally, employees who transfer

from the Transit P&T unit into the Planning unit of this bargaining unit retain their seniority date.

Bread & Butter:

Cost-of-living adjustment (COLA):

The current collective bargaining agreement provides for a cost-of-living adjustment (COLA) each January during the term of the agreement. This wage increase is calculated by multiplying the Bureau of Labor Statistics' "Consumer Price Index for Urban Wage Earners and Clerical Workers" All Cities Index (September to September) by 90 percent. The purpose of the COLA is to maintain the real value of your wages as inflation decreases the value of the dollar. Under the current agreement the COLA will be at least two percent and no more than six percent.



- Marc Walsh,
Business and
Finance
Officer

Step Increases:

Like most County employees, members of this bargaining unit are paid according to the County 10 Step Squared Pay Schedule. All new employees will be placed on Step 2 or a higher even-numbered step.

Planning Unit members will progress on the even-numbered steps each Jan. 1 up to Step 10.

Professional Unit members will progress on the even-numbered steps each Jan. 1 up to Step 4, and thereafter progression through the remaining even-numbered steps will be based on merit.

Merit Increases:

Employees who are at the top step of their salary range will be eligible annually for a merit increase of 2.5 percent or 5 percent above the top step, at the County's discretion. To be eligible for the merit increase, employees must have earned a performance rating of "outstanding" (at least 4.34 out of 5) in two consecutive years.

PART III: ABOUT YOUR UNION

Union Structure



AFL-CIO:

The American Federation of Labor and Congress of Industrial Organizations is a voluntary federation of 54 national and international unions, including IFPTE. It is the central roof under which most of American labor is gathered. In Canada, IFPTE is affiliated with the Canadian Labour Congress.

IFPTE:

The International union is made up of 85 local unions representing over 80,000 members in the United States and Canada. Local 17 is the second largest IFPTE local, and carries significant influence at the International Convention which is held every three years.

Local 17:

IFPTE, Local 17 is made up of more than 8,500 public employees across Washington State. The main policy making body is the Regional Executive Committee (REC) which meets twice a year. Between REC meetings, policy decisions are made by the Executive Board. Day-to-day administration is the responsibility of the Executive Director, who oversees the Local's staff of 22.



- Rey Sugui,
Intergovernmental
Relations
Program
Analyst

King County Chapter:

Through chapters, members with a common employer have a forum to discuss issues pertaining to their workplaces and their collective bargaining agreements. Chapters provide members access to union governance through the election of delegates to the REC.

The King County Chapter meets about every quarter. For information on the next chapter meeting, see: www.ifpte17.org/units/county/king/index.html

Professional & Technical Policy Committee:

The P&T Policy Committee is comprised of elected representatives of the DOT P&T and Transit P&T bargaining units. The purpose of the Policy Committee is to discuss, advise, and coordinate with Union staff on issues of unit-wide significance. Important information can rapidly flow between the membership and the union staff through this network. Contract negotiation teams are also appointed by the Policy Committee.

The P&T Policy Committee meets about every month. For information on the next Policy Committee meeting, see: www.ifpte17.org/units/county/king/professional+technical/index.html

CONTACT INFORMATION



- Hossein
Barahimi,
Transportation
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STEWARDS

Hossein Barahimi
John Shively
Jay Osborne

POLICY COMMITTEE REPRESENTATIVES

Hossein Barahimi
John Shively
Jay Osborne
Rey Sugui
Bernie Thompson
Marc Walsh
Sue Osterhoudt
Anna Peekstok

UNION REPRESENTATIVE

