



# ALASKA CORRECTIONAL OFFICERS ASSOCIATION

*"Walking Alaska's Toughest Beat"*

September 30, 2009

Correctional Officers,

This Monday was when Acting Superior Court Judge Peter Ashman heard arguments about the availability of the Arbitration Award for legislative approval in 2010. Put another way, the key question is whether the monetary terms of our Arbitration Award are "dead/void", as the State contends, or "alive/available" for funding in the 2010 session, as ACOA contends?

A ruling is expected to be made in October. Until the ruling comes out, we don't want to say too much publicly, but we do feel that the Hearing went well. There were Correctional Officers from almost every institution: you might seek them out to get their eye-witness reviews. As soon as the ruling is rendered, we'll give everyone a more detailed review and update.

We want to thank every Officer who took the time to attend the Hearing. Every single seat in the courtroom was filled. We have fielded a lot of phone calls, and almost everyone asked who attended from the Department. In fact, no one from the Department of Corrections attended the Hearing. The only person from state government was the lawyer from the Attorney General's office who presented the case for the Administration.

Judge Ashman has several options. He could grant the State's motion to dismiss, and so send the issue of the status of the Arbitration Award to the Alaska Labor Relations Agency (ALRA) for consideration. He could deny the State's motion to dismiss, and keep jurisdiction, but also ask ALRA to look at the issue first, reserving his right to decide the issue later. He could deny their motion to dismiss, and grant our request for a ruling that the monetary terms are alive and available for legislative approval in 2010.

Judge Ashman asked tough questions of both counsel. From the beginning of the Hearing to the end, 90 minutes later, he showed that he had a detailed grasp of the issues in our case, and had read the Briefs and studied the Exhibits.

As soon as the decision is made -- whether good or bad -- we'll put it on the website. From that point on, we will still have work to do. It will be then when everyone can get involved. We will send information out on the different ways that you can help. If the State's motion to dismiss is denied, we will need everyone to work toward making sure that the 2010 legislative session approves the monetary terms of the Arbitrator's Award.

Stay safe.