



# ALASKA CORRECTIONAL OFFICERS ASSOCIATION

*"Walking Alaska's Toughest Beat"*

VIA EMAIL & MAIL

January 5, 2012

Commissioner Becky Hultberg  
Department of Administration  
P.O. Box 110200  
Juneau, Alaska 99811-0200

**RE: Demand to Negotiate CO Shift "modifications"**

Commissioner Hultberg,

Yesterday, January 4<sup>th</sup>, Commissioner Schmidt sent the enclosed e-mail to all Correctional Officers through Richard Schmitz. Though the e-mail is evasive and lacks detail, it still clearly implies that some shift modifications will be forthcoming "...within two weeks" via a letter from Deputy Commissioner Sam Edwards to Alaska Correctional Officers.

The e-mail goes on to say, "*These changes will be designed to keep us in compliance with our constitutional mandate, statutes, regulations and budgetary directives.*" But Commissioner Schmidt fails to acknowledge the State's obligation to bargain in good faith prior to making any unilateral changes in terms or conditions of employment. Any "modification" of Correctional Officers' shifts must be negotiated. Article 13.2 Section C of the current contract states, "There shall be two (2) shifts, day and night". That has been amplified by the long standing and mutually supported past practice that recognizes that Correctional Officers, who provide institutional security, work rotating week-on/week-off schedules consisting of seven (7) working days and seven (7) consecutive days off. The State is required to negotiate prior to making any changes in working conditions.

Along with Article 13.2 Section C, Article 13.2 Section A, states, "The workweek for employees on twelve (12) hour schedule shall be a fourteen (14) day work period consisting of eighty-four (84) hours in pay status with a maximum of seven (7) working days and seven (7) consecutive days off, and all employee shall be guaranteed a full workweek."

Again, we do not know what "modifications" are envisioned, but since the two weeks mentioned in the e-mail brings us right up to our next negotiation session, that would be the appropriate and legal time for any shift change discussions.

We have every reason to believe that the DOC intends to do away with the previously mentioned contract's provision and transition to having some form of eight (8) hour shifts. Based on Correctional Officers recollections of the DOC's experience with such shifts many years ago, we believe that switching to eight hour shifts would be the most expensive mistake in the history of the DOC. In addition, staffing Spring Creek and Goose Creek will be literally impossible.

Although the e-mail places responsibility for any changes on Legislators, the cost overruns associated with going to eight (8) hour shifts will rest squarely with Commissioner Schmidt, not Legislators.

Thanks for your attention to this matter.



Brad Wilson  
Business Manager

Enclosure

Cc: Director Nicki Neal  
Deputy Director Kate Sheehan  
Commissioner Joe Schmidt