

ALASKA LABOR RELATIONS AGENCY  
1016 WEST 6th AVENUE, SUITE 403  
ANCHORAGE, ALASKA 99501-1963  
(907) 269-4895 Fax (907) 269-4898

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PETITION TO ENFORCE  
CONTRACT

Case No.: - CBA Date Filed

INSTRUCTIONS: File an original and one (1) copy of this form with the Alaska Labor Relations Agency.  
Serve a copy on the respondent.

1. Labor Organization: <u>Alaska Correctional Officers Association</u> Contact Person: <u>Brad Wilson</u> Title: <u>Business Manager</u> Address: <u>P.O. Box 210290, Anchorage, 99521</u> Telephone No.: <u>907-646-2262</u> Facsimile No.: <u>907-646-2286</u>	2. Public Employer (see section 10.): <u>State of Alaska, Dept. of Administrative Services</u> Contact Person: <u>Kate Sheehan</u> Title: <u>Labor Relations Manager</u> Address: <u>P.O. Box 110201, Juneau 99811</u> Telephone No.: <u>907-465-4404</u> Facsimile No.: <u>907-465-2269</u>
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3. Name of bargaining unit (or description):  
Alaska Correctional Officers Association (ACOA)

4. Date of certification of unit:  
July 7, 2004

5. Date of expiration date of contract:  
June 30, 2009

6. The terms of the contract petitioner seeks to enforce are:  
Article 33 - see attached

7. Petitioner seeks enforcement because (provide a plain and concise statement of the reasons):

See attached

8. If grievance procedures in the contract apply, Petitioner has exhausted all rights under them:  
 Yes  No (If this block is checked, attach a copy of the grievance at all steps and all employer responses.)  
 Not Applicable

9. If the petition is to enforce an arbitrator's decision, is the decision attached?  
 Yes  No  
 Not Applicable

10. Notice to Public Employer Named in Section 2.

8 AAC 97.520. Answer to contract enforcement petition. (a) Fifteen days from the receipt of a petition to enforce a collective bargaining agreement, the respondent may file an answer to the petition. The respondent's answer must admit or deny each of the allegations contained in the petition, unless the respondent does not have the information necessary to form a belief regarding the truth of the allegation. The answer may contain a plain statement of any explanation or defense.

(b) If the respondent fails to file an answer within the time allowed, the labor relations agency will, in its discretion

(1) hold a hearing and issue a decision and order; or

(2) consider the lack of an answer to the petition as an admission and issue an appropriate

order. (Eff. 7/22/93, Register 127)

Authority: AS 23.05.380 AS 42.40.820 AS 23.40.210  
AS 23.40.170 AS 42.40.860

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

BY: State of Alaska, Department of Administration  
(Print name of Labor Organization or Public Employer)

BY: Kate Sheehan  
(Signature)

Print Name: Kate Sheehan

Title: Labor Relations Manager Date: June 8, 2009

I certify on June 8, 2009 (date) that I mailed or hand delivered (circle one) a true and correct copy of this petition to respondent Alaska Correctional Officers Assn. (name of respondent; include Attorney General and Commissioner of Administration, if respondent is State of Alaska)

[Signature]  
Signature

**BEFORE THE ALASKA LABOR RELATIONS AGENCY**

State of Alaska	)	Case No.:
Department of Administration,	)	
	)	<b>Petition to Enforce</b>
Petitioner	)	
	)	
vs.	)	
	)	
Alaska Correctional Officers Association,	)	
	)	
Respondent.	)	
	)	
	)	
	)	

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**STATEMENT OF FACTS**

1. Petitioner, State of Alaska (hereinafter referred to as the “State”) is a public employer within the meaning of PERA, AS 23.40.250(7).
2. Respondent, Alaska Correctional Officers Association (hereinafter referred to as either “ACOA” or the “Union”) was founded on July 7, 2004 as the exclusive collective bargaining representative for non-supervisory Correctional Officers. ACOA is an employee organization within the meaning of PERA, AS 23.40.070-260, and is the designated collective bargaining representative for the Correctional Officers, non-supervisory, under PERA.
3. This petition is submitted pursuant to the authority granted in 8 AAC 97.510.
4. Respondent has refused to bargain the monetary terms of the collective bargaining agreement (CBA) as mandated by Article 33 of the 2006-2009 CBA.
5. The parties entered into interest arbitration after reaching impasse during collective bargaining. As a result of the interest arbitration, monetary terms were submitted to the Legislature for funding (in accordance with AS 23.40.215). The Legislature failed to fund the monetary terms. According to Article 33 of the

current CBA (as well as the Tentatively Agreed to Article 33), the parties must immediately reenter negotiations on the monetary terms.

6. The State has repeatedly requested dates for bargaining and the Union has either refused to bargain or ignored the State's request (see attached).

**WHEREFORE, THE STATE requests the following remedy:**

1. The State requests an order finding that the Union must reenter negotiations on the monetary terms of the 2009-2012 CBA.
2. That ALRA retain jurisdiction until the parties tentatively agree to or submit to an arbitrator the monetary terms of the 2009-2012 CBA; and
3. The State being provided all other relief that is appropriate under the circumstances.

**RESPECTFULLY SUBMITTED** this 8 day of June, 2009, at Anchorage,  
**Alaska**

By: Kate Shulman

# **COLLECTIVE BARGAINING AGREEMENT**

between the

## **STATE OF ALASKA**



and the

## **ALASKA CORRECTIONAL OFFICERS ASSOCIATION**

representing the

### **CORRECTIONAL OFFICERS BARGAINING UNIT**

**July 1, 2006 - June 30, 2009**