



PRESS RELEASE

MAY 27, 2009

P.O. Box 210290
Anchorage, Alaska 99521-0290
Phone 907-646-2262
Fax 907-646-2286

GOVERNOR PALIN SABOTAGES CORRECTIONAL OFFICERS ARBITRATION

Correctional Officers claim it is in retaliation for the No-Confidence Vote Against their Commissioner

(ANCHORAGE, ALASKA) – The Alaska Correctional Officers Association (ACOA) today filed a suit in Superior Court today against the Palin Administration for failing to honor the terms reached under a binding interest arbitration decision for a new, three-year contract for Correctional Officers. The complaint seeks a declaratory judgment holding that the terms resulting from arbitration are available for the legislature's approval in 2010. The Palin Administration has claimed that with the adjournment of the 2009 session, the parties must renegotiate and the results of the arbitrator's award must be disregarded.

- Simultaneously, in a separate action, ACOA filed an unfair labor practice complaint (ULP) at the Alaska Labor Relations Agency, alleging that the Administration, in bad faith, interfered with the legislative process.
- Correctional Officers are "Class 1" employees and are prevented from striking by Alaska Statute. When a new contract is being negotiated, if a dispute arises between represented "Class 1" employees and the State, Alaska law requires the employees' union and the State to take part in arbitration and to abide by the arbitrator's decision. The Administration by not abiding by the arbitrator's decision and by seeking to undermine it, violated Alaska law, ACOA charges.
- The State sabotaged the funding of the Contract by giving Legislators inaccurate information and not supporting the Arbitration. The Administration admits sending Legislators inaccurate information, but claims it was unintentional. Based on the misinformation, the Legislature did not vote on the arbitration decision this session. The Administration now says that the contract is void and has to be renegotiated. Legislators in the House passed a Special Order stating that they did not disapprove the arbitrated decision and instead believes the arbitration decision is binding on the State.
- ACOA President, Sergeant Danny Colang: *"We followed the process and the Administration did not. What do we do now, keep going to Arbitration until the Administration gets an Arbitration decision they like? In the past we have received arbitration awards that we did not like, but we had to live with them. Commissioner Schmidt stated publicly that he honors arbitration rulings. All we are asking is that he keeps his word." (We will use the collective bargaining process to settle our differences . . . we [will] comply with the arbitrator's ruling and we don't cry about it." Commissioner Joe Schmidt, April 23, 2008, Cutting Edge with C.C., KUDO Radio.)*
- Brad Wilson, Business Manager: *"The Administration admits sending misinformation to Legislators, but did not alert Legislators about the misinformation even after it realized its errors. Prior to the end of the session, Administrators knew that they were going to try to void the Arbitration award if it was not funded, but again failed to disclose their plan to Legislators. It could be gross incompetence; but we do not believe so."*
- Art Chance, Former Director of Labor Relations: *"The monetary terms report was a cut and paste job by people who wanted the arbitrator's award killed but didn't really understand the law. They admit they copied a report that led to an earlier award being killed but they failed to consider the different facts and that the law had changed. Frankly, what they did was malicious and dumb." (Art Chance can be reached at 1-907-209-3904)*