



**DISTRICT OF COLUMBIA  
WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**  
Human Resources and Labor Relations  
Committee  
May 8, 2013

**MEETING MINUTES**

**Committee Members Present**

Howard Croft  
Alan Roth  
Carla Reid  
Kathleen Boucher

**DC Water Staff Present**

Katrina Wiggins, Chief of Staff  
Randy Hayman, General Counsel  
Rosalind Inge, Acting AGM  
Linda R. Manley, Board Secretary

**Union Presidents Present**

Michelle Hunter, NAGE R3-06  
Barbara Milton, AFGE 631  
Jonathan Shanks, AFGE 872

**1. Call to Order**

Kathleen Boucher, Chairwoman, called the meeting to order at 11:34 a.m.

**2. Union Presidents Promotions and Workplace Violence**

- A. **Workplace Violence** - Jonathan Shanks reiterated concerns about DC Water's Workplace Violence Policy which he had previously discussed with the Committee at its meeting on February 13, 2013. He restated his belief that the policy was being used as a means of punishing outspoken individuals. Ms. Boucher noted that Mr. Shanks had first raised this concern in February and that the Committee had asked the General Counsel to review the Workplace Violence Policy to determine whether it reflects best practices, including those that relate to protections for both complainants and employees against whom complaints are lodged. She asked the General Counsel for an update on that review. Randy Hayman explained that he is currently reviewing the policy and will make a presentation at the next Committee meeting on July 10, 2013. Ms. Boucher also reminded Mr. Shanks and the other Union Presidents that she had asked them to provide to management written comments on the Workplace Violence Policy. She

stressed that it would be helpful for the Union Presidents to identify in writing any specific concerns they have about the policy.

Mr. Shanks also extended his gratitude to the Committee members and complemented Charles Kiely, AGM, Customer Care & Operations, for his assistance in resolving employee claims.

- B. **Promotions** –Mr. Shanks reiterated a concern that he previously expressed to the Committee at prior meetings about whether DC Water gives employees a fair opportunity to compete for internal promotions. He again noted that many employees have complained that less than optimum interviewing skills, Commercial Driver's License (CDL) restrictions, etc., were not valid reasons for disqualifying internal candidates. Ms. Boucher noted that Mr. Hawkins had previously agreed to undertake an analytical review of policies and practices relating to internal promotions and that the Committee's agenda actually included a briefing on that topic. Ms. Boucher also noted that Mr. Hawkins had previously agreed to report back to the Committee on whether it made sense to create a waiver or exception process relating to the CDL requirement in some situations. That report will be added to a future Committee agenda.

- C. **Arbitration Decision Regarding Bonus Payments for Union Employees** - Barbara Milton expressed her support for the March 26, 2013 decision by the Arbitrator handling a grievance which had been filed by the unions alleging that DC Water violated the unions' Collective Bargaining Agreements (CBAs) by refusing to pay performance bonuses for the rating period ending March 31, 2012. DC Water staff discussed the meaning of the Arbitrator's decision. Ms. Boucher noted DC Water did not make the performance awards because all of the applicable CBAs had expired on September 20, 2011. However, the Arbitrator ruled that the relevant provisions of the expired CBAs, which relate specifically to performance bonuses, remain in effect until new CBAs are signed. DC Water staff explained that they would not appeal the Arbitrator's decision and that they were in the process of taking steps to comply with the decisions. Ms. Milton conveyed her gratitude to DC Water for not appealing the Arbitrator's decision and to George Hawkins, Mustafa Dozier and Katrina Wiggins for moving forward to process the performance bonus payments. .

3. **Acting Assignments** – At previous Committee meetings, several Union Presidents expressed concern that union employees could not count experience in Acting positions as required experience when applying for the permanent position. At this Committee meeting, DC Water staff provided an overview of the policy governing acting assignments.

Mr. Green shared a presentation document showing that a union employee who is in an Acting position for more than 20 days receives higher pay depending on the pay scale that the employee is under along with the pay scale of the Acting position. Ms. Milton noted that the PowerPoint presentation referred to 20 "cumulative" days. Mr. Green clarified that the

policy actually refers to any incremental accumulation of 20 days. He agreed to revise the language of the presentation to more accurately reflect the DC Water policy. The minimum increase for an Acting employee is 4% of the employee's current salary.

Mr. Green explained that, in 2012, DC Water began to give non-union employees credit for time served in Acting positions when applying for the permanent job. This step was taken after DC Water conducted a market analysis which showed that most employers count acting assignments as experience on the job. However, this type of credit is not currently available to union employees because it is being addressed during collective bargaining negotiations regarding working conditions and temporary assignments. Howard Croft asked if the collective bargaining agreements precluded the change going forward immediately. Mustaafa Dozier explained that the issue relates to other issues regarding temporary assignments and that DC Water had already offered at the bargaining table to make this change for union employees. He stressed that CBAs must be considered as a total package.

4. **Hiring/Promotions Statistic** – At a previous Committee meetings, the Union Presidents raised the issue of whether union employees get a fair chance at promotions when compared to non-union employees and outside candidates. At this Committee meeting, DC Water management provided an overview of its hiring and promotions process/criteria.

Steve Rogers, Compensation Manager, presented DC Water's non-union and union promotion statistics covering the three year period, 2010 thru 2012. Based on their populations, both groups reflected a 6% rate of promotion during this time period. Of the total number of employees promoted 60% were union and 40% non-union.

In response to Carla Reid's comment regarding external vs internal hiring percentages, Ms. Wiggins pointed out that 65.4% of new hires were external vs 34.6% internal.

Regarding process, Mr. Green explained the he personally reviews applications of internal candidates if they are denied a job promotion to make sure that they are not a good match for the job. He understands that some people who can be good matches for a job do not interview well and may not present themselves well. DC Water has developed an outreach program to employees to help them do their best in interviews.

Mr. Croft asked about the job posting process. Denyse Jeter Williams explained that jobs are first posted internally for 10 days before they are posted externally. Internal candidates also get extra help at the other end of the process because they can submit resumes even after the application deadline – anytime up until the interview stage.

Mr. Rodgers stressed that it is important for employees to take responsibility for increasing their chances for promotions by seeking additional training, certification, and educational opportunities. He stressed that DC Water has a very generous tuition assistance program for employees. The Committee agreed with this important point.

Mr. Roth noted that DC Water's hiring and promotion policies relate directly to the goal of recruiting and retaining a highly qualified workforce which is a component of the Board's Strategic Plan.

Mr. Croft expressed his belief that union/labor partnerships – separate from collective bargaining – hold potential for supporting this strategic goal. He cited "Kaiser Health" as a good model for labor management relationships. Mustafa Dozier stated that some work is already underway in this area but that he is focusing on high priority issues now and will be able to focus on other issues over time.

Mr. Shanks questioned the composition of hiring panels as it relates to panelists knowledge and qualifications of job duties. Ms. Jeter-Williams stated that panel members are qualified to serve and have the requisite knowledge, skills and abilities to adequately select the best candidate for the position(s). Typically, a panel includes an at least one internal person who knows the job and one external person who can bring objectivity. In addition, she stressed that the Learning and Development team in Human Capital Management had developed programs to help employees develop interview skills and other training and education. She noted that she could provide data regarding employees who were unsuccessful in obtaining a promotion and who later obtained a different promotion after seeking job training or educational opportunities. The Committee urged the Union Presidents to encourage personal accountability within their membership so that employees take advantage of career development opportunities and do not rely solely on management.

Mr. Roth noted that no system is perfect and there are risks involved in loading an interview panel with "buddies" of internal applicants. He noted that the DC Water hiring and promotion process appears to be reasonable and objectively fair.

- 5. Executive Session** - The Committee went into an Executive Session at 1:05pm. The Committee reconvened into the public meeting at 1:23 p.m. and adjourned at 1:25 p.m.

#### **FOLLOWUP ITEMS:**

1. Mr. Shanks agreed to provide written comments and/or recommendations on DC Water's Workplace Violence Policy to the General Counsel in the next two-weeks.
2. The General Counsel will provide a briefing on the Workplace Violence Policy, including his opinion as to whether the policy reflects best practices and recommendations for improvements that could better protect both complainants and employees against whom complaints are lodged.
3. DC Water management will report back to the Committee on whether it makes sense to create a waiver or exception process relating to the CDL requirement in some situations.

4. DC Water staff will review outstanding follow-up items from prior Committee meetings and propose a timeline for addressing each of those items.