

ALASKA LABOR RELATIONS AGENCY
Minutes of annual business meeting
Friday, October 19, 2018

1. CALL TO ORDER and ROLL CALL.

Vice Chair Lee Holen called the meeting to order at 9:58 AM; a quorum was present. Vice Chair Lee Holen, and Member Lon Needles were present in the room. Members Matthew McSorley and Mila Cosgrove attended telephonically. Staff members Nicole Thibodeau, Tiffany Thomas, and Margie Yadlosky were present. Kimber Rogers and Mike Schechter were present from the Attorney General's office.

2. INTRODUCTIONS FROM NEW BOARD MEMBER AND AAGS.

New member Mila Cosgrove introduced herself to the board. Member Cosgrove is the Deputy City Manager for the City and Borough of Juneau. She has 30 plus years of experience in Human Resources and Labor Relations. From the Attorney General's office were Kimber Rogers and Mike Schechter. Mr. Schechter works in the Special Litigation Section.

3. APPROVAL OF MINUTES (from October 6, 2017 Business Meeting).

Member Needles moved to approve the minutes of the October 6, 2017 meeting. The motion carried.

4. OLD BUSINESS

A. STATUS OF PENDING CASES

1. Currently 17 cases are pending before the Agency. There are 15 ULPS, 1 RC, and 1 CBA. Five cases are pending hearing; three are set for hearings. Eleven are in the investigate stage; five are active; six are in abeyance. One election is pending.

B. BUDGET

1. Currently the Agency is in the process of FY20 budget development. In FY19 the Agency was approved for a contract for a new database called Prolaw. The Agency expects to start work on that in January. It should streamline some processes including case management and reporting. In addition it allows the Agency to move away from the Access database. The contract was approved for \$33,000. A big portion of the services are to be completed in FY19. The Agency expects some room in the budget in FY20 to finish up any outstanding needs with ProLaw.

The Agency's budget is lean as usual. The Agency is still in the process of creating the FY20 budget, but some travel is expected in FY20.

C. ACTION ITEMS.

1. Regulations update. Two proposals pending

Staff had been asked to review all outstanding regulations projects including the proposed forgery procedure regulation and the contracts negotiations regulation. After reviewing the regulations proposals, the staff meant to bring its findings to the Board in the spring. Because *Janus v. AFSCME*, was pending, the board decided to wait for the outcome of *Janus* to determine next steps. Now staff request until after the legislative session to determine next steps with regulations. Member Needles moved to table further action on the regulations project to allow staff until after the legislative session ends to come up with action on a regulations project. The motion carried.

2. AO No. 266

The purpose of AO 266 is to make regulations consistent with statutes and to create efficiencies overall. It's an annual requirement to report on regulations to the Commissioner and to the Governor. The Board must approve any request to modify ALRA regulations. At this time staff proposes no changes to regulations in order to comply with AO 266.

3. Training update

After years of being unable to fund staff training, Ms. Thibodeau attended mediation training at the NJC; Ms. Thomas was unable to attend at this time. In addition, Ms. Thomas and Ms. Thibodeau attended a rigorous online evidence class for administrative law judges; all three staff took an online writing course; Ms. Thomas attended some free webinars through the FMCS on conflict resolution. Staff is appreciative that there is room in the budget for training.

4. ALRA Conference 2018 Update:

Ms. Thibodeau and Member Cosgrove attended the 2018 Association of Labor Relations Agencies or 'Big ALRA' Conference in Boston. Previous members had expressed high regard for this conference after they had attended and Ms. Thibodeau and Member Cosgrove similarly enjoyed their experience. Specifically it was beneficial to meet and learn from the people around the country who do the same work as the staff and Board of ALRA.

5. NEW BUSINESS

A. Update on pertinent Supreme Court opinions.

Janus v. AFSCME, is the only pertinent decision and it makes compelled agency fees unconstitutional. When asked, the Agency has informed the public that the ALRA Board addresses live controversies and it does not make policy.

B. Training Update – NJC Civil Mediation Training Course in May 2019.

Despite the tightening of the budget and the unanticipated expense of the Crockett litigation, the Agency expects enough funding will be available to send Ms. Thomas to mediation training at the NJC later in the year.

C. ALRA Conference 2019.

In July 2019 the 'Big ALRA' Conference will be held in Cincinnati. The expense will come out of the FY20 budget if funding is available and Ms. Thomas would go along with another person if funding is available.

D. Board Member Update

1. Board Member term update.

Chair Ward and Member McSorley's terms expire on March 1, 2019. Member Cosgrove was appointed on January 3, 2018, and her term expires on March 1, 2020.

2. Board member calendars/availability through June 2019.

Some members have already submitted their calendars of availability. There was some discussion about exactly which dates the staff requests of the board members. Staff explained that scheduling hearings is time consuming and the dates assist in streamlining the process.

Member McSorley shared that when his term expires he does not plan to reapply to the Board. He will be joining the private sector and will no longer be in a labor position.

E. Open Discussion.

F. Financial Disclosures Reporting Reminder

The deadline to file financial disclosures with APOC is on March 15, 2019. Members will be fined if they file late. Additional reminders will be sent until all members have filed.

G. Scheduling of next board meeting.

For budgetary reasons the Agency is authorized to conduct one business meeting per year. October 2019 is the next proposed meeting date. Staff will be in touch with the Board to finalize a meeting date and time.

H. Litigation update from AAGs

Although Board members have not yet been served, there is a lawsuit pending in which the Board members are named defendants. At issue are agency fees. The primary target is the teachers unions in Anchorage and the Mat-Su Valley and their national affiliates. The lawsuit aims to have folks who paid agency fees to be refunded for them by the unions and in the future, to prevent further collection of dues.

6. PUBLIC COMMENT

7. EXECUTIVE SESSION

Member Needles moved to go into executive session for the purpose of seeking legal advice on the Crockett matter. The motion carried.

8. ADJOURNMENT OF PUBLIC MEETING

The meeting was adjourned at 10:41 am by the Chair.