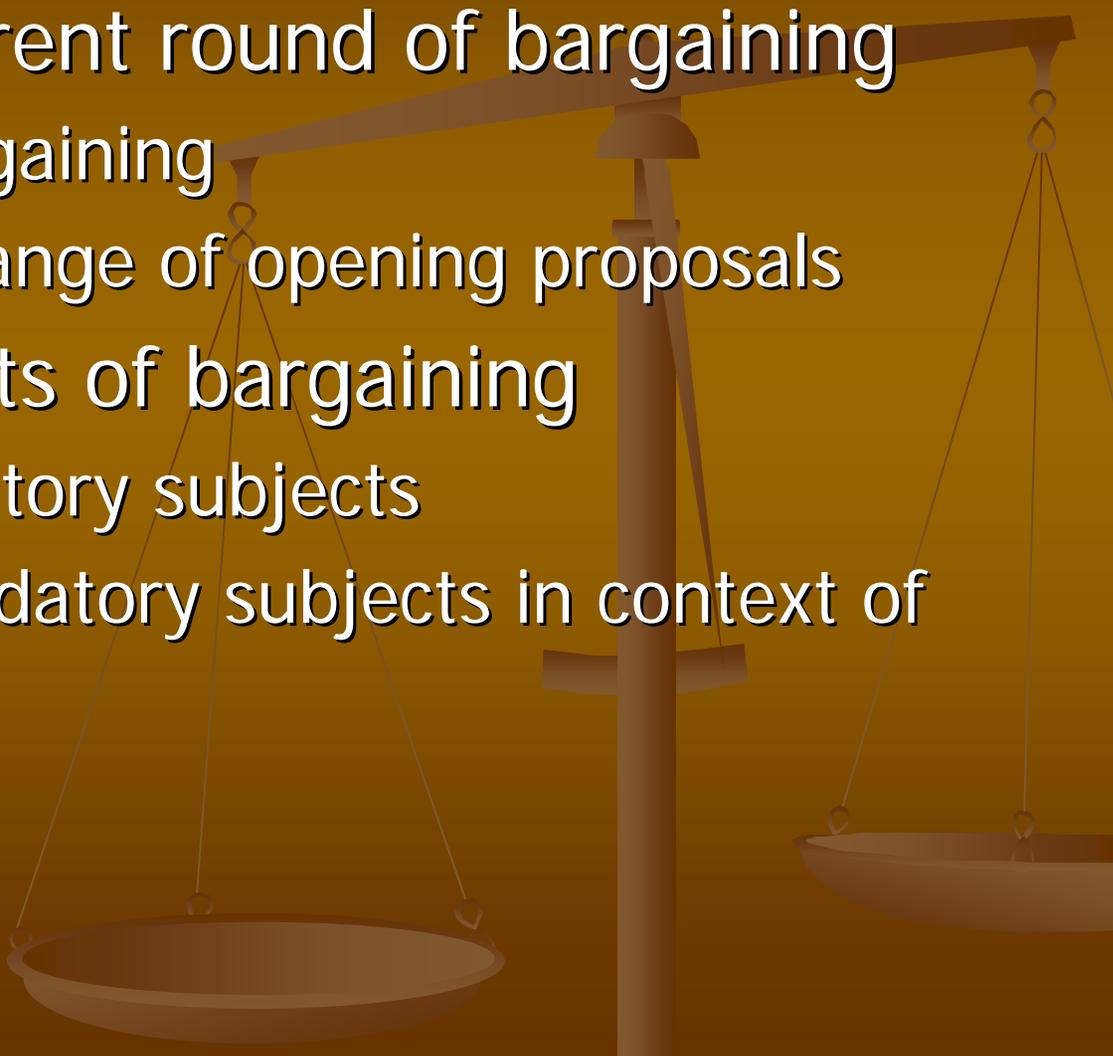


Labor Relations and Collective Bargaining Issues

Mike Fields, City Labor Relations

Paul Olsen, City Law Department

Outline



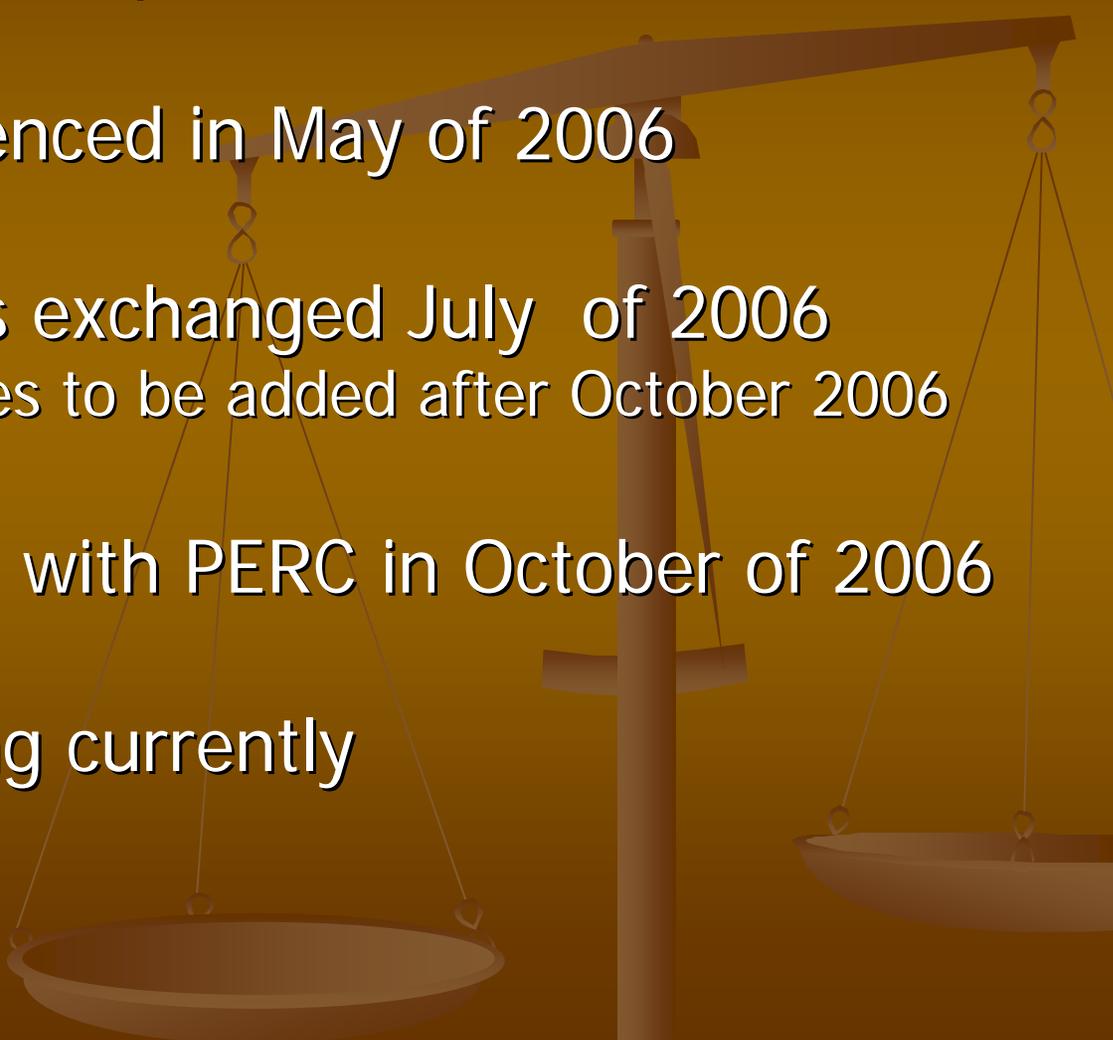
History of the current round of bargaining

- Timeline of bargaining
- Impact of exchange of opening proposals

Mandatory subjects of bargaining

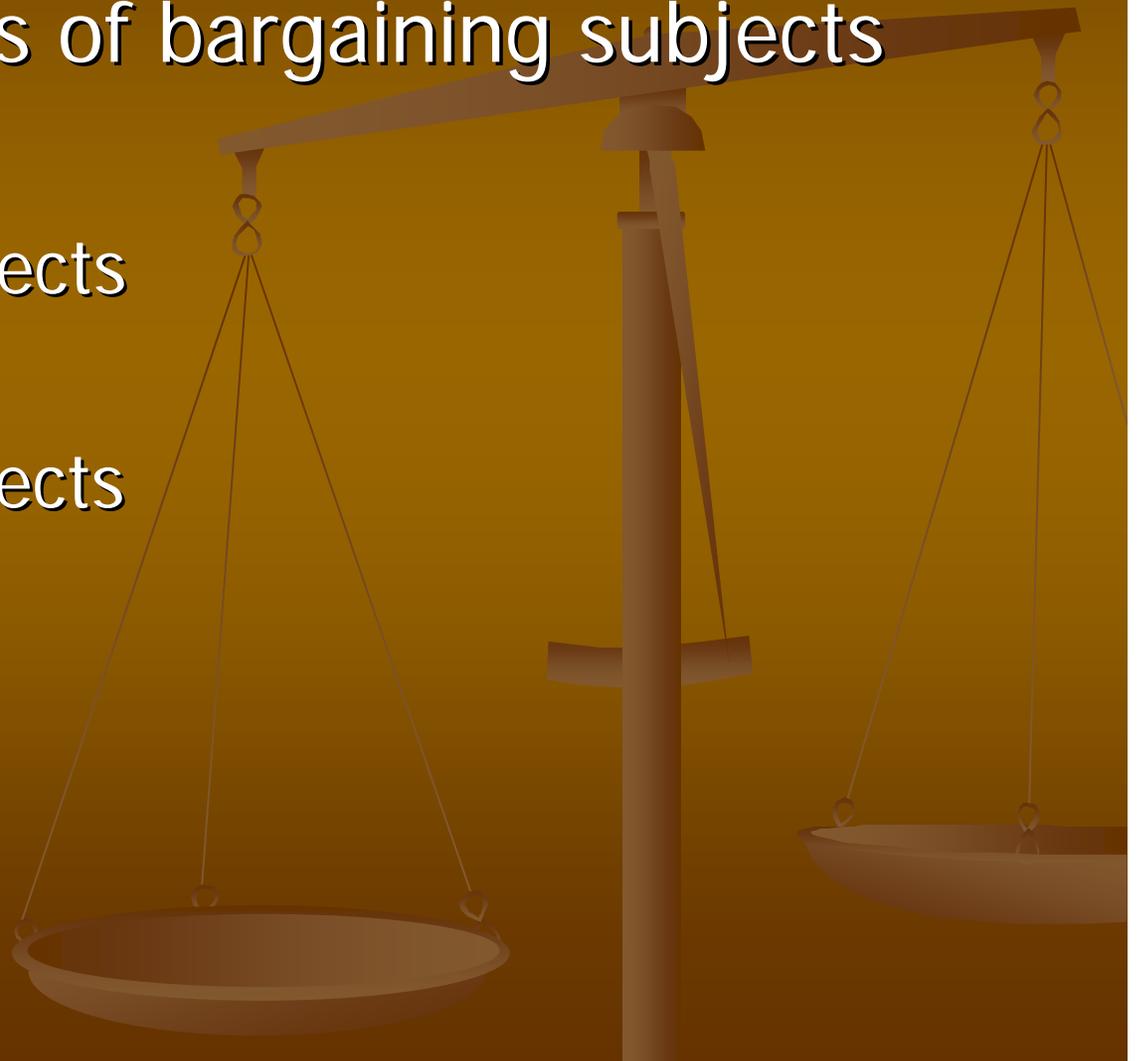
- Defining mandatory subjects
- Discussing mandatory subjects in context of police oversight

Bargaining History

- Last SPOG contract expired at end of 2006
 - Bargaining commenced in May of 2006
 - Opening proposals exchanged July of 2006
 - No additional issues to be added after October 2006
 - Entered mediation with PERC in October of 2006
 - Ongoing bargaining currently
- 

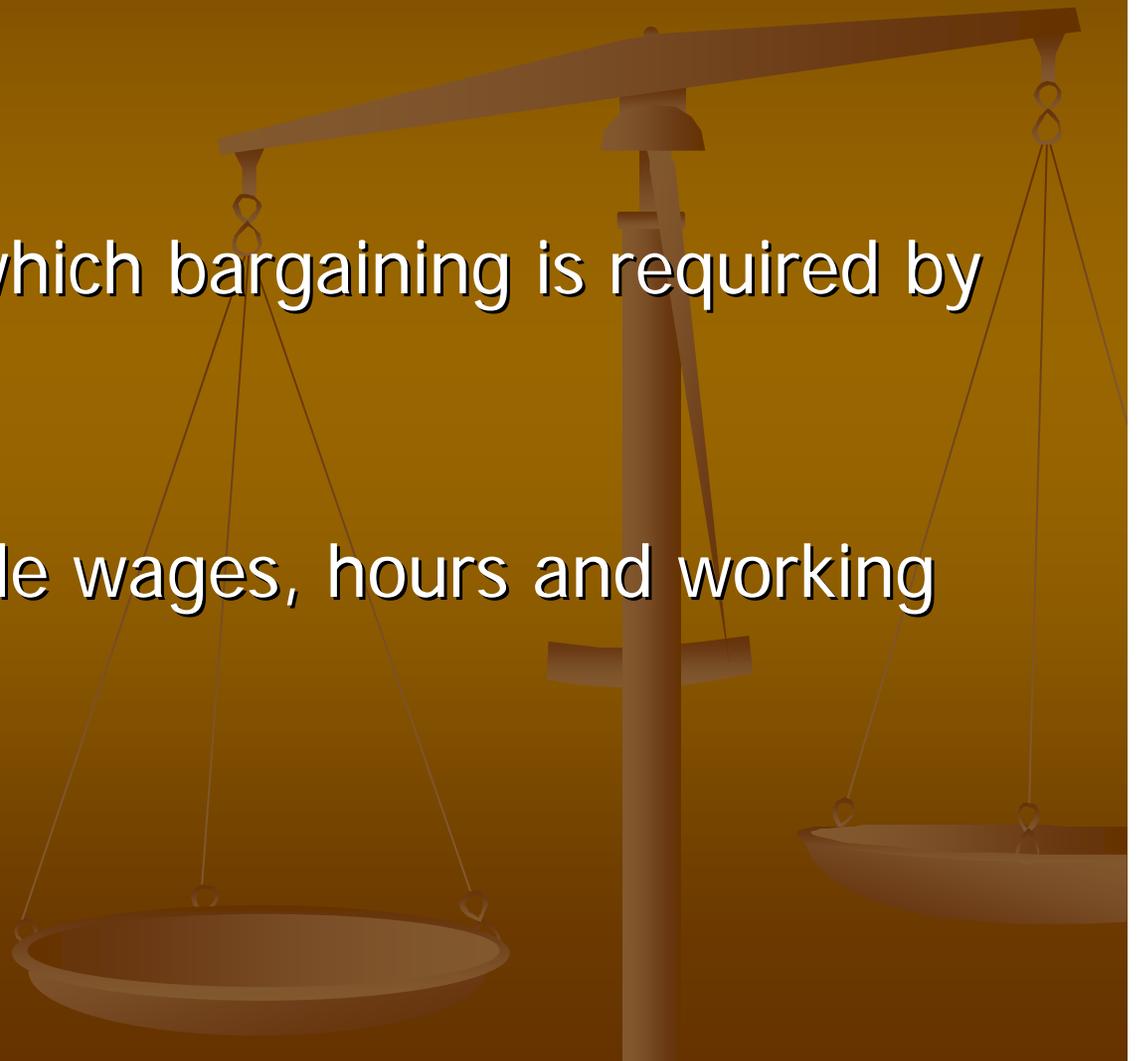
Bargaining Subjects

- Three categories of bargaining subjects
 - Mandatory subjects
 - Permissive subjects
 - Illegal subjects



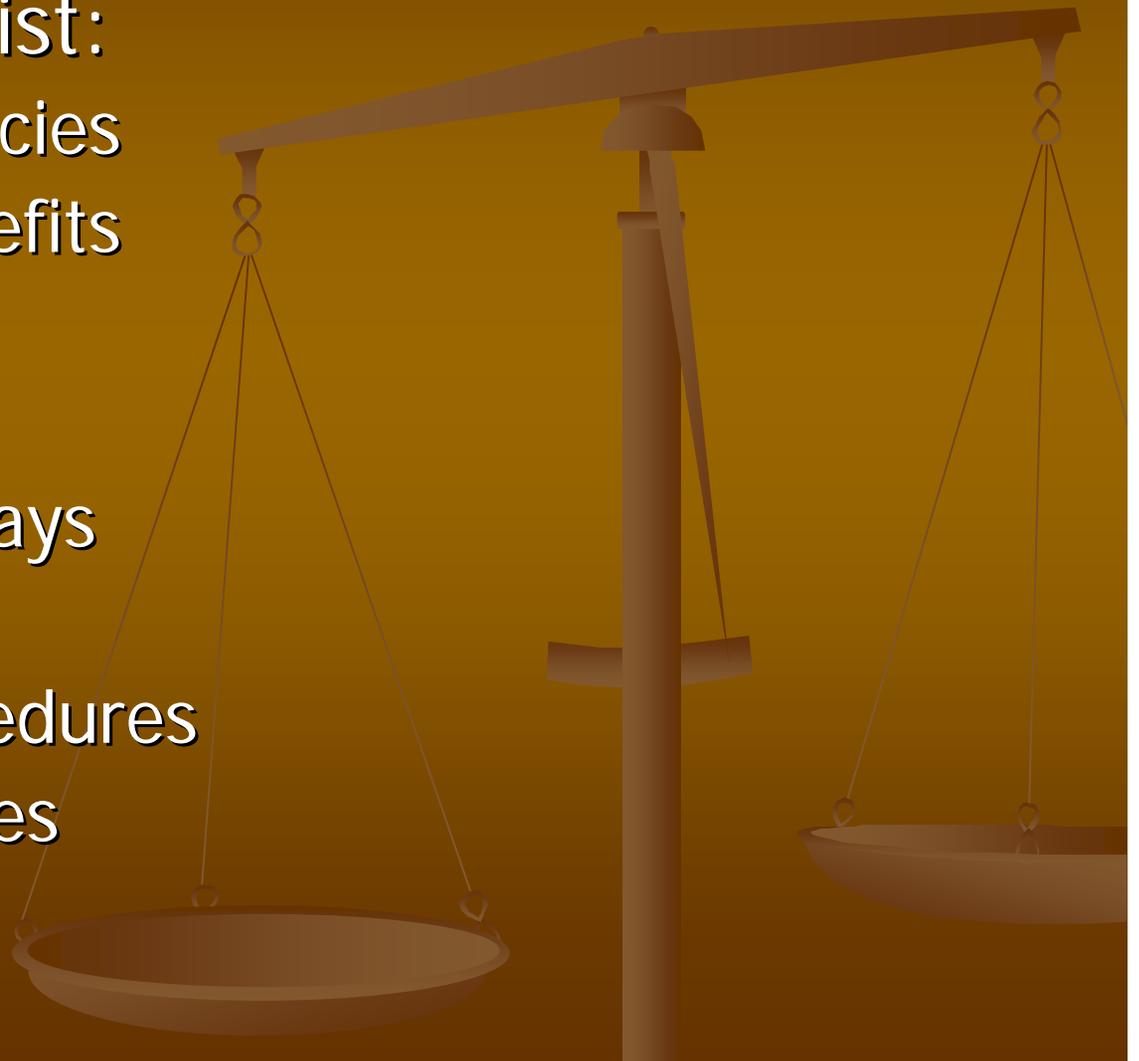
Mandatory Subject of Bargaining

- What are they?
 - Subjects over which bargaining is required by statute
 - Generally include wages, hours and working conditions



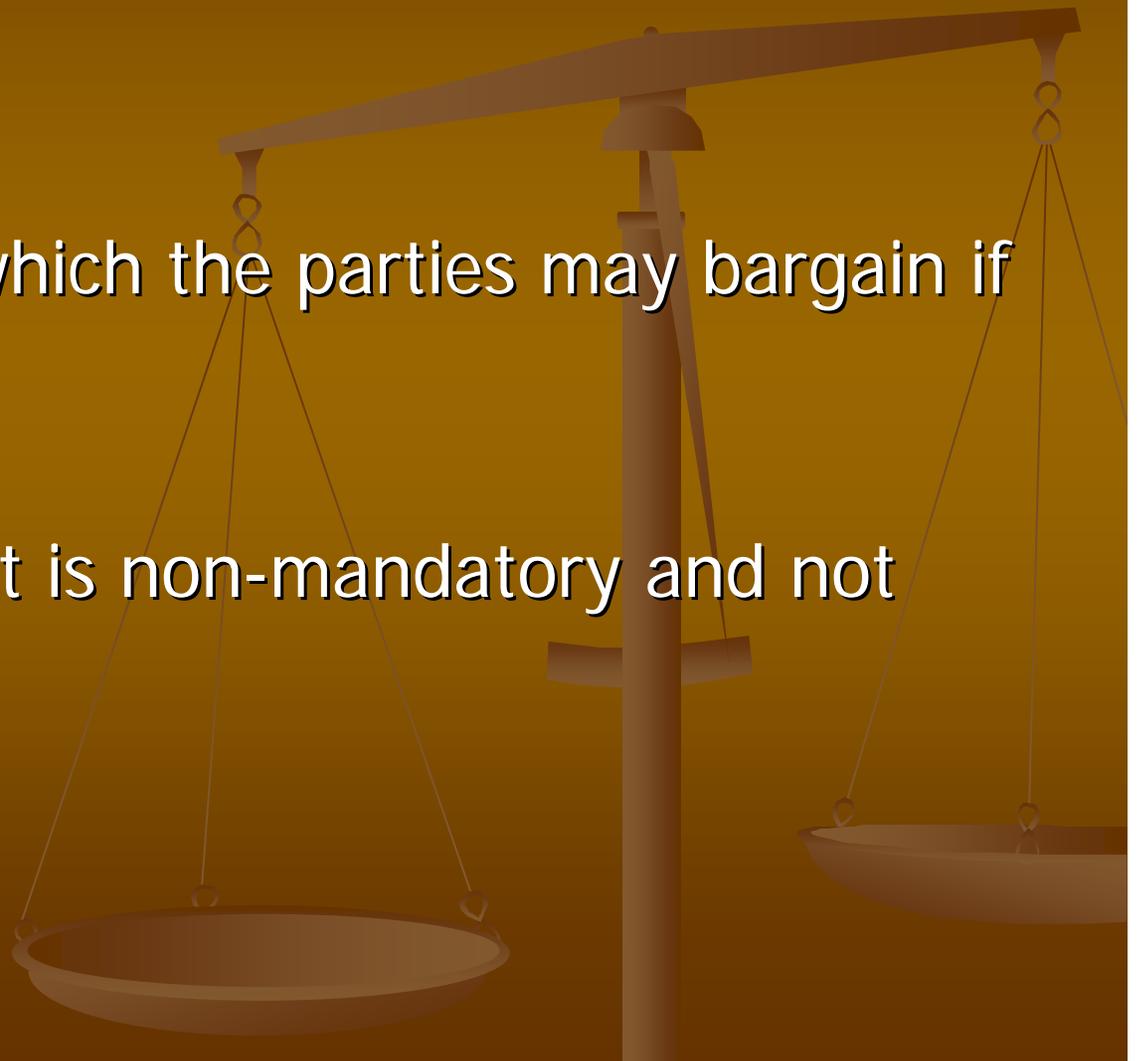
Examples of Mandatory Subjects

- Non-Exclusive List:
 - Disciplinary policies
 - Healthcare benefits
 - Schedules
 - Overtime pay
 - Vacations/holidays
 - Pensions
 - Grievance procedures
 - Promotional rules



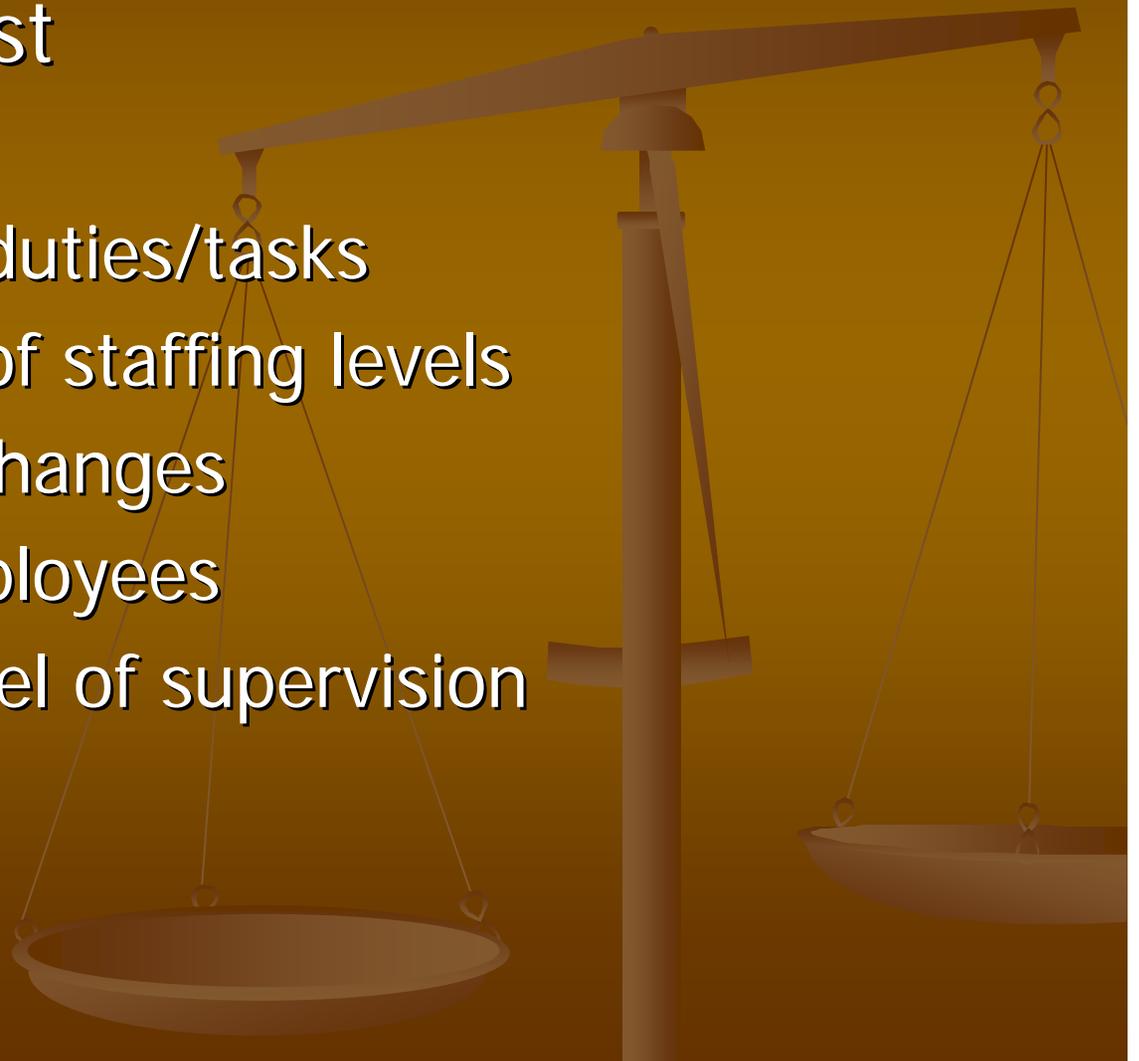
Permissive Subjects of Bargaining

- What are they?
 - Subjects over which the parties may bargain if they choose
 - Any subject that is non-mandatory and not illegal



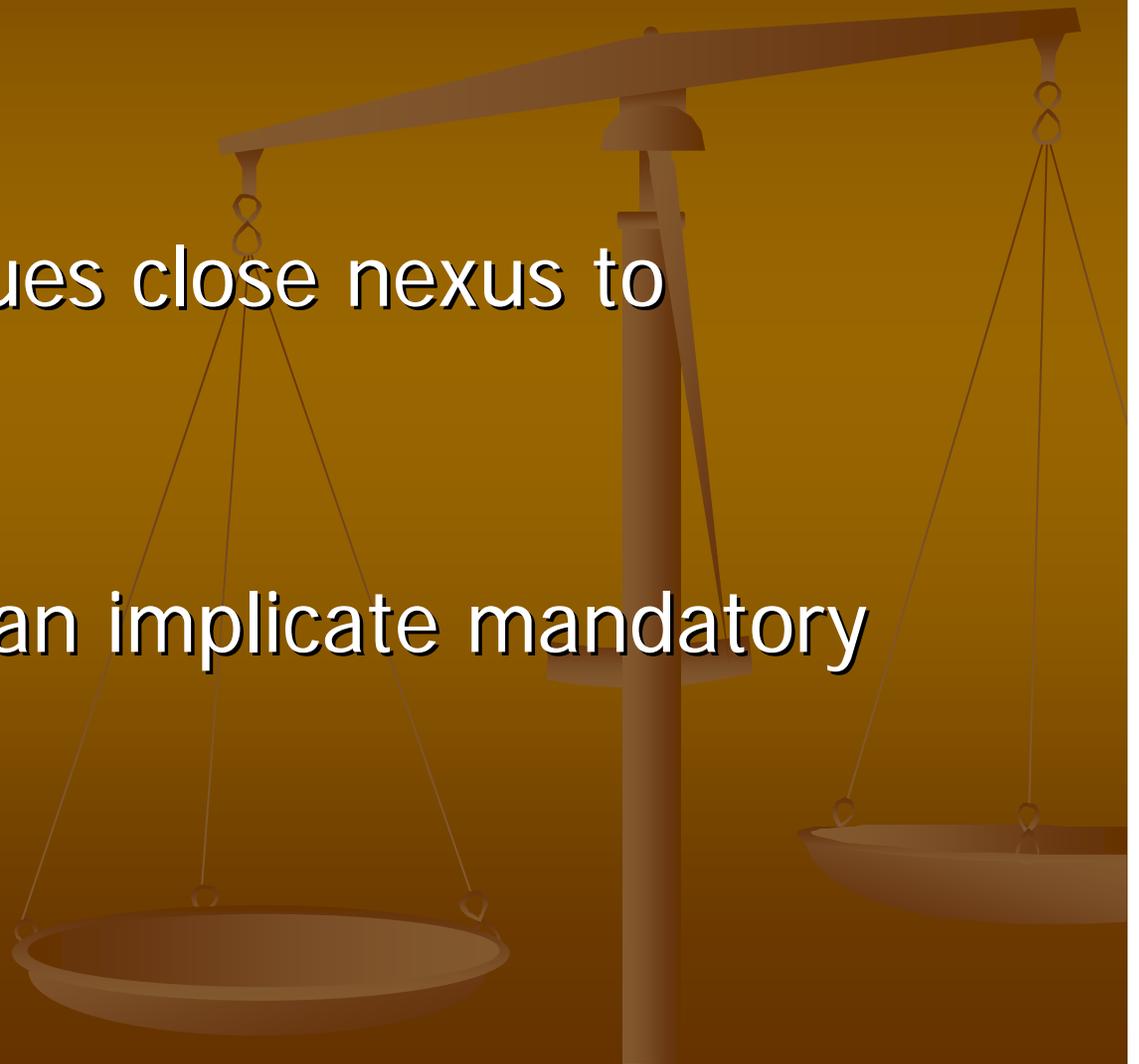
Examples of Permissive Subjects

- Non-exclusive list
 - Assignment of duties/tasks
 - Determination of staffing levels
 - Technological changes
 - Transfer of employees
 - Method and level of supervision

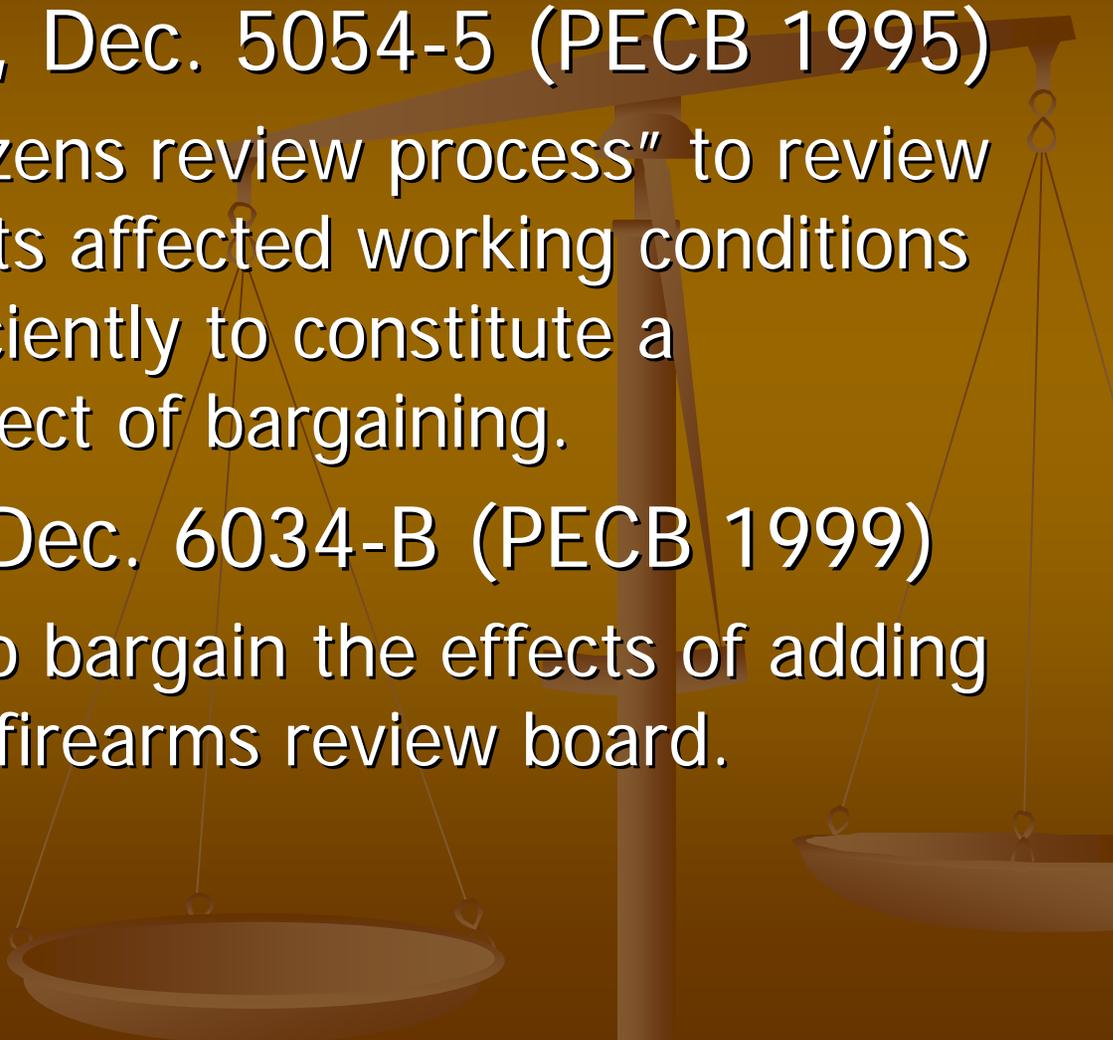


Mandatory Subjects in OPA Context

- OPA-related issues close nexus to discipline
- Privacy issues can implicate mandatory subjects

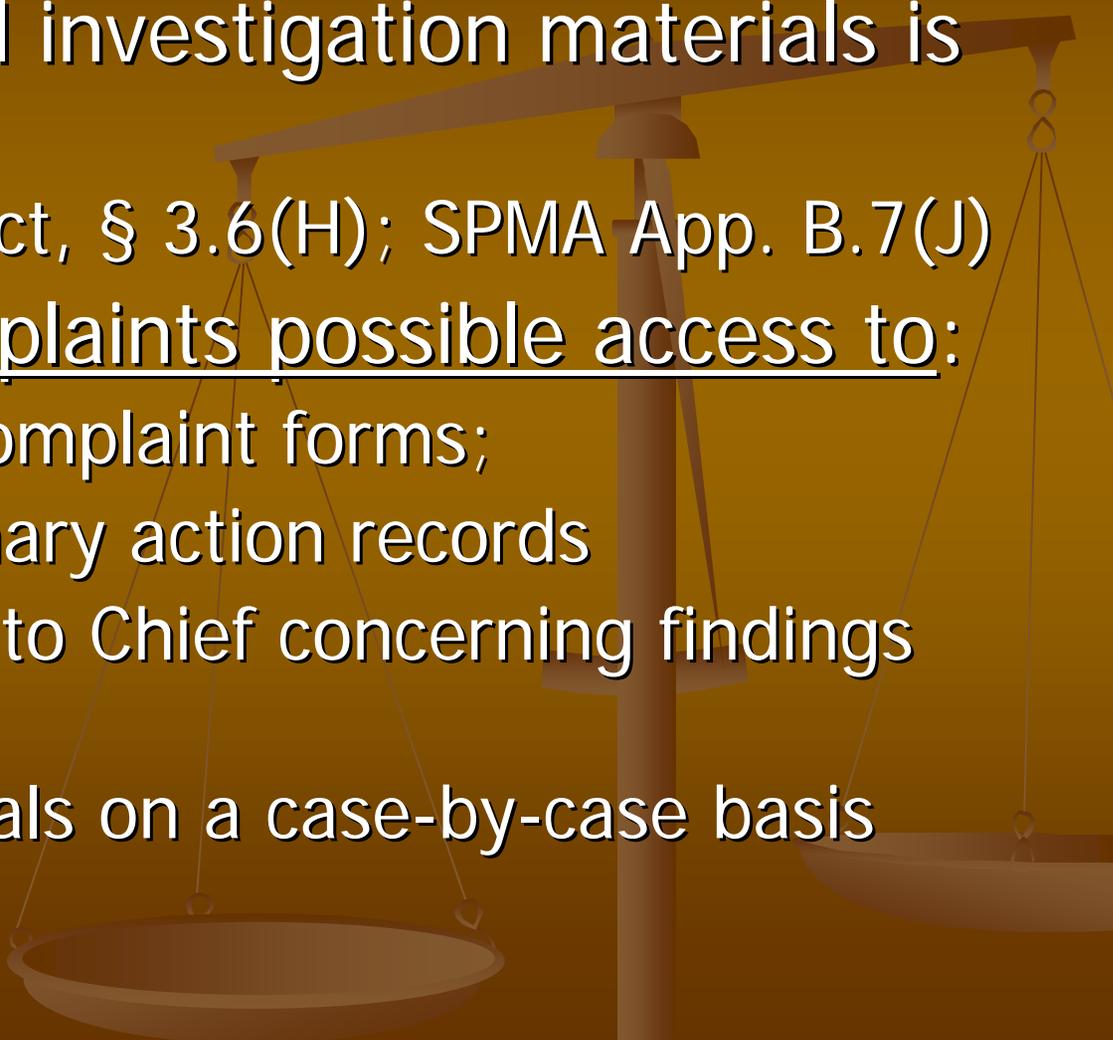


Caselaw Examples



- *City of Spokane*, Dec. 5054-5 (PECB 1995)
 - creation of “citizens review process” to review police complaints affected working conditions of officers sufficiently to constitute a mandatory subject of bargaining.
- *City of Seattle*, Dec. 6034-B (PECB 1999)
 - City obligated to bargain the effects of adding a citizen to the firearms review board.

Access to OPA Materials



- Access to internal investigation materials is limited
 - See SPOG contract, § 3.6(H); SPMA App. B.7(J)
- In sustained complaints possible access to:
 - redacted initial complaint forms;
 - redacted disciplinary action records
 - memo from OPA to Chief concerning findings and discipline
 - additional materials on a case-by-case basis

Access to OPA Materials

- In non-sustained complaints access to:
 - redacted initial complaint form

