



Alaska Department of Labor and Workforce Development

Alaska Labor Relations Agency

Newsletter

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Tony Knowles, Governor
Ed Flanagan, Commissioner

ALRA BOARD MEMBERS

Aaron T. Isaacs, Jr., Acting Chair

Public, Klawock

Vacant

Public

Dick Brickley

Management, Fairbanks

Robert A. Doyle

Management, Palmer

Karen J. Mahurin

Labor, Kenai

Raymond Smith

Labor, Anchorage

EXECUTIVE STAFF

Mark Torgerson

Administrator/Hearing Examiner

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Published by

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Development

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Newsletter is for information only; not
intended as legal advice.

The Alaska Labor Relations Agency was created to administer the Public Employment Relations Act and thereby promote cooperative relations between government and its employees. ALRA conducts elections on union representation for collective bargaining, hears disputes over composition of public employee bargaining units, hears unfair labor practice charges and considers employee claims for religious exemption from the obligation to pay fees to a bargaining representative. The goal is to protect the public through the orderly and uninterrupted provision of government services.

Changes to ALRA Board

Aaron Isaacs, Jr., of Klawock, is the new acting Chair of the Alaska Labor Relations Agency Board. Governor Tony Knowles appointed Mr. Isaacs to the Board effective June 12, 2000.

Mr. Isaacs brings considerable experience to the Agency. He has been owner/operator of Isaacs Builders and Isaacs Lumber and Hardware Companies in Klawock and Craig. He has also worked as coordinator for equal employment opportunity and labor relations for Morrison-Knudsen Company; Director of the State Division of Equal Employment Opportunity; director of affirmative action, EEO, and training with Sealaska Corporation; and labor relations specialist for the Alaska Federation of Natives. He is currently a member of the Alaska Human Rights Commission, and he is active in many organizations in Alaska.

Mr. Isaacs' appointment to a public seat on the Board ended the seven-year tenure of Alfred L. "Al" Tamagni, Sr. as Chair. Al served as Chair during a time of significant change and growth for the Agency. Among other contributions, he was instrumental in creating a database system that substantially improved the Agency's ability to track its statistical data. He also worked with staff to streamline procedures when agency caseload ballooned in the mid-90's.

Blair Marcotte served as acting Chair from mid-June until September 1, 2000, when she resigned to devote more time to her family. Blair served as Vice Chair on the Board since 1996.

Both Al and Blair will be sorely missed as the "public" members on the ALRA Board. We will miss their considerable experience, sense of humor, and spirit of dedication and commitment. We appreciate their years of volunteer service on the Board.

The legislature confirmed the appointment of Dick Brickley to the Board. He had served the last year of a vacated management position. He now serves a full three-year appointment.

The Agency still has an opening for the other public member position. Please contact us if you or someone you know is interested.

Staff News

Hearing Examiner Mark Torgerson gave a presentation to IRRA at its October 2000 meeting. Mark provided an overview of the Agency, including its jurisdiction, and duties of board and staff members. Mark and hearing officer Jean Ward each gave presentations to the Association of Alaska School Boards at its December 2000 conference. Jean spoke the first day of the conference, providing attendees with an update of agency case law. The second day, Mark spoke on what school board members need to know about the Public Employment Relations Act.

ALRA encourages comments or suggestions to improve this newsletter or Agency procedures. We also welcome your contributing articles or announcements. Contact Margie Yadlosky at 907-269-4895 or email Margie_Yadlosky@labor.state.ak.us

ALRA Public Meeting Friday, May 18, 10 am

The Agency will conduct a business meeting on Friday, May 18, 2001, starting at 10:00 a.m., at ALRA headquarters, 3301 Eagle St., Suite 208, Anchorage. Telephone participation is available. The ALRA Board encourages the public to attend and participate. Contact ALRA for an agenda.

Summary of IRRA 2000

The Alaska chapter of the Industrial Relations Research Association, or IRRA, met each month except November during 2000. A variety of speakers gave presentations on topics such as workplace violence, workers' compensation, mediation, and public labor relations in Alaska. Commissioner of Labor Ed Flanagan gave an overview of legislative activity related to labor in 2000, and former Commissioner of Administration Robert Poe provided an interesting overview of the State of Alaska's perspective on the negotiation of the many public sector labor contracts in 2000.

The chapter elected officers in 2000. They include Elizabeth Atkinson, President; Bill Pierce, Vice-President; Dave Stewart, Treasurer; and Don Smith, Secretary. The chapter also conducted a membership drive for one meeting and provided a catered lunch for attendees. At least one such fundraiser will be held again this year.

Anchorage members and guests usually meet in our conference room, Room 208 of the Department of Labor Building, 34th and Eagle Street, one block east of Denali Street. Fairbanks and Juneau hook up by phone conference. Fairbanks meetings are held in the Governor's Conference Room at the Fairbanks Regional Office Building, 675 7th Avenue, Station H5. Contact Nanette Woodman (451-2920) for information. Juneau meetings are usually held in the Commissioner of Administration's conference room. Contact Dave Stewart at 465-4431 for information. Contact this Agency (269-4895) if you want to attend by phone from an area outside Anchorage, Juneau or Fairbanks.

We encourage you to join Alaska IRRA. We are small but are growing. IRRA provides opportunity for professionals from industrial relations and human resources to share ideas and learn about new developments in the field. It promotes education and provides a forum for exchange of ideas on employment issues. IRRA does not take partisan positions on policy issues; rather, it serves as a resource to labor and management professionals, including advocates and neutrals, government, and the academic community.

An IRRA application is on the back page of the insert to this newsletter. We hope you will join us and get involved.

Legislation Amends ALRA

The 2000 Alaska Legislature proposed several bills to amend labor relations and the adjudications process. One, CSSB (Committee Substitute for Senate Bill) 269, was passed and signed into law by Governor Tony Knowles. Sponsored by Senate President Drue Pearce, the bill amends AS 23.30.215(b). It modifies the procedures and deadlines for filing collective bargaining agreements under AS 23.40.215. It requires that a "final contract" between parties must be submitted to the legislature "no later than the 60th day of the legislative session to receive legislative consideration during that calendar year." This bill is apparently meant to discourage the parties from submitting a contract at the last minute in the legislative session. Governor Knowles issued the following statement on April 18, 2000: "In signing HCS CSSB 269(FIN), I note the Administration interprets this bill only as a change in its reporting requirements to the Legislature regarding collective bargaining agreements. It does not grant the Legislature the authority to approve or disapprove terms for which no appropriation is necessary." (Senate Journal for the 21st Legislature at 3248).

Reminders on Service Fee Procedures and Contract Filings

The following two reminders spell out regulatory requirements for filing contracts and resolving service fee disputes. First, 8 AAC 97.500 requires that public employers who have entered into a collective bargaining agreement file a copy of the agreement and any amendments with ALRA within 60 days after execution. Be sure you do this; it helps the Agency keep abreast of the parties' contract relationships.

The second reminder addresses service fee objections. Regulation 8 AAC 97.320 allows employees to object to the amount of service fees assessed by labor organizations. The regulation describes the "internal fair share procedures" that labor organizations must have in place. These procedures must contain opportunity to object to payment of amounts unrelated to collective bargaining or contract administration. They must also include procedures that allow for a "prompt decision by an impartial decision maker," such as an arbitrator. After filing an objection, an employee must continue to pay the full amount of service fee assessed. While the dispute is pending, the labor organization must hold the disputed part of the service fee in escrow. See 8 AAC 97.305. We urge labor organizations to review these regulations to assure compliance. Failure to comply may result in an employee's filing a duty of fair representation charge.

Election Activity

The Agency conducted a vote tally for a bargaining unit represented by the Laborers' International Union of North America (LIUNA) #942, AFL-CIO. The employer is Bering Straits Regional Housing Authority. The employees voted 10-0 for representation by LIUNA. The election was certified on September, 25, 2000.

In another case, the Alaska State Employees Association sought to represent exempt employees of the state Department of Military and Veterans Affairs, Alaska Youth Corps section. Ballots were mailed, but before the Agency could conduct a tally, the Attorney General issued an opinion indicating the positions were classified. ASEA withdrew the petition on October 26, 2000, and the case was closed. The State agreed to review the positions and place the employees in the appropriate bargaining units.

ALRA Web Site Update

The ALRA website continues to develop. The highlights of the 1997 and 1998 Annual Reports are available online, and the 1999 Annual Report is available for viewing. We'll post the 2000 Annual Report sometime in March. The website also contains agency decision and orders from 1973 to present, and now contains a search mechanism. Click on "Board Decisions and Orders" and type a keyword or phrase. The website also contains nine petition or complaint forms used in agency proceedings. These forms are in Adobe Acrobat format and may be printed or downloaded for use.

Do you have suggestions for improvements or changes to this website? What aspects of the site do you like or dislike?

Call 907-269-4895, write, or email Mark_Torgerson@labor.state.ak.us or Margie_Yadlosky@labor.state.ak.us.

Labor Relations on the Net

The Alaska Labor Relations Agency: <http://www.labor.state.ak.us/laborr/home.htm>

The National Labor Relations Board: <http://www.nlr.gov>

Alaska AFL-CIO: <http://www.alaska.net/~akaficio>

American Arbitration Association: <http://www.adr.org/>

State of Alaska Personnel/Labor Relations: <http://www.state.ak.us/local/akpages/ADMIN/labrel/labrel.htm>

Industrial Relations Research Association: www.irra.uiuc.edu

Federal Labor Relations Authority: <http://www.flra.gov/index.html>

The Association of Labor Relations Agencies: <http://www.alra.org/>

For a general source of labor and employment links, choose "labor" in the subject matter index at <http://www.findlaw.com>. This site also contains the text of United States Supreme Court opinions on labor law. Please let us know if you find other useful web sites, or if any of the above web site addresses is out-of-date.

Comments?

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