

DISTRICT OF COLUMBIA
WATER AND SEWER AUTHORITY

Board of Directors

*Human Resources and Labor Relations
Committee*

Wednesday, July 11, 2012
11:00 a.m.

- 1. Call to orderKathleen Boucher
Vice-Chair
- 2. Amendments to the 401(a) and 457(b) Retirement Plans.....Otho Milbourne
Manager, Benefits
- 3. [Compliance Plan – Arbitration Decision – Team Blue](#).....C. Mustaafa Dozier
Manager, Labor Relations
- 4. [Grievance & Arbitrations Update – Tracking & Monitoring](#).....C. Mustaafa Dozier
Manager, Labor Relations
- 5. Strategic Plan Review.....Christopher J. Carew
Chief of Staff
- 6. Open Discussion
- 7. Executive Session..... Kathleen Boucher
- 8. Adjournment..... Kathleen Boucher

¹ The DC Water Board of Directors may go into executive session at this meeting pursuant to the District of Columbia Open Meetings Act of 2010, if such action is approved by a majority vote of the Board members to discuss: matters prohibited from public disclosure pursuant to a court order or law under D.C. Official Code § 2-575(b)(1); contract negotiations; under D.C. Official Code § 2-575(b)(4); collective bargaining negotiations; under D.C. Official Code § 2-575(b)(9); personnel matters.



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Compliance Plan for Implementing Team Blue Arbitration Award

TASK	DATE COMPLETED
<p>Post the notice included in the decision, signed by the General Manager, for 30 consecutive days in places where notices for AFGE 631 are usually posted.</p>	<p>Posted on February 9, 2012 Posting removed on March 12, 2012</p>
<p>Terminate the Team Blue Safety Team and cease its activities unless and until the Union and/or the contractual Safety Committee agree to its re-establishment.</p>	<p>Implemented on February 9, 2012 Status: Ongoing</p>
<p>Cease and desist from bypassing the Union in any manner, including holding formal meetings with unit employees without giving the Union prior notice of those meetings and an opportunity to participate fully in them. Formal meetings are defined as any meeting held (other than to give routine direction) held with union employees (of any number) to discuss personnel policies, practices or working conditions.</p>	<p>Implemented on February 9, 2012 Status: Ongoing</p>



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Status of Grievances for FY 2012 as of June 30, 2012

AFGE 631

CLOSED on November 1, 2011 – Union Abandoned by Failing to File for Arbitration

Failure to Provide Information

Rep: Barbara Milton

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: N/A

CLOSED on December 1, 2011 – Union Abandoned by Failing to File for Arbitration

Discourteous Treatment by Supervisor

Rep: Barbara Milton

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: N/A

CLOSED – Union Won on February 2, 2012

Team Blue-Failure to Bargain

Rep: Barbara Hutchinson Esq.

Authority: Mustaafa Dozier, Manager Labor Relations

Arbitrator: Barbara Franklin

Deborah Leahy, Labor Relations Specialist

CLOSED on March 15, 2012 – Union Abandoned by Failing to File for Arbitration

Unilateral Change to Umpire Rotation for Disciplinary Grievances

Rep: Barbara Milton

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: N/A

PENDING – Arbitration Panel Received on May 26, 2009 Union has not met to choose arbitrator

Duty Station Testing in WWT during FY10

Rep: Barbara Milton

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: TBD

PENDING – Arbitration Panel Received on January 12, 2011 Union has not met to choose arbitrator

Unilateral Change Regarding Overtime

Rep: Barbara Milton

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: TBD

PENDING – Union has not provided hearing dates to Arbitrator or Authority

Duty Station Testing in WWT during FY11

Rep: Barbara Milton

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: Michael Murphy

PENDING – Arbitration Panel Received on February 3, 2011 Union has not met to choose arbitrator

Unilateral Change to Time Clock Swipe Location and Overtime

Rep: Barbara Milton

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: TBD

PENDING – Union cancelled scheduled hearing and has not provided new dates to Arbitrator or Authority

Violation of Merit Staffing and Job Placement

Rep: Barbara Hutchinson, Esq.

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: Susanne Butler

AFGE 872

CLOSED on October 11, 2011 – Union Abandoned by Failing to File for Arbitration

Misuse of Article 35

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: N/A

CLOSED on March 6, 2012 – Union Abandoned by Failing to File for Arbitration

Retro Pay from 2006 Disciplinary Case

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: N/A

CLOSED on May 3, 2012 – Union Abandoned by Failing to File for Arbitration

Failure to assign two employees for hydrant work

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: N/A

CLOSED on October 11, 2012 – Union Abandoned by Failing to File for Arbitration

Misuse of Article 35

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: N/A

CLOSED on July 6, 2012 – Union Abandoned by Failing to File for Arbitration

Violation of Merit Staffing and Job Placement

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: N/A

PENDING – Arbitration Panel Received in March 2011 Union has not met to choose arbitrator

Denial of Official Time

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Kevin Jenkins

Arbitrator: TBD

PENDING – Arbitration Panel Received on July 7, 2011 Union has not met to choose arbitrator

Combining RW-8s and RW-10s and requiring all to have CDLs

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: TBD

PENDING – Authority issued Step 1 Response on July 2, 2012 Union has until July 17, 2012 to appeal

Violation of Articles 3 and 19

Rep: Jonathan Shanks

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: TBD

AFGE 2553

PENDING – Arbitration Notification Received on March 16, 2011 Union has not met to choose arbitrator

Failure to Pay Triple Time on Holidays

Rep: Charles White

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: TBD

PENDING – Arbitration Notification October 7, 2011 Union has not met to choose arbitrator

Contracting out work

Rep: Charles White

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: TBD

PENDING – Arbitration Notification Received on March 16, 2011 Union has not met to choose arbitrator

Failure to Pay Triple Time on Holidays

Rep: Charles White

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: TBD

PENDING – Authority issued Step 1 response on June 15, 2012 Awaiting Union Appeal

Temporary Assignment

Rep: Charles White

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: TBD

AFSCME 2091

PENDING – Arbitration Notification Received on March 23, 2011 Union has not met to choose arbitrator

Failure to Pay Triple Time on Holidays

Rep: James Ivey

Authority: Christal Mims-Williams, Labor Relations Specialist

Arbitrator: TBD

PENDING – Arbitration Notification Received on March 24, 2011 Union has not met to choose arbitrator

Equal Pay for Equal Work in Different Job Descriptions

Rep: James Ivey

Authority: Charles Zamstein, Labor Relations Specialist

Arbitrator: TBD

PENDING – Arbitration Notification Received on April 5, 2011 Union has not met to choose arbitrator

Violation of Merit Staffing and Job Placement

Rep: James Ivey

Authority: Christal Mims-Williams, Labor Relations Specialist

Arbitrator: TBD

NAGE

PENDING – Waiting for Union to Provide Hearing Dates to Arbitrator and Authority

Desk Audit Failed to Provide Promotion

Rep: Michelle Hunter

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: John Alfano

PENDING – Union and Authority are Attempting to Settle Issue

Contracting Out (Backfilling position until new employee hired)

Rep: Michelle Hunter

Authority: Deborah Leahy, Labor Relations Specialist

Arbitrator: TBD

ALL UNIONS

PENDING – Awaiting Hearing Dates from Arbitrator

Failure to pay FY12 Performance Bonus

Rep: Barbara Hutchinson, Esq.

Authority: Mustaafa Dozier, Labor Relations Manager

Arbitrator: Marvin Johnson

**General Grievances
Annual by Union
(As of June 30, 2012)**

	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	Total
AFGE 631	8	7	5	9	1	30
AFGE 872	4	4	2	7	5	22
AFGE 2553	2	0	3	7	1	13
AFSCME 2091	6	8	4	7	0	25
NAGE R3-06	4	1	1	0	1	7
ALL UNIONS	0	0	0	0	1	1
Total	24	20	15	30	9	98



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Response to HR/LR Committee

Information request regarding Acting Assignments

I. Criteria for selection

The appropriate manager selects the employee for the acting assignment and forwards a Personnel Action Report to the Compensation unit to initiate the process. These assignments are subject to Human Capital Management (HCM) review to ensure minimum qualifications are met and to determine appropriate compensation.

II. Compensation

Employees selected for acting assignments are compensated based on the Authority's promotion policy.

Non-union acting compensation is 8% per grade increase

A union employee's acting compensation depends on the pay scale they are currently under along with pay scale of the "acting position. The union employee must be in the acting position for more than 20 consecutive workdays to receive the higher pay.

The minimum increase for a union employee moving into an acting assignment is 4%.

III. Experience Consideration

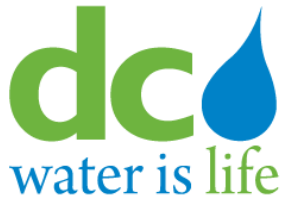
An internal applicant must be in an acting assignment for a minimum of 4 months to be counted towards the experience requirement for the position

IV. Assignment Duration

- Per the collective bargaining agreement, union employees' acting assignments shall not exceed 120 days.
- Non-union employee assignments are not restricted to the 120 day assignment limit.

V. Assignment Duration

Exception to the above are at the discretion of the General Manager



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VI. Comparison to other local organizations

10 organizations surveyed (no response received from PEPCO)

Organization	Formal policy	Consider Acting Exp in hiring	Add'l compensation
WSSC	Yes	Yes	Yes
Prince George's County	Yes	Yes	Yes
DC Gov't	Yes	Yes	Yes
Prince Wm Cty	Yes	Yes	Yes
BGE	Yes	Yes	Yes
Loudon Cty	No	N/A	N/A
Fairfax Cty	No	N/A	Yes
Montgomery Cty	No	N/A	Yes
Constellation Energy	No	N/A	N/A