

ALASKA LEGISLATURE COMMITTEE FILES 1983 - 1984 8672

2607 SLC S B 154 (FILE 1) - S B 154 (FILE 2)

Municipalities are not so radically different from businesses that they should not bargain with their employees. Municipalities provide services (products) for a price - taxes. Nor are public sector employees radically different than private sector employees - they give their time, energy, knowledge and labor to their employers in return for economic benefits. All employees should enjoy the right to bargain collectively - they should not be subjected to the whims of powerfully placed individuals.

We urge you to adopt SB 154.

Respectfully submitted:



Jean Krause
President

JK:jc

RESOLUTION NO. 1

A RESOLUTION SUPPORTING
COLLECTIVE BARGAINING RIGHTS OF
PUBLIC EMPLOYEES OF POLITICAL SUBDIVISIONS

Whereas, all Alaskan citizens are entitled to organize for collective bargaining purposes so to better their wages, hours, and working conditions,

Whereas, the City of Petersburg has through the "opt-out" provisions of AS 23.40 deprived the non-union employees of the City of Petersburg of this right,

Whereas, the City of Petersburg has repeatedly refused to enact local collective bargaining ordinances which was the legislative intent of making the "opt-out" procedure available,

Whereas, the aforementioned refusal is being used by the City of Petersburg to deny employees this inalienable right, which is contrary to AS 23.40.

Therefore, be it resolved: That the Petersburg Municipal Employees Association supports legislation extending the terms of AS 23.40 to include all public employees of political subdivisions not now covered by a bona fide collective bargaining ordinance.

<u>Al Dwyer</u>	<u>Box 810 Petersburg</u>	<u>Ed P. ...</u>
<u>...</u>	<u>...</u>	<u>Eric ... (Ladd) Hope Box 102 PSG</u>
<u>Mark ...</u>	<u>Box 1457</u>	<u>Elias H. ... Box 1161 PSG</u>
<u>Chis ...</u>	<u>Box 1017</u>	<u>Rick Braun Box 211 PSG</u>
<u>Michael R. J.</u>	<u>Box 46</u>	<u>Pat E. Weaver Box 1181</u>
<u>...</u>	<u>Box 608</u>	<u>Reginus A. Akela Box 201 PSG</u>
<u>Carol B. Simpson</u>	<u>Box 632</u>	<u>Mark A. ... Box 169 PSG</u>
<u>Troy Anderson</u>	<u>Box 837</u>	<u>Jillian ... Box 248 PSg.</u>
<u>James F. Quincey</u>	<u>Box 1244</u>	<u>Pat. Roger L. Kueger Box 1536 PSg.</u>
<u>...</u>	<u>Box 1246 PS.</u>	<u>Jim K. Bunte Box 948 PSg</u>
<u>Robert M. ...</u>	<u>PO Box 1554, PSG.</u>	<u>Richard D. ... Box 183 PSg</u>
<u>...</u>	<u>Box 286</u>	<u>Andrew J. ... Box 1018 PSg.</u>
<u>William ...</u>	<u>Box 81</u>	<u>Clara L. ... P.O. Box 31 PSg.</u>
<u>Sally A. Quincey, Box 1244, PSg.</u>		<u>P. Sue Snyder Box 1076 PSg</u>

George P. Esselman Box 581 Psg.
 Donald Jackson Box 655 Psg.
 George E. Sokol Box 502 Psg.
 Pat. Portland - Box 1457 - Psg.
 [Illegible]
 [Illegible]
 [Illegible]
 Alice M. Stupard Box 312 - Psg.
 June A. Allard Box 225 Psg.
 L. McRae
 Mary Rowe
 June Finn Box 1014 Psg.
 Jayne M. [Illegible] P.O. Box 435 Psg.
 [Illegible] Box 1143
 [Illegible] P.O. Box 464
 Darlene Whittchen P.O. Box 1520
 Kathleen M. Horton P.O. Box 865

Respectfully submitted,

The Petersburg Municipal Employees Association
 P.O. Box 1017
 Petersburg, Alaska 99833

The original document is on file with The Petersburg Municipal Employees Association. It may be examined upon request. Please support SB 154. It is unfair to deny Municipal Employees collective bargaining rights. Please rescind the op-out clause.



FAIRBANKS POLICE DEPARTMENT EMPLOYEES ASSOCIATION

656 - 7th AVENUE • FAIRBANKS, ALASKA 99701



April 1, 1983

The Honorable Senator Richard I. Eliason
Alaska State Legislature
State Capitol, Pouch V
Juneau, Alaska 99811

Senator Eliason,

You are receiving this correspondence to keep you abreast of the current situation within the City of Fairbanks pertaining to action your committee is considering on Senate Bill 154.

The Fairbanks City Council passed Ordinance 4205 on March 28, 1983 which makes it incumbent upon individual employees, not associated with organized representation, to pay 50% of expenses incurred by grievance arbitration. Prior to this action the City was responsible for all involved costs, unless the employee had representation at which time the expenses were shared equally. This current action by the City is not fair and forces the employee to make the decision to stand up for his rights, not on the merits of his rights, but upon his ability to monetarily afford his rights. The Police Association sent two representatives to address this ordinance during public comment and observed that the ordinance passed on a four to three vote with Mayor Bill Walley passing the ordinance. We take exception to comments made by Mayor Walley which he made just prior to the roll being taken. Mayor Walley passed the gavel and stated that the City Manager believes that the employees who are no longer recognized as a union are going to use the grievance position to force the City into a labor contract. Mayor Walley also stated the members of the Police Department might continue to build up expenses until we finally cave in and go back and recognize the labor union. Further, he commented that it appeared to him that the ordinance was going down in defeat and if it did, the City may as well back down and give the Police Association what they really wanted, a contract.

We give you facts to rebut his comments. Members of our Association have filed 30 grievances since the first of the year. Twenty-one dealt with arbitrary decisions made by the City when they forced us into the Personnel Plan. All twenty-one of these grievances have been decided in the grievants favor prior to arbitration. Nine individuals of our group have filed in areas they believe to deal with unfair treatment. These individuals have consolidated these grievances into two arbitrations for the sole consideration of saving the taxpayer's money.

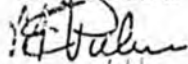
April 1, 1983

Page Two

Senator, it is interesting to observe that since the first of the year there have been eight grievances filed from the ten employees of the Police Department who are not associated with our group. Seven of the eight decisions have found in the grievants favor with one grievance being dropped by the employee.

Let there be no doubt that we believe we are entitled to a contract and have strongly and publicly taken that position since these current difficulties arose. We take strong exception to any suggestion that we are using the grievance process as leverage.

Respectfully,



MICHAEL E. PULICE
President, FPDEA

cc: Senators Fahrenkamp, Bennett, Josephson
Members of the Senate Labor Committee
Mayor Bill Walley
Council Members, City of Fairbanks
Walley Droz, City Manager, City of Fairbanks

The Daily Sentinel Sitkans Give Split Views On Municipal Labor Bill

3/24/83

By LAWRENCE STRAUSS
Sentinel Staff Writer

Sitka Mayor John Dapcevic testified this week against state senate bill 154, which proposes to prevent municipalities from opting out of collective bargaining with their employees. But two other Sitkans, Sue White and Chester Schmidt, testified in support of the bill.

The bill, if passed into law, would require municipalities to bargain collectively with their employees.

The teleconference hearing, sponsored by the Senate Labor and Commerce Committee, took testimony from 12 Alaska communities. The Labor and Commerce Committee is chaired by Sen. Dick Ellason of Sitka.

The Alaska Public Employment Relations Act (PERA), passed in 1972, mandates and sets guidelines on collective bargaining. However, PERA also allows municipalities to opt out of collective bargaining if they choose.

Sitka opted out in 1973.

The International Brotherhood of Electrical Workers (IBW) challenged Sitka's action, filing suit against the city in 1977. After five years of litigation, the Alaska Supreme Court ruled in favor of the city's move, saying it was within bounds of PERA.

Similar suits were filed in Fairbanks and Anchorage. The municipalities won in both cases. The city of Petersburg lost a similar case in 1975, according to Sitka City Attorney Peter Hallgren.

At Wednesday's teleconference hearing, Dapcevic urged the committee not to pass the bill. He said city employees here "receive wages and benefits which equal, and in most cases exceed those of other employers within the municipality."

He added: "The PERA Act mandates collective bargaining for public employees, and at the same time allows public employees to enjoy all the benefits and security of a merit system of employment."

Dapcevic called for a collective bargaining agreement or a merit system, not both.

Dapcevic also pointed to declining state revenues as a problem.

"As the revenues of our state and political subdivisions continue to dwindle, the wages and benefits will be coming under increasing public scrutiny."

The mayor also brought up the question of home rule.

"I would ask you why the legislature would wish to dig into day-to-day operations of a home rule municipality, such as Sitka? Isn't our assembly capable of dealing fairly with our employees?"

He added: "In the intervening decade, various unions have investigated putting the question to the Sitka voters by referendum, but so far as we know, no petition has ever been filed."

On the other hand, Sue White, a paralegal in the Sitka District Attorney's Office and a former Sitka School District employee, testified in favor of passing the bill Tuesday.

"I'm in favor of it because I've seen city employees treated with disrespect," White told the Sentinel today. Her husband is a Sitka police officer.

"Too often the employees are offered yes-no propositions."

She thinks collective bargaining is necessary, in order to keep bargaining in good faith.

"The employees really don't have a voice. It's affected morale," she said. "The law would allow employees to have more of a say in what's going on."

Chester Schmidt, a detective with the Sitka Police Department, also testified at the teleconference hearing Tuesday in favor of passing the bill.

The detective said the city can take suggestions from employees, but doesn't have to act on them.

Testimony from around the state split down the middle, with city employees and labor figures, for the most part, supporting the bill and municipal government officials opposing it.

The mayor of Homer, Earl Cooper, said the negotiations should be handled at the local level.

Wayne Thompson, a union man from Ketchikan, on the other hand, testified he thought public employees are treated like second class citizens.

The bill, if passed into law, would add a section to PERA.

The new section would read: "This chapter applies to all public employers including organized boroughs or political subdivisions."

The chapter sets up guidelines for collective bargaining.

International Brotherhood

TELEPHONE
(907) 456-4248
or 456-4249

VERN C. (Bud) GARRISON
BUSINESS MANAGER • FINANCIAL SECRETARY



Local 1547

of Electrical Workers

60 HALL STREET
FAIRBANKS, ALASKA 99701

GEORGE A. ROBERTS
PRESIDENT

April 15, 1983

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Honorable Senator Eliason:

I am writing to you and all the other members of the Senate Labor and Commerce Committee, I cannot begin to stress how badly SB 154 is needed here in Fairbanks. The only way a Union or an Association can be seriously considered by the City Council is by striking or having enough power because of the member's skills to make the City avoid a confrontation. In other words, its the same as private sector bargaining was before the passage of the National Labor Relations Act over forty-five (45) years ago.

The weaker unions are being picked off one by one. The City employees have no choice in union representation since the City Council only recognizes a Union as the bargaining agent if they wish to do so. They decide which groups of employees will belong to which unit. In the past four (4) years they have not bargained in good faith twice. Once with the Public Works employees which caused a strike and in January of this year with the Police Dept.

This problem is analogous to having them tell us which Church to go to, or whether we can go to Church at all. They make the rates for users of the City Utilities, and they then are the appeals board for complaints. They are the Board of Directors for the Utilities and also decide to bargain or not with Unions. If they were knowledgeable in any or all these areas, I'd probably not be writing this letter. They mistrust the professionals that run the Utilities and the skilled craftsmen and women that make them run. They seem to be afraid that they will lose their power over all aspects of the City.

Senator Eliason
Alaska State Legislature
Page Two (2)
April 15, 1983

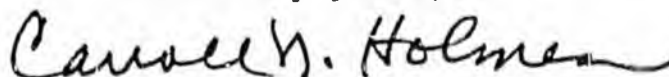
We in organized labor want the right to represent employees who in turn have the right to select the Union they want. We want to be able to bargain with Municipal and Borough governments in good faith without having the worry of whether the other party will back down and put our members out on the street. Union busting is not limited to private enterprise.

I am writing for our members that worry whether the City will negotiate each time the contract comes up. They worry whether they're going to have to move away or whether they should even think about considering buying a house.

Please report SB154 out of your committee intact. The voting members of organized labor working in Fairbanks will appreciate your help very much.

If you have any questions, please do not hesitate to call or write to me. I represent one hundred fifty (150) plus I.B.E.W. employees at the Fairbanks Municipal Utilities System and was employed in the Telephone Dept. there before becoming an I.B.E.W. Business Representative. Thank you for any consideration you will give this matter.

Sincerely yours,



Carroll N. Holmes
Business Representative
I.B.E.W. LU #1547
Unit 102, Fairbanks

CNH/mjs

cc: Vern C. "Bud" Garrison, Business Manager, IBEW LU #1547
Gay Dunham, Assist. Business Manager, IBEW LU #1547, Unit 102
Mickey Kutherford, Bus. Rep., LU #958, Teamsters
Bud Langberg, IUOE LU#302
Art Robeson, U.A. LU#375
IBEW - MUS, Shop Stewards
Jim Robinson, Commissioner
Barry Haight, Fire Fighters Assoc.



CITY OF FAIRBANKS

Office of City Manager
410 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
907-452-1881

March 8, 1983

Honorable Richard I. Eliason
State Capitol
Pouch V
Juneau, AK 99811

RE: Senate Bill No. 154

Dear Senator Eliason:

The City of Fairbanks has jointly and firmly resolved itself with the municipality of Anchorage that Sentate Bill No. 154 not be enacted nor recommended in Committee. In and for its own behalf the city strongly urges rejection of this legislation for a number of reasons.

Background

Fairbanks exempted itself from AS 23.40.070 et seq. (Public Employment Relations Act, hereafter "PERA") in September 1972. Prior to PERA the city's relationship with its employees had been harmonious and cooperative. The argument emerged in 1979 that the city waived its exemption when it entered into voluntary collective bargaining agreements with a member of unions (nearly six unions represent an approximate work force of 500 employees). The Alaska Supreme Court rejected this argument and upheld the city's right to the exercise of its exemption. Importantly, the triggering mechanism to this litigation was the city's refusal to litigate a burdensome number of unfair labor practice complaints submitted by two persons (AFL-CIO and Teamster) to the Alaska Department of Labor. The city rejected the Department's jurisdiction.

Four of six collective bargaining agreements are due to expire in calendar year 1983 (IBEW, Teamsters, Operating Engineers, and Firefighters). One contract (police) expired in December 1982; the last (AFL-CIO) has had no contract since 1979. Presently the city is not negotiating with the police union and has not fully determined whether it will seek to negotiate contracts with others or whether it will seek the integration of its employees into its personnel code. Incidentally, but for the absolute right of any employee to negotiate with the city, the city's personnel code meets, if not surpasses, the spirit and purpose underlying PERA's declared policy (AS 23.40.070). Employees may submit to binding arbitration any grievance concerning their wages, benefits and terms and conditions of employment. As history has aptly demonstrated, one major union (AFL-CIO) which represents Fairbanks'

public works department and wastewater treatment plant employees has not had a contract since 1979. These employees have experienced no reduction in their jobs, benefits or the quality of their working environment. Quite contrarily, these employees have received annual wage and longevity increases as well as prompt resolution of the few individual grievances which have been submitted in the span of three years.

With the termination of the police union's contract the city likewise made favorable economic adjustments to smooth the disparities invariably borne of differences between the personnel code and collective bargaining agreements. On the whole and with the exception of very few, these employees experienced an increase in wages. Also, because the city recognized the consensus of this union, special ordinances were enacted for the benefit of police employees concerning shift work and seniority status.

Senate Bill No. 154 reflects the efforts of members of the police association and possibly others as the final solution to compel the city to negotiate and conclude a collective bargaining agreement.

1. The city's opening objection to this Bill is the issue of the delicate balance between state and local government and the pursuit of home rule municipalities like Fairbanks of their constitutional rights to "maximum local self-government."

To be sure, city council members, elected areawide, have been and continue to be intensely responsive to the majority will of the people of this city. Few areas of control and self-determination are more important to local government than exists in the relationship with its work force. As always, it is the spirit and intent of this city's declared policy (see attached) to promote harmonious and cooperative relations with its employees. Fairbanks vigorously rejects the assumption implicit in Senate Bill No. 154 that harmonious and cooperative relations cannot be achieved except through mandatory collective bargaining. The harmonious and cooperative relations which exist between the city and those employees governed by the city's personnel code most certainly attests to the fact that such relations may and do exist outside the purview of PERA.

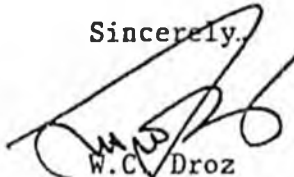
Senate Bill No. 154, therefore, constitutes an unwarranted intrusion into local government affairs.

2. Should the city become bound to PERA, let there be little doubt that the complexities of labor law principles and the litigation/arbitration of unfair labor practice claims before the Alaska Department of Labor will cause considerable time delays, antagonistic feelings, and the additional expense of personnel necessary to represent the administration at the state level. For a city which has imposed tight and responsible fiscal restraints upon its administration and which has managed the lowest ad valorem property tax rate in the state,

the economic burdens which Senate Bill No. 154 will impose upon this city's administration clearly outweigh the benefits, if any, which this legislation purports to bestow.

3. As indicated, Senate Bill No. 154 arises from the perception of a few employees in this city that the city will choose to recognize and bargain collectively with some of its unions and not others. PERA itself recognizes categories and degrees of rights and obligations, and in fact excludes some classes of employees entirely. It is the city's respectful contention that the city, not the state, can best determine the needs of its ~~own~~ population in balance with the needs of the citizens of our city.

Sincerely,



W.C. Droz
City Manager

WCD/HPK/bjw

enc

Fairbanks General Code Sec. 2.503. Declaration of personnel policy

Under the authority granted to the city council by the city charter the following principles and policies are established.

- (1) Employment in the city government shall be based on merit and be free of personal and political considerations;
- (2) Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in operation of the municipal government;
- (3) Positions having similar duties and responsibilities shall be classified and compensated for on a uniform basis;
- (4) Every effort shall be made to stimulate high morale by fair administration of this article and by every consideration of the rights and interests of employees consistent with the best interests of the public and the city; and
- (5) Continuity of employment covered by this article shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work, and availability of funds.



ADOPTED AUGUST 1972

CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99929 (907) 874-2381

March 7, 1983

Senator Richard Eliason
Chairman, Labor & Commerce
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

RE: Senate Bill No. 154

Dear Senator Eliason:

The City of Wrangell objects to Senate Bill No. 154 "An Act Repealing the Municipal Exemption Option to the Public Employment Relations Act."

The City opted out of PERA soon after the State Legislature created it. Wrangell is a small community of 2,376 residents with one sawmill as its major industry. The City has adopted personnel policies to protect the interests of the employees and maintains salaries and benefits at a level consistent with the community. There is no condition existing now that did not exist when the Legislature specifically provided that political subdivisions could opt out unless substantial organizational activities by the employees had already occurred.

We strongly urge you to defeat Senate Bill No. 154 which can only increase the financial burden of political subdivisions and add to the cost of services and utilities.

Sincerely,

Joyce Rasler
City Manager

cc: Chairman Senate Finance Committee
Senator Robert Zeigler
Rep. Jack McBride
Rep. Ron Wendte
Edward A. Stahla
Alaska Municipal League



City and Borough of Sitka

P.O. BOX 79 · SITKA, ALASKA · 99835

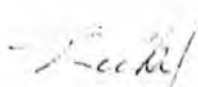
March 8
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Senator Richard Eliason
Pouch V
Juneau, Alaska 99811

Dear Dick:

Be advised that the City and Borough of Sitka opposes S.B. 154 which would bring all public employees under the provisions of the Public Employment Relations Act. Sitka elected not to be covered by PERA some years back. As a bottom line, the question of whether or not the provisions of PERA should apply to all public employees could be better addressed by putting the question to the electorate of each municipality.

Sincerely,


Fermin Gutierrez
Administrator

cc: Alaska Municipal League

Identical letter to: Senator Fahrenkamp
Representative Grussendorf



THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

LAW DEPARTMENT - 586-3300

March 10, 1983

Senate Labor and Commerce Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Re: Legislature - 1983
S.B. 154

Subject: Opposition to S.B. 154

Gentlemen:

The City and Borough of Juneau is opposed to Senate Bill 154.

The local government article in our Alaska Constitution provides that there is to be a maximum of local self-government with a minimum of local government units. One of the two major policies expressed in this provision is that local governments should have the maximum in local autonomy and power to deal with local problems. Senate Bill 154 clearly runs counter to this sound constitutional policy. We urge you to leave local matters to local elected officials.

Under the current statute, several municipalities have opted to have the state Public Employee Relations Act apply to them. Others have elected not to have the provisions apply. The City and Borough of Juneau elected not to have the provisions apply and has adopted its own comprehensive employee relations ordinance. This ordinance has a structure similar to that of the state act but has been adapted to meet local needs as perceived by our local elected officials.

Many of the municipalities in Alaska have also adopted ordinances dealing specifically with employee relations. Others have established the framework for employee relations through a formalized merit system, employee-management committees, etc. In addition to these formalized mechanisms, municipal employees have certain rights which arise out of the United States Constitution. These rights assure that employees are given an opportunity for a hearing and fair treatment whenever an adverse action affecting the employee is to be taken. Generally, municipal employees in Alaska are protected and fairly treated. If a problem exists in one community, that problem should be left to the community to solve; the legislature should not impose a system on all local governments to deal with what may be perceived as a problem in one community.

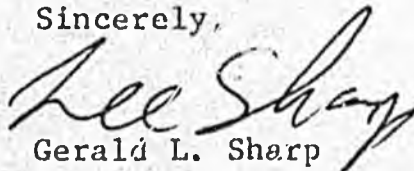
In considering the necessity for this bill, please bear two things

Senate Labor and Commerce Committee
March 10, 1983
Page Two

in mind. First, if the residents of a municipality believe that their municipal employees should be under the state Public Employees Relations Act, they may, by referendum, repeal the ordinance or resolution by which the municipality opted out of the provisions of the Act; and they may always use the initiative to adopt an employee relations ordinance. Second, consider how you would feel if the United State Congress decided that employees of the State of Alaska should be brought under the provisions of the National Labor Relations Act. We would hope that the State of Alaska would oppose any such move on the basis that the State Legislature is in a better position to establish the relationship of its employees to the State than is the United States Congress. We believe the same principle applies at the local government level; that is, that local elected bodies are in the best position to determine the form of the relationship between the municipality and its employees.

We urge you to leave these local decisions with local elected representatives.

Sincerely,



Gerald L. Sharp
City-Borough Attorney

cc: Mayor W. D. Overstreet
Juneau, Alaska

Assembly, City and Borough of Juneau
Juneau, Alaska

Ginny Chitwood, Director
Alaska Municipal League

GLS:gmw

TELEGRAM

XQ#

1983 MAR 8 AM 5 39

02287 NL TDA CORDOVA AK 166 03-07 519P AST

PMS SEN RICHARD ELIASON 0505

JUNEAU AK

DEAR DICK,

REGARDING SB154. THE CITY OF CORDOVA DESIRES TO GO ON RECORD AS BEING UNALTERABLY OPPOSED TO SB154 WHICH WOULD REPEAL THE RIGHTS OF MUNICIPALITIES TO OPT OUT OF THE PUBLIC EMPLOYMENT RELATIONS ACT. THE CITY OF CORDOVA EXERCISED ITS RIGHTS TO OPT OUT SEVERAL YEARS AGO FOR SEVERAL REASONS.

FIRST, WE CANNOT AFFORD TO SUPERIMPOSE UNION WAGES ON A FISHING ECONOMY THAT FLUCTUATES FROM YEAR TO YEAR. SECOND, THE COST OF THE EXTRA BENEFITS AND THREAT OF STRIKE ARE NOT IN KEEPING WITH THE PHILOSOPHICAL APPROACH OF PUBLIC SERVICE OR MUNICIPAL GOVERNMENT. THIRD, THE UNION CANNOT PROVIDE US WITH QUALIFIED EMPLOYEES BUT WOULD REQUIRE US TO TRAIN THEM AND THEN HAVE THE UNIONS COLLECT DUES TO IMPOSE THEMSELVES ON BOTH THE EMPLOYEES AND THE CITY. FOURTH AND MOST IMPORTANT, WE HAVE MAINTAINED AN EXCELLENT PAY AND BENEFIT PACKAGE WITHOUT PRESSURE FROM OUTSIDE FORCES.

WE URGE YOU TO VOTE AGAINST SB154.

VERY TRULY YOURS,

PERRY D. LOVETT, CITY MANAGER

CC: PETER GOLL

GINNY CHITWOOD, EXECUTIVE DIRECTOR

ALASKA MUNICIPAL LEAGUE

January 20, 1977

Mr. Benny Joy
Wage & Hour Division
650 W. International Airport Road
Anchorage, Alaska 99502

Dear Mr. Joy:

As per our telephone conversation of today, enclosed is a copy of Resolution 72-17 of the Soldotna City Council which exempts Soldotna from the Public Employees Relations Act.

If any other documentation or information is necessary, please advise.

Sincerely,

Frank Mielke
Assistant Administrator

enclosure
FM/rf

City of Soldotna

RESOLUTION NO. 72-17

A RESOLUTION REJECTING APPLICATION OF THE ALASKA PUBLIC EMPLOYMENT RELATIONS ACT CH 113, SLA 1972 TO THE CITY OF SOLDOTNA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA:

WHEREAS, CH 113, SLA 1972 creates a state public employment relations systems which would be applicable to local governments, and

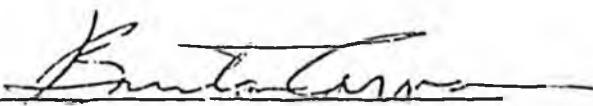
WHEREAS, Section 4 of CH 113 permits individual local governments to eliminate themselves from the application of the act, and

WHEREAS, there appears to be no benefit to the City of Soldotna or its employees to be covered by a state public employment relations act,

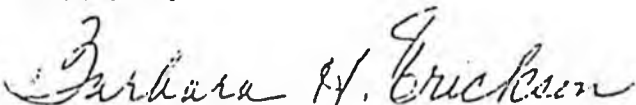
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA:

The applicability of the provisions of CH 113 to the City of Soldotna are rejected.

Adopted by the City Council of the City of Soldotna this
24th day of August, 1972.

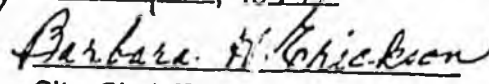

Mayor

ATTEST:


City Clerk

The undersigned hereby certifies that this document entitled Resolution 72-17 is a true and correct copy of the official record of the City of Soldotna on file in the City Clerk-Treasurer's office.

Signed at Soldotna, Alaska this 20th day of January, 1977.


City Clerk-Treasurer

CITY OF KENAI
ORDINANCE NO. 252-74

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI
AMENDING SECTION I-47 OF THE CODE OF THE CITY OF KENAI

WHEREAS, the Council of the City of Kenai, Alaska, by Ordinance No. 209-72, in accordance with Section 4, Chapter 113, SLA 1972, intended to reject having the provisions of the Public Employment Relations Act, Chapter 113, SLA 1972, apply to the City of Kenai, by addition to the Code of the City of Kenai Section I-47; and

WHEREAS, Section I-47 incorrectly cites "Title A.S. 29.40" as being the applicable Title and Chapter of the Alaska Statutes wherein Chapter 113, SLA 1972 is codified. the correct citation being A.S. 23.40;

Now, therefore, BE IT ORDAINED by the Council of the City of Kenai, Alaska:

Section 1. That Section I-47 of the Code of the City of Kenai, 1963 as amended, is hereby amended to read as follows:

"Section I-47. Pursuant to Section 4 of Chapter 113, Session Laws of Alaska 1972, the provisions of Chapter 113, SLA 1972 as set forth in A.S. 23.40 are hereby rejected, and such provisions of law shall not apply to the City of Kenai."

Section 2. That it is the finding of the Council that the rejection of the provisions of Chapter 113 of Session Laws of Alaska 1972, is in the best interest of the City of Kenai.

INTRODUCED this 14 day of December, 1974.

PASSED on second reading this 18 day of December, 1974.

CITY OF KENAI

By James A. Elson

JAMES A. ELSON, Mayor

ATTEST:

Sharon Loosli
SHARON LOOSLI, City Clerk

POSTED after introduction this 17 day of December, 1974.

POSTED after final passage this 19 day of December, 1974.

CITY OF KENAI ORDINANCE 209 -72

REJECTION OF PROVISIONS OF CHAPTER 113, SESSION LAWS OF ALASKA, 1972,
(PUBLIC EMPLOYMENT RELATIONS ACT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1. That the Code of the City of Kenai, 1963, as amended, is hereby further amended to add Section 1-47 to read as follows:

Section 1-47. That the provisions of Chapter 113, SLA 1972 as it adds provisions of Title A. S. 29.40 to the statutes of the State of Alaska are hereby rejected as provided by Section 4 of Chapter 113, Session Laws of Alaska, 1972, so such provisions of law shall not apply to the City of Kenai.

Section 2. That it is the finding of the Council that the rejection of the provisions of Chapter 113 of Session Laws of Alaska, 1972, is in the best interest of the City of Kenai and its administration in the public interest.

Introduced 4 day of October, 1972.

PASSED on second reading 18 day of October, 1972.

POSTED after introduction
on 5 day of October, 1972.

CITY OF KENAI

POSTED after final passage
10 day of October, 1972.

By John F. Steinbeck
JOHN F. STEINBECK, Mayor

ATTEST:

Sharon Sterling
SHARON STERLING, City Clerk

NORTH SLOPE BOROUGH

OFFICE OF THE MAYOR

P.O. Box 69
Barrow, Alaska 99723
Phone: 907-852-2611

Eugene Brower, Mayor



April 6, 1983

Senator Richard I. Eliason, Chairman
Senate Labor & Commerce Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

AS 23.40 defines guidelines for recognition of collective bargaining units by municipal governments. Reasonable wages and improved working conditions for municipal workers are dealt with in this section. Section 4, Chapter 113, SLA 1972 implements, for municipalities capable, an option from compliance with AS 23.46.070.

The North Slope Borough subscribes to the exemption through NSB Resolution 11-78. The NSB has wages and benefits comparable to the State of Alaska guidelines which ensure the welfare of its personnel. Wages and benefits in some cases surpass requirements and guidelines by collective bargaining units. This anomaly to guidelines of collective bargaining units should not be construed as indifference or as upstaging the bargaining units but as a matter of concern by the NSB that employees get fair and equitable wages to enjoy a standard of living as elsewhere in the State. Retention of employees, high cost of living in the North Slope - especially in our rural villages, provision of improved health and retirement benefits are just some of our reasons for opting from PERA.

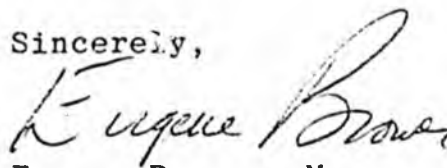
Our Home Rule Charter specifically calls for recognition of collective bargaining in its personnel section. Our Assembly through Resolution 11-78 determined in the best interest of the NSB to provide services to its personnel.

Removal of option from PERA only serves to restrict benefits provided for employees by the NSB.

Senator Richard I. Eliason
April 6, 1983
Page Two

We urge you, the members of the Senate Labor & Commerce Committee, to act in the best interests of responsible government not to restrict our Home Rule Charter by imposing restriction to services provided especially for our employees. We urge you to continue to provide an option, for those capable, from requirement to the PERA Act.

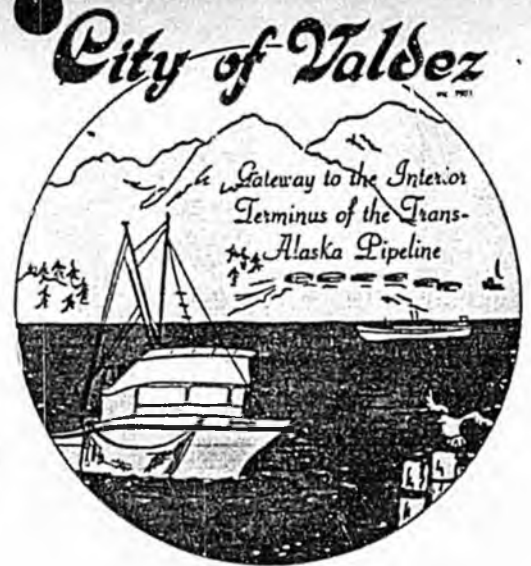
Sincerely,



Eugene Brower, Mayor

cc: Senator Bob Mulcahy, Vice Chairman
Senator Don Bennett
Senator Patrick Rodey
Senator John C. Sackett

OFFICE OF ADMINISTRATION
April 07, 1983



Senator Richard I. Eliason, Chairman
Senate Labor and Commerce Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Eliason:

The City of Valdez is strongly opposed to the passage of Senate Bill Number 154 repealing the municipal exemption option to the Public Employees Relations Act set forth in Section 4, chapter 113, S.L.A. 1972.

Valdez rejected the provisions of the Public Employees Relations Act by passing and approving Ordinance Number 7518 on September 02, 1975. We continue to believe it is in the public interest that the City of Valdez and any other municipality retain the freedom to set up its own labor ordinances and systems and not become bound by the provisions of this act. Collective bargaining should not become a matter of "State concern" for its cities and boroughs.

Thank you for your consideration.

Respectfully,

CITY OF VALDEZ, ALASKA

Jim Watson
City Manager

kw/lma

Bill Fact Sheet

Date Received 2/28

Bill Number SB154 Title Amending PERA

Fiscal Note - Date Requested 3/1/83 Date Received _____

- Of Whom JANNA Judy Knight

Dept. Position Paper - Date Requested 3/1 Date Received _____

- Of Whom Judy Knight

Resource People

Initial Hearing - Date 3/10/83

People Contacted

Marilyn. AML - 3/2

~~W~~ Inboatman Union - Greg O'Cleary ⁵⁸⁶⁻⁹⁷¹¹ 3/2/83

Fahrenkamp - 3/2

WIBEW - Tom Cashew - 6. 3050

Local 71 - Tom Pouleau - 6-3707 3/2

sherrill APEA - 6-2334 3/2 use

Buck Emery - Juneau - 3/4

Lee Sharp (Juneau)

Follow-up Hearing - Date _____

Anch Hearing 3/19

AML - 3/11

Lee Pederson - APEA - 3/11

Fahrenkamp - 3/11

Re: Mark Bauer - 3/7

Barry Haight - Prof Firefighter

Bill Hao - Local Firefighter

Marlene Neve - COPE - Local Labor Political Action

Possibly rep. Police

Teleconf - 3/22

AML - 3/11

APEA - 3/11

Fahrenkamp - 3/11

Final Action _____ Date _____

S B

154

#2

TELEGRAM

ALASCOM, INC.

PHONE: 586-5442

JUNEAU, AK 99801

XQ#

1983 MAR 8 AM 5 39

02287 NL TDA CORDOVA AK 166 03-07 519P AST

PMS SEN RICHARD ELIASON 0505

JUNEAU AK

DEAR DICK,

REGARDING SB154. THE CITY OF CORDOVA DESIRES TO GO ON RECORD AS BEING UNALTERABLY OPPOSED TO SB154 WHICH WOULD REPEAL THE RIGHTS OF MUNICIPALITIES TO OPT OUT OF THE PUBLIC EMPLOYMENT RELATIONS ACT. THE CITY OF CORDOVA EXERCISED ITS RIGHTS TO OPT OUT SEVERAL YEARS AGO FOR SEVERAL REASONS.

FIRST, WE CANNOT AFFORD TO SUPERIMPOSE UNION WAGES ON A FISHING ECONOMY THAT FLUCTUATES FROM YEAR TO YEAR. SECOND, THE COST OF THE EXTRA BENEFITS AND THREAT OF STRIKE ARE NOT IN KEEPING WITH THE PHILOSOPHICAL APPROACH OF PUBLIC SERVICE OR MUNICIPAL GOVERNMENT. THIRD, THE UNION CANNOT PROVIDE US WITH QUALIFIED EMPLOYEES BUT WOULD REQUIRE US TO TRAIN THEM AND THEN HAVE THE UNIONS COLLECT DUES TO IMPOSE THEMSELVES ON BOTH THE EMPLOYEES AND THE CITY. FOURTH AND MOST IMPORTANT, WE HAVE MAINTAINED AN EXCELLENT PAY AND BENEFIT PACKAGE WITHOUT PRESSURE FROM OUTSIDE FORCES.

WE URGE YOU TO VOTE AGAINST SB154.

VERY TRULY YOURS,

PERRY D. LOVETT, CITY MANAGER

CC: PETER GOLL

GINNY CHITWOOD, EXECUTIVE DIRECTOR

ALASKA MUNICIPAL LEAGUE



City and Borough of Sitka

P.O. BOX 79 · SITKA, ALASKA · 99835

March 8
19 83

Senator Richard Eliason
Pouch V
Juneau, Alaska 99811

Dear Dick:

Be advised that the City and Borough of Sitka opposes S.B. 154 which would bring all public employees under the provisions of the Public Employment Relations Act. Sitka elected not to be covered by PERA some years back. As a bottom line, the question of whether or not the provisions of PERA should apply to all public employees could be better addressed by putting the question to the electorate of each municipality.

Sincerely,

Fermin Gutierrez
Administrator

cc: Alaska Municipal League

Identical letter to: Senator Fahrenkamp
Representative Grussendorf

FEB 23, 1983

We the undersigned are members of the MAT-SU BOROUGH SCHOOL DISTRICT CLASSIFIED PERSONNEL ORGANIZATION. We are very interested in the passage of SENATE BILL 104.

Giving classified personnel the power to bargain for labor rights will take away some of the dictatorial powers that local school boards and administrations have.

We would appreciate all the help you can give us in seeing that SENATE BILL 104 will become law this year.

SINCERELY YOURS,

Walter A. Warner Box 257 Palmer, AK
Stephen A. Alward Box 1552 PALMER AK
Doubarah G. Reed 5141 ST DARTZ Palmer AK
Elizabeth Hoffmann Box 1211 Palmer AK
Lauren Kouty Box 592 Palmer A.K.
John W. Koolos Box 3407 Palmer, AK
Jonathan H. Koolos S.R.D Box 9556 Palmer, AK 99645
Rennie W. Lischner P.O. Box 17072 Big Lake AK
Kurt Helms P.O. Box 1854 Palmer AK 99645
Virginia G. Alward PO box 1552 Palmer, Alaska
James H. Johnson P.O. Box 254 Palmer Alaska 99645 Alaska.....

cc. GOVERNOR BILL SHEPFIELD, DON BENNETT, RICHARD ELIASON, BETTYE

FABRIENKAMP, JAN FAIKS, FRANK FERGUSON, PAUL FISCHER, VIC FISCHER, DONALD

GILMAN, RICK HALFORD, JOE JOSEPHSON, TIM KELLY, JAY KERTTULA, PAPPY MOSS,

BOB MULCAHY, FRITZ PETTYJOHN, BILL RAY, PATRICK RODEY, JOHN SACKETT

ARLISS STURGULENSKI, ROBERT ZIEGLER

MR. CHAIRMAN AND COMMITTEE MEMBERS, THANK YOU FOR THE OPPORTUNITY TO TESTIFY ON S.B. 154. THE CITY AND BOROUGH OF SITKA HAS JUST COMPLETED OVER FIVE YEARS OF EXPENSIVE AND TIME CONSUMING LITIGATION DIRECTLY ATTRIBUTED TO THE PERA ACT. THE INK ON THE DECISION OF THE SUPREME COURT HAS BARELY DRIED, AND WE ARE NOW FACED WITH THE LIKES OF S.B. 154.

SITKA DOES NOT SUBSCRIBE TO SECTION 23.40.070, DECLARATION OF POLICY GOVERNING THE PERA ACT, AND FOR THAT REASON CHOSE TO OPT OUT FROM UNDER THE PROVISIONS OF SAME.

S.B. 154 WOULD LEAD ONE TO BELIEVE THAT PUBLIC EMPLOYEES NOT COVERED BY THE PERA ACT ARE "SECOND CLASS" CITIZENS, WHICH IS CERTAINLY NOT THE CASE. IT IS A WELL DOCUMENTED FACT THAT PUBLIC EMPLOYEES OF THE CITY AND BOROUGH OF SITKA RECEIVE WAGES AND BENEFITS WHICH EQUAL, AND IN MOST CASES EXCEED THOSE OF OTHER EMPLOYERS WITHIN THE MUNICIPALITY.

AN INVITATION IS EXTENDED TO YOUR COMMITTEE TO VISIT SITKA FOR THE PURPOSE OF COMPARING WAGES AND BENEFITS RECEIVED BY PUBLIC EMPLOYEES VERSUS OTHER EMPLOYERS IN OUR AREA.

SITKA CANNOT ACCEPT THE THEORY THAT PUBLIC EMPLOYEES SHOULD RECEIVE PREFERENTIAL TREATMENT OVER THE CITIZENS THEY SERVE, WHICH IS EXACTLY WHAT PERA ALLOWS. THE PERA ACT MANDATES COLLECTIVE BARGAINING FOR PUBLIC EMPLOYEES, AND AT THE SAME TIME ALLOWS PUBLIC EMPLOYEES TO ENJOY ALL THE BENEFITS AND SECURITY OF A MERIT SYSTEM OF EMPLOYMENT.

IN LIEU OF EXPANDING THE APPLICABILITY OF THE PERA ACT AS S.B. 154 PROPOSES, THIS WOULD BE AN OPPORTUNE TIME TO GIVE PUBLIC EMPLOYEES THE CHOICE OF BEING COVERED BY A COLLECTIVE BARGAINING AGREEMENT OR A MERIT SYSTEM, NOT BOTH.

WE TRUST THAT IT IS NOT THE INTENT OF THE LEGISLATURE TO TOTALLY DISREGARD THE WISHES OF ITS POLITICAL SUBDIVISIONS IN THIS MATTER.

SECTION 3.05 OF OUR MUNICIPAL CHARTER ADOPTED BY REFERENDUM, SPECIFIES THAT OUR PUBLIC EMPLOYEES ARE TO BE COVERED BY A MERIT SYSTEM OF EMPLOYMENT. AS THE REVENUES OF OUR STATE AND POLITICAL SUBDIVISIONS CONTINUE TO DWINDLE, THE WAGES AND BENEFITS ENJOYED BY PUBLIC EMPLOYEES WILL BE COMING UNDER EVER INCREASING SCRUTINY BY THE PEOPLE EXPECTED TO FOOT THE BILLS. I ASK THE MEMBERS OF YOUR COMMITTEE TO TAKE A GOOD LONG HARD LOOK AT THE WAGES AND BENEFITS RECEIVED BY PUBLIC EMPLOYEES IN YOUR RESPECTIVE HOME TOWNS, AND COMPARE SAME WITH WHAT THE NON-PUBLIC EMPLOYEES ARE RECEIVING.

SUCH A COMPARISON SHOULD GIVE YOUR COMMITTEE THE ANSWER IT IS LOOKING FOR.

I WOULD ASK YOU WHY THE LEGISLATURE WOULD WISH TO DIG INTO THE DAY TO DAY OPERATIONS OF A HOME RULE MUNICIPALITY, SUCH AS SITKA? ISN'T OUR ASSEMBLY CAPABLE OF DEALING FAIRLY WITH OUR EMPLOYEES?

TEN YEARS AGO THE SITKA ASSEMBLY, AFTER FULL PUBLIC NOTICE AND PUBLIC HEARING OPTED OUT OF PERA BY ORDINANCE. NO ONE AT THE PUBLIC HEARING SPOKE IN FAVOR OF PERA.

IN THE INTERVENING DECADE, VARIOUS UNIONS HAVE INVESTIGATED PUTTING THE QUESTION TO THE SITKA VOTERS BY REFERENDUM, BUT SO FAR AS WE KNOW, NO PETITION HAS EVER EVEN BEEN CIRCULATED.

THE SITKA VOTERS ENACTED OUR CHARTER AND ELECTED OUR ASSEMBLY. THE SITKA VOTERS POSSESS THE POWER TO ADOPT PERA BY INITIATIVE IF THEY CHOOSE TO.

PLEASE DON'T CHANGE OUR CHARTER, OVERRULE OUR ASSEMBLY, OR TAKE AWAY THE POWER OF THE SITKA VOTERS TO DEAL WITH THEIR EMPLOYEES IN A MANNER CONSISTENT WITH OUR LOCAL NEEDS.

TELEGRAM
ALASCOM, INC.
PHONE: 586-6442
JUNEAU, AK 99802

#

02117 TDA HOMER AK 221 03-21 230P AST

PMS SEN RICHARD ELIASON (HAND DLR ASAP 03-22 AM) 1235

JUNEAU AK

URGE THAT YOU NOT TAKE ANY ACTION ON SENATE BILL 154 UNTIL YOU HAVE HAD AN OPPORTUNITY TO KNOW THE FULL STORY BEHIND THE ORIGIN OF THIS LEGISLATION. IF STATE LEGISLATURES ARE GOING TO BECOME INVOLVED AND DICTATING TO LOCAL GOVERNING BODIES TO THIS EXTENT THEN IT IS IMPERATIVE THAT THEY BE KNOWLEDGEABLE OF THE REAL PROBLEM. A SERIES OF MEETINGS WITH COUNCILS AND ADMINISTRATORS REGARDING THE PROBLEM AREAS MIGHT BE VERY ENLIGHTENING. THE STATE HAS ALREADY CREATED HARDSHIP ON MANY AREAS WITH THEIR WAGE SCALES. THIS SHOULD ALSO BE INVESTIGATED. CHECK TO DETERMINE WAGE SCALES IN LOCAL AREAS PAID BY THE TAXPAYERS IN THAT AREA TO THE WAGE SCALES OF STATE EMPLOYEES AS WELL AS LOCAL GOVERNMENT EMPLOYEES. WE NEED IMPACT STATEMENTS OF THE EFFECTS OF STATE SHARED REVENUE. MANY AREAS ARE ATTEMPTING TO ESTABLISH A TAX BASE FOR THE FUTURE WHEN STATE CAN NO LONGER LEND THE MAGNITUDE OF SUPPORT. PLEASE CONSIDER ALL THE PROBLEMS YOU ARE CREATING. BE SURE YOU KNOW INTEREST OF THOSE WHO ARE TESTIFYING FOR THIS LEGISLATION AS WELL AS THOS TESTIFYING AGAINST. HOW MANY TAXPAYERS OR COUNCIL PERSONS AREA INVOLVED? WHO IS CHARGED WITH LOOKING AFTER TAXPAYERS INTEREST IN LOCAL AFFIARS? STOP LOOK LISTEN AND HEAR.

LARRY C FARNEN, CITY MANAGER
CITY OF HOMER

Kenai Chamber of Commerce

Box 497

Kenai, Alaska 99611

(907) 283-7989



GREATER KENAI
CHAMBER OF COMMERCE
RESOLUTION NO. 83-05

A RESOLUTION OF THE CHAMBER OF COMMERCE OF KENAI, ALASKA, REQUESTING THE THIRTEENTH LEGISLATURE OF THE STATE OF ALASKA TO DEFEAT SB 154 ENTITLED "AN ACT REPEALING THE MUNICIPAL EXEMPTION OPTION TO THE PUBLIC EMPLOYMENT RELATIONS ACT".

WHEREAS, the Chamber of Commerce of Kenai, Alaska believes adoption of SB 154 which is a directive of the State of Alaska mandating the method by which local government deals with personnel is a function best left to the local elected officials, and

WHEREAS, every locality has differing sets of circumstances which are better known to local elected officials and therefore better dealt with at the local level, and

WHEREAS, it would be almost impossible to pass legislation that would cover all of the possible conflicts arising in a management-employee relationship in the many and various local government jurisdictions in the State of Alaska, and

WHEREAS, under existing state law, managing the work force of local government is left to the elected officials who represent a particular constituency and in 99% of these relationships it works well and to the benefit and welfare of local voters, and

WHEREAS, the City of Kenai has a personnel code that is provided to every prospective employee who apparently agrees with the code by accepting employment, it therefore appears SB 154 serves no purpose other than increasing union membership roles which is special interest legislation and not in the best interest of the City of Kenai or the State of Alaska.

NOW, THEREFORE, BE IT RESOLVED BY THE CHAMBER OF COMMERCE OF THE CITY OF KENAI, ALASKA, that said Chamber go on record urging the Thirteenth Legislature of the State of Alaska to defeat SB 154 on the

TESTIMONY
SENATE BILL 154

In 1972 when the PERA Act was passed into law, the legislature felt that municipalities should have the option of either adopting the act as their standard for collective bargaining with their employees or "opting out", as it were, in favor of adopting their own labor relations act. The argument at that time was that the local administrations knew their situations and their employees better than another entity might and would be better equipped to deal with most situations that might arise. Anchorage was one of the political subdivisions that chose to formally "opt" out of the PERA. The then Anchorage City Council and the Borough Assembly both stated that they would indeed prefer to write their own acts which they subsequently did. When the merging of the Anchorage governments took place in 1975, the Labor Relations Act was adjusted to accommodate employees of what is now the Municipality of Anchorage.

The Municipality of Anchorage finds several problem areas which will arise should this amendment be incorporated into the Act:

1. Rearrangement of Bargaining Units

Under the amendment, the State Department of Labor would become the Employee Relations Board for the Municipality and, as such, would be charged with the responsibility of defining and rearranging bargaining units. We feel that this would be done without consideration for local issues and concerns but on the basis of what they have done and decided in other locations. The law as it now reads allows local governments to manage, along with their employees, labor relations in an atmosphere and setting that clearly lends weight to and accommodates local concerns.

2. Disruption

There are approximately 2,400 represented employees under contract with the Municipality of Anchorage in five (5) separate bargaining units. In going through the process of rearrangement and redefinition of bargaining units, the employee relations environment of the Municipality and its employees would be adversely impacted causing unnecessary disruption of our ability to deliver programs and services to our community, which is, after all our primary mission.

Traditional bargaining unit relationships which we have maintained for years would be altered resulting in chaos. Although our current contracts have heirs and assigns clauses which would come into effect for redefined units until their new agreements would be negotiated, any redefined units which impacted two or more of our current bargaining units would place us in the same difficult position we were in at the time of unification. We would be faced with the APEA-AMEA parity issue all over again, only on a grander scale. As many of you may recall, implementation of the unified bargaining units under Anchorage Ordinance 88-76 was a lengthy, painful, disruptive, and expensive process. The final cost for merging the fire, general government, and general crafts units was in excess of two million dollars.

3. Supervisory & Confidential Employees

Under PERA, supervisory and confidential management positions in the Municipality which are exempted from bargaining under our ordinances would be eligible for inclusion in bargaining units. Only our elected officials, department heads, and division managers would be exempt from bargaining. It is rather ludicrous to conceive of a situation that enables public budget, management, and personnel professionals to organize and negotiate with public employers over wages, hours, and conditions of employment when they are typically the key staff personnel in the development and implementation of policy issues affecting the work force. In 1974, the State of Alaska went through a strike staged by its supervisors that effectively shut down state operations for a short period. Ideally and typically, these people are often used to fill in for bargaining unit members should a strike occur.

4. Department of Labor

In viewing the position paper presented by the Department of Labor, one does not sense an anxiety on the part of the Department to undertake this assignment. The Department is neither staffed or funded to cope with the sudden influx of some 13,000 plus additional public employees into its domain. The fiscal note accompanying this bill indicates that the Department would require seven (7) new positions at a cost of \$479,000 in FY 1984 escalating up to \$590,000 in FY 1988. This makes no mention of the training that will be required to qualify those persons hired to set and hold elections, determine and define bargaining units, mediate labor disputes, and do the other things usually associated with collective bargaining. The municipalities would no doubt feel the need to retain their labor relations staffs, which would result in no savings to those entities. The Department concludes its position paper with the statement: "This administration feels that labor relations activities are more effectively maintained at the local level." We wholeheartedly agree.

5. History

Anchorage has a long history of involvement with labor unions, both public and private. As might be well imagined, that history has not always detailed a smooth course, but both labor and management have gained valuable experience over the years. Examples of some of those associations are:

1. International Brotherhood of Electrical Workers - IBEW - 1948 - 35 years
2. Joint Crafts Council (7 crafts) - Recognized by City Council - 1963 - 19-20 years
3. Police and Fire Unions - 15+ years
4. Anchorage Municipal Employees Association - 11 years

As stated earlier, we feel that these associations, along with the attendant high spots and low areas, gives us the background we need to maintain our labor relations activities at the local level, which is exactly what the administration favors.

In closing, let us state that it is obvious that some political subdivisions, Anchorage being one, do indeed have viable labor relations acts that permit and allow their employees to bargain. If there is some difficulty with the "opt out" provision of the PERA, perhaps an amendment that would require only those entities that have no local act and do not bargain in good faith with their employees to come under PERA. Under that arrangement, those who do have their own acts are not also punished.



CITY OF FAIRBANKS

ice ^{off} City ^{Manager} ~~Manager~~
410 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
907-452-1881

March 8, 1983

Honorable Richard I. Eliason
State Capitol
Pouch V
Juneau, AK 99811

RE: Senate Bill No. 154

Dear Senator Eliason:

The City of Fairbanks has jointly and firmly resolved itself with the municipality of Anchorage that Sentate Bill No. 154 not be enacted nor recommended in Committee. In and for its own behalf the city strongly urges rejection of this legislation for a number of reasons.

Background

Fairbanks exempted itself from AS 23.40.070 et seq. (Public Employment Relations Act, hereafter "PERA") in September 1972. Prior to PERA the city's relationship with its employees had been harmonious and cooperative. The argument emerged in 1979 that the city waived its exemption when it entered into voluntary collective bargaining agreements with a member of unions (nearly six unions represent an approximate work force of 500 employees). The Alaska Supreme Court rejected this argument and upheld the city's right to the exercise of its exemption. Importantly, the triggering mechanism to this litigation was the city's refusal to litigate a burdensome number of unfair labor practice complaints submitted by two persons (AFL-CIO and Teamster) to the Alaska Department of Labor. The city rejected the Department's jurisdiction.

Four of six collective bargaining agreements are due to expire in calendar year 1983 (IBEW, Teamsters, Operating Engineers, and Firefighters). One contract (police) expired in December 1982; the last (AFL-CIO) has had no contract since 1979. Presently the city is not negotiating with the police union and has not fully determined whether it will seek to negotiate contracts with others or whether it will seek the integration of its employees into its personnel code. Incidentally, but for the absolute right of any employee to negotiate with the city, the city's personnel code meets, if not surpasses, the spirit and purpose underlying PERA's declared policy (AS 23.40.070). Employees may submit to binding arbitration any grievance concerning their wages, benefits and terms and conditions of employment. As history has aptly demonstrated, one major union (AFL-CIO) which represents Fairbanks'

public works department and wastewater treatment plant employees has not had a contract since 1979. These employees have experienced no reduction in their jobs, benefits or the quality of their working environment. Quite contrarily, these employees have received annual wage and longevity increases as well as prompt resolution of the few individual grievances which have been submitted in the span of three years.

With the termination of the police union's contract the city likewise made favorable economic adjustments to smooth the disparities invariably borne of differences between the personnel code and collective bargaining agreements. On the whole and with the exception of very few, these employees experienced an increase in wages. Also, because the city recognized the consensus of this union, special ordinances were enacted for the benefit of police employees concerning shift work and seniority status.

Senate Bill No. 154 reflects the efforts of members of the police association and possibly others as the final solution to compel the city to negotiate and conclude a collective bargaining agreement.

1. The city's opening objection to this Bill is the issue of the delicate balance between state and local government and the pursuit of home rule municipalities like Fairbanks of their constitutional rights to "maximum local self-government."

To be sure, city council members, elected areawide, have been and continue to be intensely responsive to the majority will of the people of this city. Few areas of control and self-determination are more important to local government than exists in the relationship with its work force. As always, it is the spirit and intent of this city's declared policy (see attached) to promote harmonious and cooperative relations with its employees. Fairbanks vigorously rejects the assumption implicit in Senate Bill No. 154 that harmonious and cooperative relations cannot be achieved except through mandatory collective bargaining. The harmonious and cooperative relations which exist between the city and those employees governed by the city's personnel code most certainly attests to the fact that such relations may and do exist outside the purview of PERA.

Senate Bill No. 154, therefore, constitutes an unwarranted intrusion into local government affairs.

2. Should the city become bound to PERA, let there be little doubt that the complexities of labor law principles and the litigation/arbitration of unfair labor practice claims before the Alaska Department of Labor will cause considerable time delays, antagonistic feelings, and the additional expense of personnel necessary to represent the administration at the state level. For a city which has imposed tight and responsible fiscal restraints upon its administration and which has managed the lowest ad valorem property tax rate in the state,

the economic burdens which Senate Bill No. 154 will impose upon this city's administration clearly outweigh the benefits, if any, which this legislation purports to bestow.

3. As indicated, Senate Bill No. 154 arises from the perception of a few employees in this city that the city will choose to recognize and bargain collectively with some of its unions and not others. PERA itself recognizes categories and degrees of rights and obligations, and in fact excludes some classes of employees entirely. It is the city's respectful contention that the city, not the state, can best determine the needs of its administration in balance with the needs of the citizens of our city.

Sincerely



W.C. Droz
City Manager

WCD/HPK/bjw

enc

Fairbanks General Code Sec. 2.503. Declaration of personnel policy

Under the authority granted to the city council by the city charter the following principles and policies are established.

- (1) Employment in the city government shall be based on merit and be free of personal and political considerations;
- (2) Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in operation of the municipal government;
- (3) Positions having similar duties and responsibilities shall be classified and compensated for on a uniform basis;
- (4) Every effort shall be made to stimulate high morale by fair administration of this article and by every consideration of the rights and interests of employees consistent with the best interests of the public and the city; and
- (5) Continuity of employment covered by this article shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work, and availability of funds.



ADOPTED AUGUST 1972

CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99929 (907) 874-2381

March 7, 1983

Senator Richard Eliason
Chairman, Labor & Commerce
Alaska State Legislature
Pouch V.
Juneau, Alaska 99811

RE: Senate Bill No. 154

Dear Senator Eliason:

The City of Wrangell objects to Senate Bill No. 154 "An Act Repealing the Municipal Exemption Option to the Public Employment Relations Act."

The City opted out of PERA soon after the State Legislature created it. Wrangell is a small community of 2,376 residents with one sawmill as its major industry. The City has adopted personnel policies to protect the interests of the employees and maintains salaries and benefits at a level consistent with the community. There is no condition existing now that did not exist when the Legislature specifically provided that political subdivisions could opt out unless substantial organizational activities by the employees had already occurred.

We strongly urge you to defeat Senate Bill No. 154 which can only increase the financial burden of political subdivisions and add to the cost of services and utilities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joyce Rasler".

Joyce Rasler
City Manager

cc: Chairman Senate Finance Committee
Senator Robert Zeigler
Rep. Jack McBride
Rep. Ron Wendte
Edward A. Stahla
Alaska Municipal League



THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

LAW DEPARTMENT - 586-3300

March 10, 1983

Senate Labor and Commerce Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Re: Legislature - 1983
S.B. 154

Subject: Opposition to S.B. 154

Gentlemen:

The City and Borough of Juneau is opposed to Senate Bill 154.

The local government article in our Alaska Constitution provides that there is to be a maximum of local self-government with a minimum of local government units. One of the two major policies expressed in this provision is that local governments should have the maximum in local autonomy and power to deal with local problems. Senate Bill 154 clearly runs counter to this sound constitutional policy. We urge you to leave local matters to local elected officials.

Under the current statute, several municipalities have opted to have the state Public Employee Relations Act apply to them. Others have elected not to have the provisions apply. The City and Borough of Juneau elected not to have the provisions apply and has adopted its own comprehensive employee relations ordinance. This ordinance has a structure similar to that of the state act but has been adapted to meet local needs as perceived by our local elected officials.

Many of the municipalities in Alaska have also adopted ordinances dealing specifically with employee relations. Others have established the framework for employee relations through a formalized merit system, employee-management committees, etc. In addition to these formalized mechanisms, municipal employees have certain rights which arise out of the United States Constitution. These rights assure that employees are given an opportunity for a hearing and fair treatment whenever an adverse action affecting the employee is to be taken. Generally, municipal employees in Alaska are protected and fairly treated. If a problem exists in one community, that problem should be left to the community to solve; the legislature should not impose a system on all local governments to deal with what may be perceived as a problem in one community.

In considering the necessity for this bill, please bear two things

Senate Labor and Commerce Committee

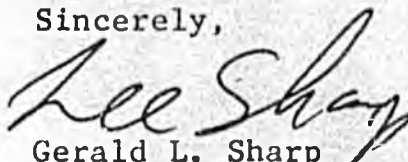
March 10, 1983

Page Two

in mind. First, if the residents of a municipality believe that their municipal employees should be under the state Public Employees Relations Act, they may, by referendum, repeal the ordinance or resolution by which the municipality opted out of the provisions of the Act; and they may always use the initiative to adopt an employee relations ordinance. Second, consider how you would feel if the United State Congress decided that employees of the State of Alaska should be brought under the provisions of the National Labor Relations Act. We would hope that the State of Alaska would oppose any such move on the basis that the State Legislature is in a better position to establish the relationship of its employees to the State than is the United States Congress. We believe the same principle applies at the local government level; that is, that local elected bodies are in the best position to determine the form of the relationship between the municipality and its employees.

We urge you to leave these local decisions with local elected representatives.

Sincerely,



Gerald L. Sharp
City-Borough Attorney

cc: Mayor W. D. Overstreet
Juneau, Alaska

Assembly, City and Borough of Juneau
Juneau, Alaska

Ginny Chitwood, Director
Alaska Municipal League

GLS:gmw



City and Borough of Sitka

P.O. BOX 79 · SITKA, ALASKA · 99835

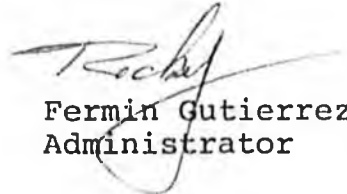
April 18, 1983

Senator Richard Eliason
Alaska State Legislature
Pouch V M/S 3100
Juneau, Alaska 99811

Dear Dick:

Be advised that the City and Borough of Sitka
assembly opposes C.S. for S.B. 154.

Sincerely,



Fermin Gutierrez
Administrator

4916
TO: SENATOR DICK ELLISON, CHAIRMAN
Senate Labor & Commerce Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

FROM: JOHN L. ALEXANDER
Municipality of Anchorage
Manager, Labor Relations
Pouch 6-650
Anchorage, AK 99502 . Phone: 264-4266

PLEASE HOLD FOR PICK UP ON 3/24/83

Page 1 of 12

**Municipality
of
Anchorage**



POUCH 8-850
ANCHORAGE, ALASKA 99502-0850
(907) 264-4111

TONY KNOWLES,
MAYOR

DEPARTMENT OF HUMAN RESOURCES

March 23, 1983

Senator Dick Eliason, Chairman
Senate Labor and Commerce Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason:

As promised, enclosed you will find two pieces of information regarding Senate Bill 154, the Municipal "opt out" legislation, as it is referred to.

You will remember that I testified against Senate Bill 154 on behalf of the Municipality of Anchorage. Let it be reiterated here that to pass it in its present form would be to create chaos and confusion for those entities that do have labor ordinances of long standing and who do attempt to bargain fairly with our employees. Accordingly, we wish to suggest language that we feel would address the concerns of those who advocate passage of Senate Bill 154. We enclose a copy of an amendment that we offer for your consideration. This or very similar wording in an amendment should satisfy the concerns of those who wish change while at the same time allaying and soothing the fears of those who have viable labor relations programs.

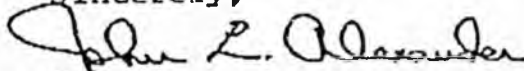
The other documents relate to the cost figure that I mentioned in my testimony. I stated that the cost was some 2 million dollars, but as you can see, that amount would be closer to 3 million dollars or a little over with all things included. To switch to PERA from our local labor ordinance would likely cause us to incur a very similar debt. Although the above mentioned costs were the result of the unification process that Anchorage went through, we would undergo a very similar set of circumstances if Senate Bill 154 were to pass. In this era of shrinking revenues, we feel that the disruption and chaos the switch would cause, is a luxury we cannot afford.

Senator Dick Eliason
March 23, 1983
Page 2

I mentioned in my suggested language for an amendment the mandatory inclusion in local labor ordinances of language covering bargaining over wages, hours, working conditions, grievance procedure, and dispute and impasse resolutions. At the hearing held in Anchorage on March 19, 1983, it seemed that most of the complaints fell within those areas. It seemed as though the perception, at least, was that even though some of the areas had passed ordinances, there is a certain amount of circumvention in active practice. Again, perhaps this suggested language or similar language could serve to remedy that situation.

On behalf of the Municipality of Anchorage, I wish to thank you for the opportunity to provide you with this information. I would hope that it will help you arrive at a conclusion that will be fair not only to the State of Alaska, but to the municipalities and the employees concerned.

Sincerely,



John L. Alexander
Manager, Labor Relations

JLA:bak

Enclosures

AN ACT REGARDING THE MUNICIPAL EXEMPTION OPTION TO THE PUBLIC EMPLOYEES RELATION] ACT.

Section 23.40.075 Applicability. This chapter applies to all public employers including organized boroughs or political subdivisions that have rejected by ordinance or resolution having the provisions of AS 23.40.070 - 23.40.260 apply but who also have not passed local labor relations ordinances to address such employee concerns as wages, hours, working conditions, as well as grievance, dispute and impasse resolutions. These entities shall have 180 days from the date this amendment takes effect to either adopt their own local labor relations act or have the provisions of PERA apply. Those entities that elect to pass their own labor ordinances must include provisions for bargaining over wages, hours, working conditions, plus a procedure for handling grievances as well as dispute and impasse resolutions. Those entities that do not act within the 180 day time frame will be deemed automatically designated as electing to adhere to PERA.

Section 2, Section 4, chapter 113 SLA 1972 is repealed.

Municipality of Anchorage

MEMORANDUM

DATE: March 22, 1983
TO: Labor Relations Manager
FROM: Labor Relations Specialist
SUBJECT: Bargaining Unit Redefinition Costs

As requested, I have researched the historical records of this office to determine a cost breakdown of the requirements for implementing the redefined bargaining units of the Municipality following passage of AO 88-76 upon unification. That ordinance, as you are aware, defined the recognized bargaining units of the Municipality pursuant to A.M.C. 3.70. The total cost reflects those costs readily identifiable from our historical records here and are additionally supported by excerpts from the costing section of the consultant's report to the Mayor and Assembly for general government and the Chief Fiscal Officer's breakdown of retroactivity costs by fund, as attached. Adjustment total was \$2,209,901.

That is not an all inclusive cost, however, as it reflects only readily recapturable bargaining unit adjustment costs. There were many, many hours of clerical, secretarial, and support staff (data processing, finance, etc.) devoted to this effort that are not identifiable from our records. Additionally, there was a one-time cost for running dual payroll systems for nine months of \$72,450. That is a merger cost, however, and not properly chargeable solely to redefining bargaining units. Finally, there was a system-wide cost for equalizing benefits not identified here. (The \$65,689 Benefits Adjustment figure is for benefit roll-ups purely attendant upon wage adjustments). I could not find the exact benefit equalization figure in our files but to the best of my recollection - I did the initial costing on these items at the time - that figure was \$700,000+. Thus, it could be maintained that the true cost was more like \$2,900,000 to \$3,000,000.

I hope this information is helpful to you. If I can provide additional information or further detail on the foregoing, please let me know.


Neil R. Koehner
Labor Relations Specialist

NRK:bak

Attachments

MUNICIPALITY OF ANCHORAGE
 BARGAINING UNIT REDEFINITION
 COSTS FOR UNIFICATION UNDER
 AD 88-76

<u>CATEGORY</u>	<u>COST</u>
General Government @\$57,046/mo.	\$684,552
Fire 115 @\$200 ea./mo.	\$276,000
IBEW 32 @\$3.00 ea./hr.	\$199,680
JCC 180 @\$0.80 ea./hr.	\$299,520
Benefit Adjustment	\$ 65,689
9/1/75 Retroactivity	\$536,840
SUBTOTAL	\$2,062,281
-----	-----
Employee Relations Board	\$ 14,000
Union/Management Labor Committee	\$ 4,000
*Municipal Staff	\$ 73,620
Professional Services (Attorneys & Consultants)	\$ 56,000
SUBTOTAL	\$147,620
<u>TOTAL</u>	<u>\$2,209,901</u>

*Professional staff only. Does not include clerical, secretarial and support staff costs.

CHAPTER IV -INTERNAL RELATIONSHIPS

In alternative two of our proposal it states that we will report the judgments of our classifiers, based upon their job factor evaluations, regarding the salary relations among the classes in the classification plan. This task assumes particular significance with regard to the no counterpart classes. It was their internal salary relationships that was the initial impetus for the entire study. In the following sections we will present our recommendations and also discuss, some important points regarding the interpretation and use of the recommendations.

SALARY DETERMINATION FACTORS

Internal relationships, based upon a comparison of the factors used in defining classes, is only one of three important considerations in salary determination. The other two are labor market conditions, and turnover and recruitment experience. In our judgment, when considering salaries and preparing for negotiations, internal relationships should be considered as the starting point and not the final word on what the proper salary range should be for a given class.

Following is an example of how the three factors relate to each other.. This plan has a number of entry level professional classes that require a minimum requirement, a bachelors degree in a specific major and no experience. Two such classes are Civil Engineer I and Electrical Engineer I. (Electrical Engineer I is presently an IHW class.) On the basis of factor comparisons, let's assume these two classes are judged equal and our internal relationship recommendations indicate that they both should be assigned the same salary range. However, labor market salary data indicates that both the mean salary is offered electrical engineers and the entire range of salaries is consistently about 10% higher than that being offered Civil Engineers. In our judgment this would be a

legitimate reason to establish a differential in the Pay Plan between Civil Engineer I and Electrical Engineer I. However, if you were still able to recruit and retain sufficient qualified Electrical Engineers to meet your needs you may decide to retain the internal relationships and pay your electrical engineers a little below the average for the labor market. If, however, those departments that employ Electrical Engineers as well as your Personnel department indicate they are unable to recruit qualified Electrical Engineers, and in fact have lost a number of full functioning Electrical Engineers (Electrical Engineer II) to private employers, then you could no longer afford to maintain the internal relationships but must react to the labor market conditions and increase the salary range for electrical engineers so as to be able to compete with the other employers in the labor market area for your fair share of the qualified graduate electrical engineers.

This same principle applies to all of our internal relationships presented in this chapter.

STARTING PREMISE

In order to construct an internal relationship chart anchored to salary ranges, without benefit of any labor market salary data, it is necessary to make some assumptions, and then, of course, be willing to adjust the relationships when additional information becomes available. The internal relationship charts in this chapter are built on the following assumptions.

1. We made the assumption that salary Range 6 of the General Employee Pay Plan was the proper salary range in September of 1976 for the class Office Assistant (old class Office Aide): This is a training level clerical position and new hires would hopefully be high school graduates, but not necessarily.

2. We also adopted the general rule of thumb that in a labor market entry level classes requiring a bachelors degree and no experience are paid about 100% above the entry clerical class. Your existing pay plan gave some support for this assumption and in our judgment it is a good starting point for an internal relationship chart, especially when you have the facility to later adjust it based on actual labor market information. We refined this rule of thumb slightly so that our chart sets those classes that require an unspecified college degree and no experience at 100% of the Office Assistant rate those classes that require a specified non-technical degree 100% of this rate and those classes that require a specified technical degree at 110%.

The above percentages are meant to apply to entry level or trainee classes. That is the lower class of a flex-staff pair. In some occupational series' flex-staff trainee classes have not as yet been developed. In those cases we have placed the full functioning entry level class slightly higher than the above standards to recognize the fact that employees stay in this class as long as they are working at the full functioning level as opposed to being promoted to the full functioning level after training.

SALARY RANGES

In developing our internal relationship recommendations we have used the Municipality's existing Central Employee Pay Plan with an important modification. The existing pay plan provides for 10% differentials between salary ranges and 5% differentials between the steps within the range. On the internal relationship charts, presented as Appendix E of this report, we have shown the existing salary ranges, however, the charts also show half ranges; that is, the chart can also be read as a pay plan with 5% differentials between salary ranges which, of course, would give you approximately twice as many salary ranges as is in the existing plan.

The distribution of 1,033 positions is very interesting. It has many of the characteristics of a normal curve in that there are almost as many positions being assigned to a lower pay grade as there are being assigned to a higher pay grade. In fact, 435 of the 1,033 positions are being assigned to a lower salary range as compared to 379 positions being assigned to a higher salary grade. In our judgment, this reflects two conditions uncovered in the study.

1. In the clerical, account clerical, accounting, and engineering technician areas our classifiers found a substantial number of positions that were allocated to a class that was conceptually too high for the duties and tasks being performed. In other words, our study has recommended substantial downward reallocations in these occupational series.

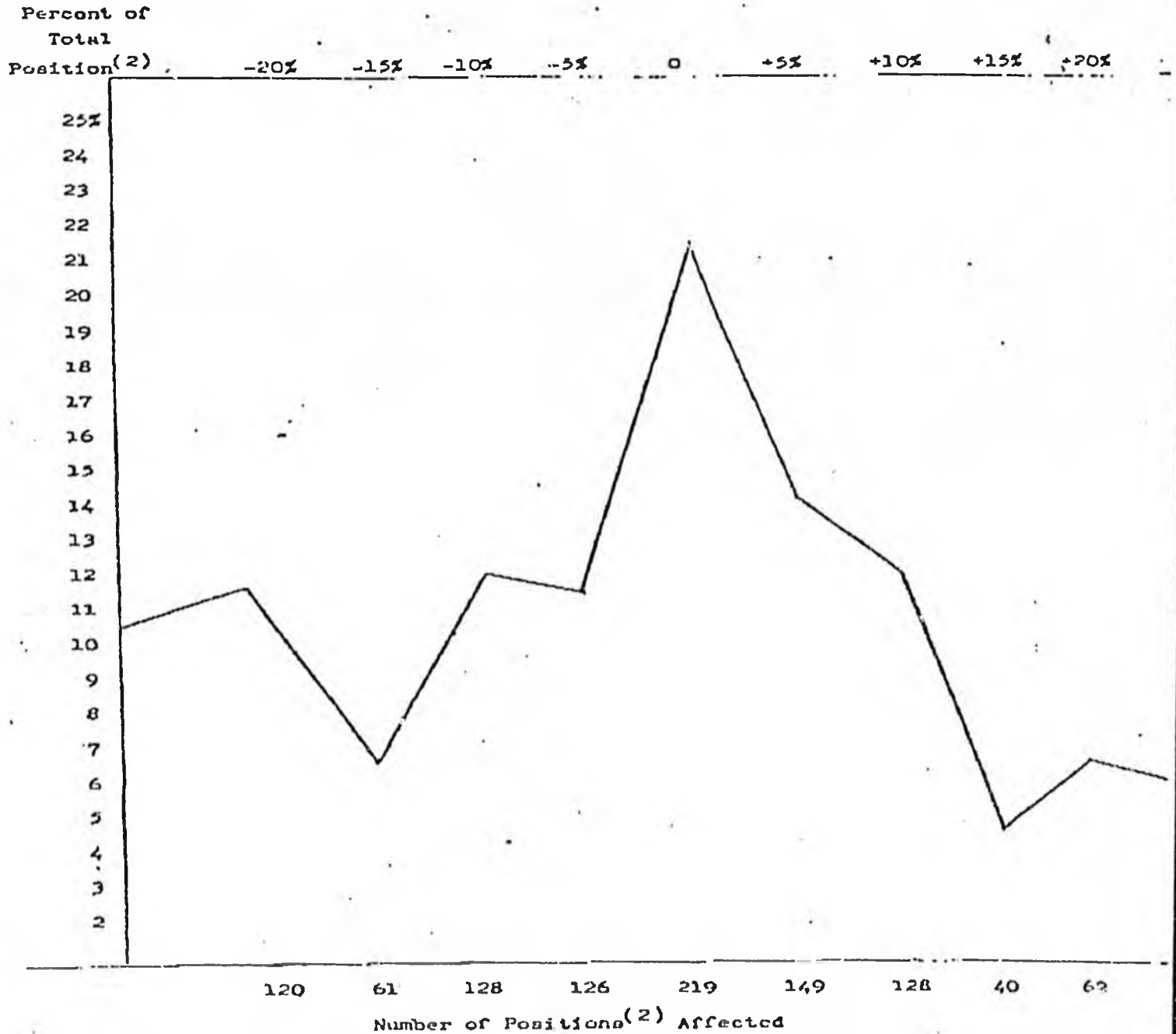
2. The fact that we have increased the internal relationships for the higher level more responsible clerical classes so that the positions that were actually performing at the higher levels have been recommended for increases.

3. The fact that the old pay plan was greatly compressed between pay ranges 12 and 16; i.e., the mid-management area. Our internal relationships are to ease this compression by raising the salary ranges for many middle management and upper management classes. This has also created increases.

If all of the 1,031 positions (including the 18 unclassified) were filled and at the C step of their present range the monthly payroll would be \$1,551,015. The value in dollars of the decreases in range assignment equals \$77,121 per month, while the value of the increases equal \$57,046. This would appear to reflect a net savings to the Municipality of \$20,075 per month. However, since the Personnel Regulations provide for a freezing or "Red Circling" downward allocations the estimated costs of implementation would be the full \$57,046 for the increase. This is only an estimate since all employees are not at C step and all positions are not filled.

DISTRIBUTION OF SALARY RANGE ADJUSTMENT
BY POSITION⁽¹⁾

Percent of change in salary range assignment



Footnotes

1. Assumed step to step implementation
2. Based on 1033 positions. 18 of 1051 positions were unclassified and thus removed

Chief Fiscal Officer Retroactivity

Fund No.	Fund Title	Conts Original Calculation Retro 1/2/76	Net Adj Calculation Retro 1/1/76	Retro Net Distribution 9/16/75
01	Area-wide - General	205,592	(9,642)	(142,567)
02	Spennard General	(99)	(1,805)	(2,139)
04	Eagle River General	300	256	216
06	Chugiak General	42	32	28
10	Non-area-wide Library	531	(200)	(773)
11	S/A 30 Chugiak/E.R. Disposal	(61,786)	(114,846)	(169,083)
13	S/A 70	305	156	(9)
14	S/A 13 Fire Protection	2,271	(1,404)	(4,291)
15	S/A 15 Road Maintenance	(14,738)	(35,024)	(84,488)
31	Sewer Utility - Capital Projects	67,660	23,135	7,539
32	Roads & Drainage-Capital Projects	114,087	76,591	64,620
33	Parks & Rec - Capital Projects	1,224	1,755	679
34	General - Capital Projects	840	406	100
41	Service Pool	1,294	(4,712)	(10,877)
42	Equipment Pool	(984)	(3,171)	(4,927)
43	Land Trust Fund	(28)	(386)	(558)
45	Sewer Utility	(51,996)	(138,923)	(209,663)
35	Land Trust - Capital Projects	23	235	173
-	School District	37,696	23,665	19,150
	Totals	302,234	(183,882)	(536,840)

CITY OF KENAI
ORDINANCE NO. 252-74

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI
AMENDING SECTION I-47 OF THE CODE OF THE CITY OF KENAI

WHEREAS, the Council of the City of Kenai, Alaska, by Ordinance No. 209-72, in accordance with Section 4, Chapter 113, SLA 1972, intended to reject having the provisions of the Public Employment Relations Act, Chapter 113, SLA 1972, apply to the City of Kenai, by addition to the Code of the City of Kenai Section I-47; and

WHEREAS, Section I-47 incorrectly cites "Title A.S. 29.40" as being the applicable Title and Chapter of the Alaska Statutes wherein Chapter 113, SLA 1972 is codified, the correct citation being A.S. 23.40;

Now, therefore, BE IT ORDAINED by the Council of the City of Kenai, Alaska:

Section 1. That Section I-47 of the Code of the City of Kenai, 1963, as amended, is hereby amended to read as follows:

"Section I-47. Pursuant to Section 4 of Chapter 113, Session Laws of Alaska 1972, the provisions of Chapter 113, SLA 1972 as set forth in A.S. 23.40 are hereby rejected, and such provisions of law shall not apply to the City of Kenai."

Section 2. That it is the finding of the Council that the rejection of the provisions of Chapter 113 of Session Laws of Alaska 1972, is in the best interest of the City of Kenai.

INTRODUCED this 14 day of December, 1974.

PASSED on second reading this 18 day of December, 1974.

CITY OF KENAI

By James A. Elson
JAMES A. ELSON, Mayor

ATTEST:

Sharon Loosli
SHARON LOOSLI, City Clerk

POSTED after introduction this 14 day of December, 1974.

POSTED after final passage this 19 day of December, 1974.

CITY OF KENAI ORDINANCE 209 -72

REJECTION OF PROVISIONS OF CHAPTER 113, SESSION LAWS OF ALASKA, 1972,
(PUBLIC EMPLOYMENT RELATIONS ACT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1. That the Code of the City of Kenai, 1963, as amended, is hereby further amended to add Section 1-47 to read as follows:

Section 1-47. That the provisions of Chapter 113, SLA 1972 as it adds provisions of Title A. S. 29.40 to the statutes of the State of Alaska are hereby rejected as provided by Section 4 of Chapter 113, Session Laws of Alaska, 1972, so such provisions of law shall not apply to the City of Kenai.

Section 2. That it is the finding of the Council that the rejection of the provisions of Chapter 113 of Session Laws of Alaska, 1972, is in the best interest of the City of Kenai and its administration in the public interest.

Introduced 4 day of October, 1972.

PASSED on second reading 18 day of October, 1972.

POSTED after introduction
on 5 day of October, 1972.

CITY OF KENAI

POSTED after final passage
19 day of October, 1972.

By John F. Steinbeck
JOHN F. STEINBECK, Mayor

ATTEST:

Sharon Sterling
SHARON STERLING, City Clerk



OFFICIAL BUSINESS

ALASKA STATE LEGISLATURE - SENATE

COMMITTEE ON LABOR AND COMMERCE

SENATOR RICHARD I. ELIASON
CHAIRMAN

POUCH V • JUNEAU, ALASKA 99811
(907) 465-3844

April 11, 1983

Judith Morris
P. O. Box 281
Nome, Alaska 99762

Dear Judith:

Thank you for your recent letter expressing your support for Senate Bill 154, repealing the municipal exemption option to the Public Employment Relations Act. I wish that you had been able to stay at the teleconference long enough to testify, but I am glad that you sent in written testimony for our consideration.

As you probably know, my committee had hearings on the bill in both Juneau and Anchorage, in addition to the teleconference, to take public testimony from throughout the state. We received a great deal of input from people on both sides of the issue.

Support for the bill has come mostly from municipal employees in Fairbanks, Kodiak, Petersburg, Ketchikan, and Sitka. The major municipal employer, Anchorage, has evidently resolved its difficulties by ordinance. As could be expected, almost every local government in the state that has made its position formally known has opposed passage of SB 154, their common reason being a desire to retain the local prerogative of elected officials to deal with their own employees.

At the present time the committee is awaiting more information from the Department of Labor concerning the anticipated fiscal impact of this legislation and the Department's specific recommendations.

I appreciate hearing your views, and hope you will contact me whenever you have ideas to share about issues important to you.

Sincerely,

A handwritten signature in cursive script that reads "Dick Eliason".

Sen. Dick Eliason



CITY OF NOME

April 5, 1983

P.O. BOX 281 - NOME, ALASKA 99762
TELEPHONE (907) 443-5242

Senator Richard I. Eliason
Chairman, Senate Labor & Commerce Committee
Pouch V
Juneau, AK 99811

Honorable Senator:

I attended your teleconference March 22 on SB 154 but was unable to stay long enough to testify. Please accept the following comments in support of SB 154.

It would seem obvious that municipalities would fall into one of two categories: those which do have a good working relationship with their employees and strive to maintain it, and those which do not. I do not believe that collective bargaining in and of itself would deteriorate any existing relationship. Therefore, I cannot see where repeal of the municipal exemption option would do any harm.

The City of Nome employees are represented by the Alaska Public Employees' Association. We do not have a written personnel policy, and were it not for our union contract, all personnel matters would be resolved at the whim of whoever was city manager at the time. Our contract provisions apply to union and nonunion employees alike. My sympathies go out to municipalities and their employees who are in a similar situation without the help of even so much as a union agreement.

A great deal of the opposing testimony claimed that added costs as a result of collective bargaining would be the undoing of municipalities across the state. This presupposes either that labor would be given everything it asked for or that unions are inherently expensive. Our benefit package and salary schedule are nearly identical to those in effect in pre-union days, so I would suggest that such does not always have to be the case. To the contrary, over the years the added provisions which have been most beneficial to the employees have been incorporated at the request of management.

And finally, even though we are represented by the State employees' association, our benefits and wages come no where

Senator Richard I. Eliason
SB 154

Page 2

near those of the State. This would, in my mind, further confirm that collective bargaining and management rights are not incompatible.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Judith M. Morris".

Judith M. Morris
Payroll Clerk

jmm

International Brotherhood

TELEPHONE
(907) 272-6571
TELEX 25-250

VERN C. (Bud) GARRISON
BUSINESS MANAGER • FINANCIAL SECRETARY



of Electrical Workers

2702 DENALI STREET
ANCHORAGE, ALASKA 99503

GEORGE A. ROBERTS
PRESIDENT

Local 1547

March 22, 1983

Senator Richard Eliason
Pouch V
Juneau, Alaska 99811

Dear Mr. Eliason,

Thank you for the opportunity to testify on March 14, 1983 regarding Senate Bill 154. I am General Counsel for IBEW Local 1547 and am experienced in negotiating agreements and representing public sector employees in Fairbanks, Anchorage, Sitka, Petersburg and Ketchikan. If SB 154 is passed without amendment it would place too great a burden on the state and disrupt various municipality and borough administrations.

I see the problem as an abuse of the opt-out provision. Some political sub-divisions which have exercised their right under the Kozlosky Amendment have not passed local ordinances which assure their employees' rights and privileges similar to those under the Public Employees Relations Act.

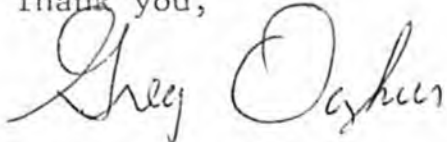
I would suggest the following amendment to cure the problems, while at the same time avoiding a fiscal note to the bill:

Any municipality, borough or political subdivision within the state having opted-out of the provisions of the Public Employees Relations Act shall within 180 days adopt local ordinances which guarantee their employees those rights and privileges granted under P.E.R.A. Such ordinances must, at minimum, guarantee the local employees the right to certify as a bargaining unit, to bargain collectively, to enter into working agreements, to be represented by labor organizations and to adopt methods of impasse resolution and redress of grievances. Such ordinances shall provide rights and privileges equal to P.E.R.A. but may be administered at a local level.

Greg Oczkus
March 22, 1983
Page 2

Such an amendment would permit local control of labor relations matters, would redress the employee concerns you heard in the public testimony and would avoid increasing the administrative costs of the Department of Labor.

Thank you,

A handwritten signature in cursive script that reads "Greg Oczkus". The signature is written in dark ink and is positioned below the typed name.

Greg Oczkus
General Counsel, IBEW

GO:jlh

cc: Patrick M. Rodey
Walt Furnace
Bettye Fahrenkamp

Municipality of Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4111

TONY KNOWLES,
MAYOR

DEPARTMENT OF HUMAN RESOURCES

March 23, 1983

Senator Dick Eliason, Chairman
Senate Labor and Commerce Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason:

As promised, enclosed you will find two pieces of information regarding Senate Bill 154, the Municipal "opt out" legislation, as it is referred to.

You will remember that I testified against Senate Bill 154 on behalf of the Municipality of Anchorage. Let it be reiterated here that to pass it in its present form would be to create chaos and confusion for those entities that do have labor ordinances of long standing and who do attempt to bargain fairly with our employees. Accordingly, we wish to suggest language that we feel would address the concerns of those who advocate passage of Senate Bill 154. We enclose a copy of an amendment that we offer for your consideration. This or very similar wording in an amendment should satisfy the concerns of those who wish change while at the same time allaying and soothing the fears of those who have viable labor relations programs.

The other documents relate to the cost figure that I mentioned in my testimony. I stated that the cost was some 2 million dollars, but as you can see, that amount would be closer to 3 million dollars or a little over with all things included. To switch to PERA from our local labor ordinance would likely cause us to incur a very similar debt. Although the above mentioned costs were the result of the unification process that Anchorage went through, we would undergo a very similar set of circumstances if Senate Bill 154 were to pass. In this era of shrinking revenues, we feel that the disruption and chaos the switch would cause, is a luxury we cannot afford.

Senator Dick Eliason

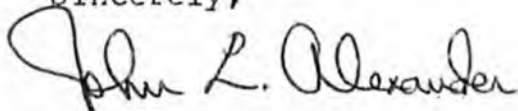
March 23, 1983

Page 2

I mentioned in my suggested language for an amendment the mandatory inclusion in local labor ordinances of language covering bargaining over wages, hours, working conditions, grievance procedure, and dispute and impasse resolutions. At the hearing held in Anchorage on March 19, 1983, it seemed that most of the complaints fell within those areas. It seemed as though the perception, at least, was that even though some of the areas had passed ordinances, there is a certain amount of circumvention in active practice. Again, perhaps this suggested language or similar language could serve to remedy that situation.

On behalf of the Municipality of Anchorage, I wish to thank you for the opportunity to provide you with this information. I would hope that it will help you arrive at a conclusion that will be fair not only to the State of Alaska, but to the municipalities and the employees concerned.

Sincerely,



John L. Alexander
Manager, Labor Relations

JLA:bak

Enclosures

AN ACT REGARDING THE MUNICIPAL EXEMPTION OPTION TO THE PUBLIC EMPLOYEES RELATIONS ACT.

Section 23.40.075 Applicability. This chapter applies to all public employers including organized boroughs or political subdivisions that have rejected by ordinance or resolution having the provisions of AS 23.40.070 - 23.40.260 apply but who also have not passed local labor relations ordinances to address such employee concerns as wages, hours, working conditions, as well as grievance, dispute and impasse resolutions. These entities shall have 180 days from the date this amendment takes effect to either adopt their own local labor relations act or have the provisions of PERA apply. Those entities that elect to pass their own labor ordinances must include provisions for bargaining over wages, hours, working conditions, plus a procedure for handling grievances as well as dispute and impasse resolutions. Those entities that do not act within the 180 day time frame will be deemed automatically designated as electing to adhere to PERA.

Section 2, Section 4, chapter 113 SLA 1972 is repealed.

January 10, 1984

Alaska Department of Labor
1111 West Eighth Street
P.O. Box 1149
Juneau, Alaska 99802

Attn: Jim Robison, Commissioner

Dear Commissioner Robison:

I am writing you regarding a potentially very serious problem concerning a large number of the City of Fairbanks employees. The matter is very complicated, so I will do my best to explain it to you and trust that you are able to comprehend the situation.

First, I guess that it would be best to explain that I am presently employed by the City of Fairbanks as a partsman/supply specialist in their purchasing department. I am a member of Teamsters union local 959 and have been a member of this local for approximately eighteen years. I am covered by a labor agreement between local 959 and the City and have been fortunate enough to have been so for the past six years. I have been appointed as one of the shop stewards on this contract for the past five years and I consider myself fairly knowledgeable regarding this contract, our membership and their feelings.

Even though we were not protected by State "PERA" law for all these past years, there has been a good working relationship between our local and the City Council and City Manager. We have negotiated good and fair contracts for both the City and our members during this period. There have been very few grievances filed and the vast majority of our group have been working in harmony and peace during this period. I guess what I am trying to say is that this has been a good arrangement for both sides.

This contract represents primarily the office/clerical employees of both the City general government and Municipal Utilities System (MUS) plus the Alaskaland Civic Park employees. From the inception of voluntary collective bargaining unit employee representation, this group of employees has been continually well represented by local 959. No other unit has ever shown an interest in our group and historically it has remained the same throughout these years. Even though we were satisfied with our contract and relations with the City, we have lobbied strongly for repeal of the "Koslosky Amendment" to State "PERA" law in order to guarantee municipal employee labor representation to not only our group, but also other city groups who have been denied fair labor representation and contracts. We were very pleased when our City Council saw fit to drop their exemption to the PERA law this past September. Unfortunately, it has also opened up a "can of worms". At the time of the Council's action, 959 and the City Manager were just completing the final stages of negotiations for a new contract. The final draft of this contract was presented to our membership for ratification or rejection shortly thereafter. By an overwhelming majority, our group voted for ratification during a secret ballot election. Seventy-three percent of the group voted in favor of the contract and the same percentage voted in favor of continued 959 representation on a separate

secret ballot a few days later. The contract was subsequently signed into law by the City and local 959 and we continue to work under it at the present time (expiration date of the contract is June 30, 1986).

Unfortunately, three other unions/association saw this as an opportune time to attempt a "raid" of our contract and have filed a representation petition with the labor department. If allowed, these petitions would divide up the present Teamster members between these three unwanted unions with no regard to past historical representation or the desires of the employees. The IBEW has filed a petition listing members of their well established utility workers bargaining unit (linemen, telephone repairmen, etc). Also on this petition, they have included all of the present Teamster clerical employees now and historically represented by local 959. This is a very blatant "backdoor" maneuver attempt to force the clerical workers into something they do not want. The AFL-CIO joint crafts council (which has not represented any City employees since 1979) has also seen fit to include the Alaska-land civic park employees and purchasing department (primarily supply workers) presently under contract between the City and Local 959 on their petition.

In a move to counter these back-door tactics and protect our members, local 959 has seen fit to also file a petition on behalf of the members it has always represented.

During recent labor hearings to sort out these petitions many half-truths and innuendos were presented primarily by the IBEW representative, but the fact will always remain that our present group:

- A) does not desire other than Teamster representation
- B) has historically from inception been represented by local 959
- C) has a "community of interest" among all job classifications as related to interaction, opportunity for advancement and work/condition compatibility.

The vast majority of our unit desires to continue Teamster representation and would consider it an infringement on our rights if forced into another union against our will. If the State labor department sees fit to intervene, our present unit contract petition should be honored first and we be allowed to vote whether or not to remain the same as presently structured. Then if Teamster representation as petitioned is voted down, the other restructuring petitions should be voted on. This would appear to be the only fair solution to a very sticky problem.

If the present Teamster contract is ignored (along with the Teamster petition) by the labor department, this would indeed open up the door to litigation by many of our members who stand to lose on such major items as retirement benefits and health/welfare plan changes, loss of recreation center use and other benefits accrued and vested over the years.

The IBEW representative at the City labor hearings has stated that they "won" at the hearing and is just waiting for the State to complete the briefs before taking over our Teamster positions. This type of loose talk bothers me, as it strongly insinuates that deals have been cut in back rooms behind closed doors. I sincerely hope that this is not the case and that you will honor the historical aspect of our

contract and the desires of the employees and not necessarily those of the union management only.

Sincerely,


Don R. Allmond, Sr.

cc: Governor Bill Sheffield
Jack Chenoweth, Ombudsman
Senate Labor & Commerce Committee - Senator Eliason
House Labor & Commerce Committee - Rep. Furnace
Senator Bettye Fahrenkamp
Senator Don Bennett
Senator H. Pappy Moss
Senator Pat Rodey
Representative Mike Davis
Labor Standards & Safety Division - Randy Carr

International Brotherhood

TELEPHONE
(907) 456-4248
or 456-4249

VERN C. (Bud) CARRISON
BUSINESS MANAGER • FINANCIAL SECRETARY



Local 1547

of Electrical Workers

60 HALL STREET
FAIRBANKS, ALASKA 99701

GEORGE A. ROBERTS
PRESIDENT

April 15, 1983

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Honorable Senator Eliason:

I am writing to you and all the other members of the Senate Labor and Commerce Committee, I cannot begin to stress how badly SB 154 is needed here in Fairbanks. The only way a Union or an Association can be seriously considered by the City Council is by striking or having enough power because of the member's skills to make the City avoid a confrontation. In other words, it's the same as private sector bargaining was before the passage of the National Labor Relations Act over forty-five (45) years ago.

The weaker unions are being picked off one by one. The City employees have no choice in union representation since the City Council only recognizes a Union as the bargaining agent if they wish to do so. They decide which groups of employees will belong to which unit. In the past four (4) years they have not bargained in good faith twice. Once with the Public Works employees which caused a strike and in January of this year with the Police Dept.

This problem is analogous to having them tell us which Church to go to, or whether we can go to Church at all. They make the rates for users of the City Utilities, and they then are the appeals board for complaints. They are the Board of Directors for the Utilities and also decide to bargain or not with Unions. If they were knowledgeable in any or all these areas, I'd probably not be writing this letter. They mistrust the professionals that run the Utilities and the skilled craftsmen and women that make them run. They seem to be afraid that they will lose their power over all aspects of the City.

Senator Eliason
Alaska State Legislature
Page Two (2)
April 15, 1983

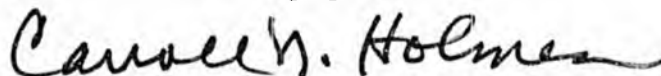
We in organized labor want the right to represent employees who in turn have the right to select the Union they want. We want to be able to bargain with Municipal and Borough governments in good faith without having the worry of whether the other party will back down and put our members out on the street. Union busting is not limited to private enterprise.

I am writing for our members that worry whether the City will negotiate each time the contract comes up. They worry whether they're going to have to move away or whether they should even think about considering buying a house.

Please report SB154 out of your committee intact. The voting members of organized labor working in Fairbanks will appreciate your help very much.

If you have any questions, please do not hesitate to call or write to me. I represent one hundred fifty (150) plus I.B.E.W. employees at the Fairbanks Municipal Utilities System and was employed in the Telephone Dept. there before becoming an I.B.E.W. Business Representative. Thank you for any consideration you will give this matter.

Sincerely yours,



Carroll N. Holmes
Business Representative
I.B.E.W. LU #1547
Unit 102, Fairbanks

CNH/mjs

cc: Vern C. "Bud" Garrison, Business Manager, IEEW LU #1547
Gay Dunham, Assist. Business Manager, IBEW LU #1547, Unit 102
Mickey Rutherford, Bus. Rep., LU #959, Teamsters
Bud Langberg, IUOE LU#302
Art Robeson, U.A. LU#375
IBEW - MUS, Shop Stewards
Jim Robinson, Commissioner
Barry Haight, Fire Fighters Assoc.

Fairbanks Fire Fighters Union

LOCAL 1324

656 SEVENTH AVE.

FAIRBANKS, ALASKA 99701

Peter Stern
PRESIDENT



Wayle LaMountain
SECRETARY

*In reference to
58154*

February 24, 1983

The Fairbanks Fire Fighters Association is a professional organization that represents its members in collective bargaining, promotes continuing professional education of its members, and participates in various charitable activities.

The Association is governed by its locally elected officers, although it is affiliated with the International Association of Fire Fighters. The policies and direction of the Fairbanks Association are established by its own officers and members, thereby enjoying autonomy from the International Organization.

The men and women of the Association work as Fire Fighters, Emergency Medical Personnel, Fire Inspectors and Clerical Staff.

The members are much more than public employees. They are a stable part of the Fairbanks community. Their community involvement extends beyond their professional service. The members participate in a broad range of activities including church, fraternal, charitable, recreational, and political efforts.

The Fairbanks Fire Fighters Association is further characterized by the following:

- | | |
|--|-------|
| 1) Total Members | 51 |
| 2) Total Dependents | 174 |
| 3) Average Number of Years on Fairbanks Fire Dept. | 10.5 |
| 4) Average Number of Years of Residency in Fairbanks | 18.75 |
| 5) Percentage of Membership Who are Property Owners | 98% |

List of Members: Fairbanks Police Department Employees Association

1. Rita Maninger
2. James Barclay
3. John Baus
4. Howard Bezdek
5. Norman Brake
6. Leonard Brown
7. William Buchanan
8. Jan Carnahan
9. Randall Coffey
10. Frank Coletta
11. David Curwen
12. John Drews
13. Debby Flickus
14. James Fitzgerald
15. Henry Hills
16. Wilbur Hooks
17. Andrea Hornbeck
18. Don Johnson
19. Paul Keller
20. David Kendrick
21. Donald Lasage
22. Larry Layman
23. James Lowe
24. Angella Long
25. Barbara Niles
26. Dorothea Purvis
27. David Schlipper
28. Bernadette Stowe
29. Ramona Turner
30. Stephanie Wilson
31. Suzanne Womack
32. Howard Mahler
33. David Maltlen
34. Dennis Martin
35. Raymond Miller
36. Mike Nielson
37. Victoria Poulin
38. Michael Pulice
39. Clifford Ring
40. Marie Scholle
41. Allison Scott
42. Raymond Smith
43. James Stepp
44. Donald Wagner
45. Nancy Walczyk
46. Mark Wayson
47. Perry Williamson
48. Douglas Woolley
49. Evelyn Benson
50. Willie Blackburn, Sr.
51. Linda Elzey
52. Choni Gronmark
53. Theresa Helmers
54. Mary Hendrickson
55. Ly. U. Hoang
56. Holly Hruza
57. Betty Ketzler
58. Martha Lake
59. Adrianna Lewis

In re. to 5B154

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In re. to SB 154

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List of Additional Members of FPD not covered by FPDEA

1. Mathew Klernan, Chief of Police
2. Richard Cummings, Captian
3. Roland Bonneville, Lt.
4. Kenneth Keber, Lt.
5. Gary Vogt, Lt.
6. Jerry Prater, Lt.
7. Victor Gunn, Lt.
8. Craig Forester, Lt.
9. Phillip McCollum, Planning Officer
10. John Kairis, Training Officer

International Brotherhood

of Electrical Workers

TELEPHONE
(907) 456-4248
or 456-4249



60 HALL STREET
FAIRBANKS, ALASKA 99701

VERN C. (Bud) GARRISON
BUSINESS MANAGER • FINANCIAL SECRETARY

GEORGE A. ROBERTS
PRESIDENT

Local 1547

In re. to 5B154

459

August 23, 1982

Honorable Mayor Ruth Burnette
and the City Council of the
City of Fairbanks
Fairbanks, Alaska

Dear Mayor Burnette:

Since the power to recognize Labor Organizations as bargaining agents of City employees and to bargain with them is vested in the City Council and the City Manager of the City of Fairbanks, please consider this a petition from the International Brotherhood of Electrical Workers, Local Union 1547, (herein after called the Union) for the Council to recognize them as the bargaining agent for the employees of the Fairbanks Municipal Utilities System employed in the Wastewater Treatment Department.

The Union has received signed cards authorizing the Union to represent them from approximately eight-five percent (85%) of the twenty-one persons employed in this department.

The Union, after being duly recognized as the bargaining agent, would desire to bargain to gain the following ends for these employees:

To bring the Wastewater Treatment Department under all the provisions of the current Fairbanks Municipal Utilities Agreement (herein after called the Agreement) with their hourly rate to remain the same.

To change their Health and Welfare, pension plan, and fringe benefits from the present plans provided by the City to those provided through the Agreement.

JN re. to SB 154

Honorable Mayor Ruth Burnette
August 23, 1982
Page 2

5 of 9

To add the necessary rules and regulations of the department to the general work rules governing employees in Article 12.13(c) of the Agreement.

The Union will permit a neutral third party of integrity to examine the authorization cards and compare the names of the employees against a list of employees provided by the City to determine their authenticity, if desired.

Your due consideration of this matter will be greatly appreciated by all the parties concerned in this action.

Sincerely,

Carroll N. Holmes

CARROLL N. HOLMES
Business Representative
I.B.E.W. Local 1547
Unit 102, Fairbanks

cc: Greg Oczkus
Vern C. "Bud" Garrison
Gay Dunham

In re. to 3B 154

6 of 9

W.C. Droz, City Manager
 City of Fairbanks
 410 Cushman Street
 Fairbanks, Alaska 99701

January 17, 1983

Certified 6056409

Dear Mr. Droz:

Paragraph 1.2 of the Working Agreement entered into between the City of Fairbanks and the Fairbanks Fire Fighters (Jan. 1, 1981 - Dec. 31, 1983) provides that:

Either party desiring any change or modification in this Agreement shall notify the other party in writing at least sixty (60) days prior to the Anniversary date of this Agreement. . . Upon receipt of such notice negotiations shall begin within fifteen (15) days. . .

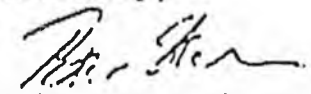
The history of negotiations between the City and its Fire Fighters Union has proven that a sixty day period is insufficient to permit meaningful negotiations and agreement. For this reason, and in the interest of permitting adequate time for negotiations and reflection upon the respective positions of the parties, the Fire Fighters Union has elected to give the City notice as contemplated in paragraph 1.2 at this time.

This is notice that the Fairbanks Fire Fighters want to change and modify this agreement. Proposed changes will include these items:

- Sec. 1 Duration
- Sec. 2 Coverage
- Sec. 3 Employer-Union Relations
- Sec. 4 Grievance Procedures
- Sec. 5 Employee Benefits
- Sec. 6 Working Rules
- Sec. 7 Holidays
- Sec. 8 Sick Leave
- Sec. 9 Annual Leave
- Sec. 10 Pay Days
- Sec. 11 Union Membership
- Sec. 12 Seniority
- Sec. 13 Lay-off and Discharge
- Sec. 14 Shop Steward
- Sec. 15 Jury Duty
- Sec. 16 Safety
- Sec. 17 Wages

The negotiations team for the fire fighters will be at the Laborer's Union Hall, Conference Room, 315 Barnette St. on January 31, 1983 at 10:00am to meet with the city's representative to begin negotiations.

Sincerely,


 Peter Stern, President

Fairbanks Firefighters Association
656 Seventh Avenue
Fairbanks, Alaska 99701

December 15, 1982

In re. SB 154

7 of 9

The Honorable Bill Walley
Mayor of Fairbanks
410 Cushman Street
Fairbanks, Alaska 99701

Dear Mayor Walley:

Recent news articles indicate the City of Fairbanks is changing its view toward employees.

Based on these news releases it has been concluded that the City Council does not intend to renegotiate the current Labor Agreement with the Firefighters, but place its members under a Personnel Ordinance.

If this is true, the Firefighters Association strongly opposes any such change.

The value of Labor Agreements to the employer and employee have been manifest in the City of Fairbanks for a number of years.

The reasoning for such drastic and sweeping change is quite unclear to us.

Sincerely,

Fairbanks Firefighters Association

151

Peter Stern, President

International Brotherhood

of Electrical Workers

TELEPHONE
(907) 456-4248
or 456-4249

VERN C. (MAY) GARRISON
BUSINESS MANAGER & FINANCIAL SECRETARY



60 HALL STREET
FAIRBANKS, ALASKA 99701

GEORGE A. ROBERTS
PRESIDENT

Inv. re. to SB 154

Local 1547

8 of 9

December 21, 1982

The Honorable Bill Walley
Mayor of Fairbanks
410 Cushman St.
Fairbanks, Alaska 99701

Dear Bill,

I had decided to refrain from commenting on the newspaper article mentioned in the enclosed letter. I had thought that you would refute the anti-union bias represented by the Council action concerning the Police Department. Since you did not, the paranoia that strikes MUS workers six months to a year before contract time seems to have some factual basis this year. They all worry whether the City Council will negotiate with the Union or not. If it is true that you do not plan to recognize us (the I.B.E.W.) as the bargaining agent, let us know so that we can have our confrontation now instead of this summer. You may get more mileage out of a strike this summer when everyone wants a new phone.

What secret expertise does the City have that they would be able to recruit enough qualified non-union, out-of-state workers to take over the Telephone and the Electrical Departments?

It perhaps indicates what the City Council really thinks of the citizens of Fairbanks that they would propose to force the City employees to go scab in one of the most pro-union cities in the state?

Better still--why don't you let voters of Fairbanks vote on whether the City should have the right to not bargain with a Union of the employee's choosing?

Page 2
Bill Walley
December 21, 1982

9 of 9

Why not put the Public Employees Relations Act up for a referendum with the voters? Let them decide if they want to bring on more labor unrest as was done when you disenfranchised Public Works, or to have the City bargain in good faith with its employees.

Do you have any idea how unsettling it is to not know whether your employer is going to force you out on the street because you want to maintain the basic right to bargain?

We want the same rights that have been guaranteed to private enterprise for over 45 years on the national level and to state workers for the past 10 years.

Sincerely,

Carroll Holmes

Carroll Holmes
Business Representative
Unit 102, IBEW L.U. 1547

CH/jc
enclosure

cc: Greg Oczkus, Gen. Counsel IBEW
Peter Stern, Fbks. Firefighters
Bud Langberg, F.C.L.C

The Daily Sentinel Sitkans Give Split Views On Municipal Labor Bill

3/24/83

By LAWRENCE STRAUSS
Sentinel Staff Writer

Sitka Mayor John Dapcevic testified this week against state senate bill 154, which proposes to prevent municipalities from opting out of collective bargaining with their employees. But two other Sitkans, Sue White and Chester Schmidt, testified in support of the bill.

The bill, if passed into law, would require municipalities to bargain collectively with their employees.

The teleconference hearing, sponsored by the Senate Labor and Commerce Committee, took testimony from 12 Alaska communities. The Labor and Commerce Committee is chaired by Sen. Dick Eliason of Sitka.

The Alaska Public Employment Relations Act (PERA), passed in 1972, mandates and sets guidelines on collective bargaining. However, PERA also allows municipalities to opt out of collective bargaining if they choose.

Sitka opted out in 1973.

The International Brotherhood of Electrical Workers (IBW) challenged Sitka's action, filing suit against the city in 1977. After five years of litigation, the Alaska Supreme Court ruled in favor of the city's move, saying it was within bounds of PERA.

Similar suits were filed in Fairbanks and Anchorage. The municipalities won in both cases. The city of Petersburg lost a similar case in 1975, according to Sitka City Attorney Peter Hallgren.

At Wednesday's teleconference hearing, Dapcevic urged the committee not to pass the bill. He said city employees here "receive wages and benefits which equal, and in most cases exceed those of other employers within the municipality."

He added: "The PERA Act mandates collective bargaining for public employees, and at the same time allows public employees to enjoy all the benefits and security of a merit system of employment."

Dapcevic called for a collective bargaining agreement or a merit system, not both.

Dapcevic also pointed to declining state revenues as a problem.

"As the revenues of our state and political subdivisions continue to dwindle, the wages and benefits will be coming under increasing public scrutiny."

The mayor also brought up the question of home rule.

"I would ask you why the legislature would wish to dig into day-to-day operations of a home rule municipality, such as Sitka? Isn't our assembly capable of dealing fairly with our employees?"

He added: "In the intervening decade, various unions have investigated putting the question to the Sitka voters by referendum, but so far as we know, no petition has ever been filed."

On the other hand, Sue White, a paralegal in the Sitka District Attorney's Office and a former Sitka School District employee, testified in favor of passing the bill Tuesday.

"I'm in favor of it because I've seen city employees treated with disrespect," White told the Sentinel today. Her husband is a Sitka police officer.

"Too often the employees are offered yes-no propositions."

She thinks collective bargaining is necessary, in order to keep bargaining in good faith.

"The employees really don't have a voice. It's affected morale," she said. "The law would allow employees to have more of a say in what's going on."

Chester Schmidt, a detective with the Sitka Police Department, also testified at the teleconference hearing Tuesday in favor of passing the bill.

The detective said the city can take suggestions from employees, but doesn't have to act on them.

Testimony from around the state split down the middle, with city employees and labor figures, for the most part, supporting the bill and municipal government officials opposing it.

The Mayor of Homer, Earl Cooper, said the negotiations should be handled at the local level.

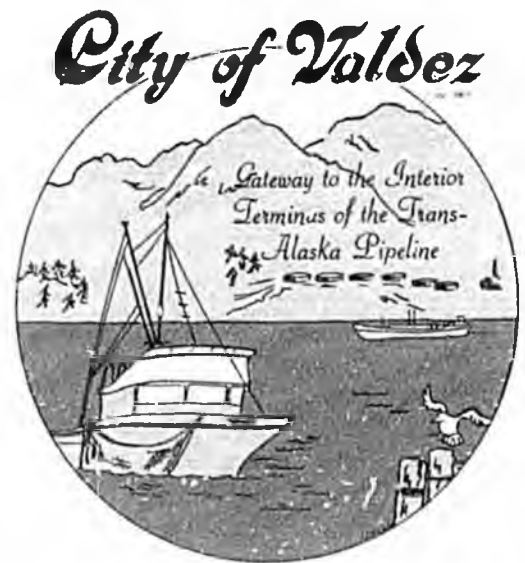
Wayne Thompson, a union man from Ketchikan, on the other hand, testified he thought public employees are treated like second class citizens.

The bill, if passed into law, would add a section to PERA.

The new section would read: "This chapter applies to all public employers including organized boroughs or political subdivisions."

The chapter sets up guidelines for collective bargaining.

OFFICE OF ADMINISTRATION
April 07, 1983



Senator Richard I. Eliason, Chairman
Senate Labor and Commerce Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Eliason:

The City of Valdez is strongly opposed to the passage of Senate Bill Number 154 repealing the municipal exemption option to the Public Employees Relations Act set forth in Section 4, chapter 113, S.L.A. 1972.

Valdez rejected the provisions of the Public Employees Relations Act by passing and approving Ordinance Number 7518 on September 02, 1975. We continue to believe it is in the public interest that the City of Valdez and any other municipality retain the freedom to set up its own labor ordinances and systems and not become bound by the provisions of this act. Collective bargaining should not become a matter of "State concern" for its cities and boroughs.

Thank you for your consideration.

Respectfully,

CITY OF VALDEZ, ALASKA

A handwritten signature in cursive script that reads "Jim Watson".

Jim Watson
City Manager

kw/lma

NORTH SLOPE BOROUGH

OFFICE OF THE MAYOR

P.O. Box 69
Barrow, Alaska 99723
Phone: 907-852-2611

Eugene Brower, Mayor



April 6, 1983

Senator Richard I. Eliason, Chairman
Senate Labor & Commerce Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

AS 23.40 defines guidelines for recognition of collective bargaining units by municipal governments. Reasonable wages and improved working conditions for municipal workers are dealt with in this section. Section 4, Chapter 113, SLA 1972 implements, for municipalities capable, an option from compliance with AS 23.40.070.

The North Slope Borough subscribes to the exemption through NSB Resolution 11-78. The NSB has wages and benefits comparable to the State of Alaska guidelines which ensure the welfare of its personnel. Wages and benefits in some cases surpass requirements and guidelines by collective bargaining units. This anomaly to guidelines of collective bargaining units should not be construed as indifference or as upstaging the bargaining units but as a matter of concern by the NSB that employees get fair and equitable wages to enjoy a standard of living as elsewhere in the State. Retention of employees, high cost of living in the North Slope - especially in our rural villages, provision of improved health and retirement benefits are just some of our reasons for opting from PERA.

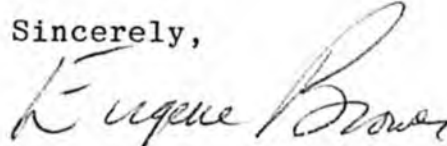
Our Home Rule Charter specifically calls for recognition of collective bargaining in its personnel section. Our Assembly through Resolution 11-78 determined in the best interest of the NSB to provide services to its personnel.

Removal of option from PERA only serves to restrict benefits provided for employees by the NSB.

Senator Richard I. Eliason
April 6, 1983
Page Two

We urge you, the members of the Senate Labor & Commerce Committee, to act in the best interests of responsible government not to restrict our Home Rule Charter by imposing restriction to services provided especially for our employees. We urge you to continue to provide an option, for those capable, from requirement to the PERA Act.

Sincerely,



Eugene Brower, Mayor

cc: Senator Bob Mulcahy, Vice Chairman
Senator Don Bennett
Senator Patrick Rodey
Senator John C. Sackett