



APPROVED

DATE 6/8/10 BY CSC/np

**PIERCE COUNTY CIVIL SERVICE COMMISSION
MINUTES OF REGULAR MEETING
Tuesday, April 13, 2010**

AGENDA ITEM I: Call to Order

The regular meeting of the Pierce County Civil Service Commission (PCCSC) for Sheriff's Employees was called to order at 5:02 p.m. on Tuesday, April 13 2010. The meeting was held in Conference Room D, Hess Building, Organizational Development and Training entrance, 901 Tacoma Avenue South, Tacoma, Washington.

COMMISSIONERS PRESENT: Commissioner Richard Sokolowski, Chair; Commissioner Gail Merritt-Smith; Commissioner Michael Branchini

STAFF PRESENT: Sandy Pietz, Chief Examiner; Phil Prettyman, Deputy Prosecuting Attorney

AGENDA ITEM II: Approval of Minutes - Regular Meeting, March 9, 2010

It was moved by Commissioner Branchini and seconded by Commissioner Merritt-Smith to approve the minutes from the March 9, 2010, special meeting. The motion carried.

Chair Sokolowski re-ordered the agenda and moved item III, Classification Title Change -- Corrections Officer to Corrections Deputy to agenda item V.

AGENDA ITEM III: Request by Department to Reinstate Register

Chair Sokolowski advised this item is continued from the March 9, 2010, meeting and that the Commission had requested a legal opinion from counsel. He stated the legal opinion presented by Phil Prettyman, Deputy Prosecuting Attorney, states that the Civil Service Rules do not permit the extension of a register after it has expired. In addition, Mr. Prettyman provided an opinion from Chris Quinn-Britnall, dated 1995, that affirms this opinion.

It was moved by Commissioner Branchini and seconded by Commissioner Merritt-Smith to deny the department's request to reinstate register #4138 for Correctional Officer. The motion carried.

AGENDA ITEM IV: Separation Appeal -- Schedule Hearing Date -- John Ussery

Chair Sokolowski stated after all parties had been contacted regarding a date for the hearing of appeal from John Ussery, June 29th is the date all are available.

It was moved by Commissioner Merritt-Smith and seconded by Commissioner Branchini to schedule the hearing date for Mr. Ussery's appeal on June 29, 2010. The motion carried.

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AGENDA ITEM V: Classification Title Change – Corrections Officer to Corrections Deputy

Undersheriff Eileen Bisson addressed the Commission and explained that at the March 9, 2010, meeting, it was suggested that possibly employees had not had sufficient time to review and understand the information regarding the name change and the department's intent. She provided the Commission with the Strategic Initiative for the Sheriff's Department and additional information regarding the process and timeframes. She stated there were approximately 24 different dates that the strategic initiative group met beginning in 2008, running through 2009 and continuing now. She referred to an e-mail in 2009 from the Sheriff providing information for question and answer periods; in addition, the draft initiative was placed on the share WEB so all employees could see it, including a video from the Sheriff explaining how the initiative got started, the Strategic Initiative Team, and that a name change for Correctional Officer to Correctional Deputy was being considered.

In response to a question, Undersheriff Bisson noted that the Strategic Initiative Team was comprised of all levels of commission staff from corrections and deputies, as well as support staff. She noted various dates and actions where the department had provided information to employees regarding the Strategic Initiative and the proposal to change the Correctional Officer title. She stated there is not an intent to change the job duties of Correctional Officer in any way, and that the request is only to change the job title.

Corrections Chief Martha Karr explained that the job of working in the jail has become a career and a profession, and those working in the jail are no longer called jailers or guards. She added that there is now a degree program in the corrections field, and that it is a law enforcement career path. She noted that WA Department of Corrections lowered their standards and conducts their own academy, so that they no longer meet the Pierce County standards for Correctional Officer. In addition, numerous jurisdictions nation-wide have changed the title of corrections personnel to either Correctional Deputy or Custodial Deputy.

Undersheriff Bisson reiterated that the Department does not want to make any changes to job duties.

In response to a question regarding the inclusion of the unions, Undersheriff Bisson noted that the Strategic Initiative Team included members of the labor groups, although the members were not representing labor.

Lt. Cyndie Fajardo, Guild President, told the Commission that a survey of Guild members had been conducted and that the members opposed the name change. She stated there was concern about changing the name of Deputy Sheriff to Law Enforcement Deputy.

Detective Debbie Heishman stated she wanted to clarify some information that was brought up at the last meeting. She noted that the testing process for Correctional Officer and Deputy Sheriff are not the same, the academy is different, there are two separate mission statements and operations manuals and there are two different unions representing the employees. She stated that the Strategic Initiative information includes expanding the scope of the corrections jobs to assignments such as dive team, swift water and search and rescue, and that this would take money away from deputies.

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Capt. Marvin Spencer stated that there are similarities in the two jobs, there is respect for each other and the jobs we do, but it is incorrect that the Deputies will lose their jobs because of this name change.

Correctional Lt. Hal Stewart told the Commission that the job of Correctional Officer has changed, that even though there are two operations manuals there is one overall Department manual covering the whole department, and that the Federal government recognizes corrections as law enforcement.

Undersheriff Bisson referred to Lt. Fajardo's statement regarding changing the job title of Deputy Sheriff to Law Enforcement Deputy, and stated that there is no intent to change the name of Deputy Sheriff. She noted she had used that terminology solely to explain what the department was trying to do and that there is no change recommended for the Deputy job title.

Chair Sokolowski asked if there is a long-term desire to change the Correctional Officer job into something different than it is today, and noted the proposed expansion of their skills into other areas. Undersheriff Bisson answered no, there is no intent to change the job in the future. There was explanation and discussion of Sheriff's Department special assignments and the employees who serve in those capacities. There was further discussion regarding long-term impact of the name change. Undersheriff Bisson stated that there are two separate bureaus in the department, it has never been that an employee begins as a Correctional Officer and automatically goes to Deputy. She stated they are two very different jobs, and it is not the intent of the department to morph them into one job.

Commissioner Sokolowski asked what is the advantage to the department of making this change. Undersheriff Bisson stated that it recognizes the evolution of the job and the professionalism of the job.

Lt. Fajardo asked if there is a reason this change needs to happen now, and stated her opinion that the issue has caused a division in the unity of the two groups. She noted that overwhelmingly the Guild members have stated they are opposed to this request. She stated she feels more education needs to be done by the Department before making the title change.

Det. John Jimenez explained part of his history as a deputy and a member of the military, and stated that perhaps an up-to-date draft strategic initiative could be provided so everyone can review it and see what's really there and what the long term goal is.

Correctional Officer Jarvis Harris stated he loves being a Correctional Officer and does not see a difference in the titles.

Capt. Spencer explained department history of deputy and correctional officer duties in the court. He stated there are some areas where the two merge or are similar, and that the title change may also improve the professionalism for the long-term.

Correctional Officer Julie McArthur told the Commission she is on the honor guard and that the honor guard is comprised of both Deputies and Correctional Officers. She stated to her the title doesn't matter, and that the two groups are able to work together on the honor guard.

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Correctional Officer Steve Berry said that the name change makes sense; that in municipalities there are police officers and correctional officers and in sheriff's departments there are deputies, and officers are deputized. He stated that Correctional Officers are deputized under their commission.

Correctional Sergeant Doug Johnson, Corrections Guild President, stated on behalf of the correctional officers, there is no intention of taking jobs from the deputies, that this is a title change in name only, and gives us more of a community of interest working side by side. He stated putting off the name change is not going to change anything.

Correctional Lt. Stewart noted similarities in the two jobs such as correctional officers serving in the Background Unit as investigators, a correctional officer serving as training officer, and a correctional officer assigned as range officer.

Det. Heishman stated that there are also Animal Control Officers, Property Room Officers and Community Service Officers that have limited commissions, and that deputies are trained completely differently.

Correctional Officer Bruce Parks stated he is a range officer and has had the exact schooling that his counterparts on the deputy side have had, and that there are different curriculums.

Correctional Officer Berry stated that other positions such as animal control officers are not law enforcement but that corrections is law enforcement.

Leann Paluck, representing the Deputy Sheriff's Guild, stated that the name change is a big issue with members of the Guild, that it is creating animosity and concern, and that it is a very big deal with the members.

Deputy James Wilson stated there are concerns as to what will happen down the road, and that putting correctional officers in special assignments may, if they are confronted with a law enforcement situation, put them at a disadvantage. He noted that the concerns that have been expressed to him by other Guild members are regarding the specialized units and attachments being invaded and that liability will be pushed from one to the other and we are not prepared for that.

Capt. Spencer noted that the Washington State Attorney General considers correctional officers as law enforcement.

Chair Sokolowski stated his concern that the concerns that are creating tension between the two groups have not been worked through. He stated that right now it does not appear that a change in duties is being considered, but there have been some changes over time, so it's difficult to proceed in the immediate situation.

Commissioner Branchini stated that, as a resident of Pierce County, the work everyone does is appreciated and he thinks it's unfortunate that there is this divide about a job title. He further stated that he thinks the department needs to make some progress, to move forward, and he would vote for the name change if it was to be voted on at this meeting. He encouraged all parties to talk to one another to try to work through the issues.

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Commissioner Merritt-Smith stated her agreement with Commissioner Branchini, and that she does not hear an intent to change duties. She agreed it is unfortunate that there hasn't been more discussion on the initiative. She noted that both sides have said they love what they do and that they want to keep a distinction in job descriptions. She stated that if some time down the road changes to job duties are considered that it would be an issue for labor-management, HR and the Commission. She remarked that if additional assignments are made in the future, that it seemed there would be additional training for those individuals.

Commissioner Branchini stated he respects what employees are saying, but that he would like to get beyond the us vs them, and that we're all on the same team. He stated as a citizen, he expects that of the Sheriff's Department.

A member of the audience stated to the Commission that if there are new drafts to the initiative then they should be put out to all employees so everyone can be on the same sheet of music.

Undersheriff Bisson stated that representatives of both deputies and correctional officers have been involved in the strategic initiative process which has been going on for over a year, that it is a working document, that the department is not making significant changes in terms of changing people's job duties. She recognized the fear going on that if the department does this, what will they do down the road. Undersheriff Bisson stated that the Sheriff feels this is an appropriate decision at this time.

Commissioner Branchini moved to approve the classification title change as proposed by the department from Correctional Officer to Correctional Deputy. Commissioner Merritt-Smith seconded the motion and the motion carried.

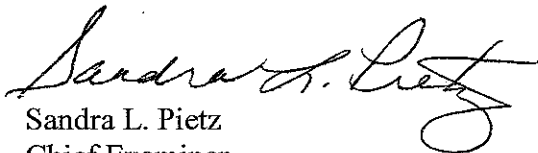
Commissioner Sokolowki directed that the Chief Examiner stay in communication with both sides and make sure that she is aware of any changes in the duties and responsibilities and that she be kept informed of that, and that the Chief Examiner keep the Commission informed.

AGENDA ITEM VI: Next Meeting

The next regular meeting of the Civil Service Commission is scheduled for May 11, 2010.

ADJOURN: There being no further business to come before the Commission, the meeting adjourned at 6:34 p.m.

Respectfully submitted:



Sandra L. Pietz
Chief Examiner