

PERC Case No. #26275-M-14-7825

Teamsters Local 117

v.

Office of Financial Management, Department of Corrections

SETTLEMENT AGREEMENT

The parties in this case, Teamsters Local 117, and the Office of Financial Management and the Department of Corrections, State of Washington, by and through the undersigned, desiring to fully and finally resolve and this issue filed with the Public Employment Relations Commission (PERC), PERC Case No. 26275-M-14-7825, enter into this agreement under the following terms and conditions:

A. Teamsters Local 117 AGREE(S):

1. The issue of wearing polo shirts in the IMU as discussed during PERC Case No. 26275-M-14-7825 is hereby resolved, and the Teamsters will not file any grievances or unfair labor practice complaints related to this issue.
2. The Teamsters will conduct a one-time vote, unit by unit, of all employees assigned to IMU/Segregation at CBCC, MCC, SCCC, WCC, WSP and the segregation unit at AHCC on polo shirts as an alternative uniform shirt. Voting will be limited to employees assigned to the units listed above as five-day a week employees or as RDO employees regularly working two or more days per week at the units listed above. The proposed ballot measure is identified in attachment A. The result of the vote will determine the uniform shirt that five-day a week employees and RDO employees regularly working two or more days per week in the units (current and future) will be required to wear. The vote will have no impact on the uniform style required by the Department when working in other areas of the facilities. Outside the units, standard DOC issued BDU style uniform will be worn as outlined in Article 36 of the collective bargaining agreement.
3. To conduct the vote no later than August 15, 2014.

B. OFM/DOC AGREES:

1. To provide a list of all employees who are eligible to vote in the election specified in paragraph A2 twenty-one days prior to the date of the vote.

C. THE PARTIES FURTHER AGREE:

1. To recognize and be bound by the outcome of the vote as described in paragraph A2 above.

2. This Agreement constitutes full and final settlement of all legal and equitable claims or potential claims that Teamsters Local 117 have or may have had against the DOC, the State of Washington, its officers, agents, and employees arising out of or relating to the issue of polo shirts in the IMU as discussed during PERC Case No.26275-M-14-7825.
3. This Agreement and the parties' mutual obligations under this agreement do not constitute an admission by any party as to the validity of any claims or defenses of any other party.
4. This Agreement is not precedent setting and does not establish a practice.
5. This Agreement may be released with or without authorization if required by lawful subpoena, by the rules of civil discovery, by judicial order, by applicable laws governing union requests for information or disclosure of public documents, or as necessary during the course of litigation.
6. This Agreement shall become effective on the date of the final signature of the parties and their authorized representatives and constitutes the full and entire agreement of the parties and resolution of all disputes that may exist between the parties, except as specifically noted within this Agreement. There are no written or oral representations, understandings, promises, or agreements directly or indirectly related to this Agreement that are not incorporated herein in full.
7. If any part of this Agreement is unenforceable for any reason, the remainder of the Agreement shall remain in full force and effect.

By signing this Agreement, I acknowledge that I have read this Agreement, have had an opportunity to seek legal or other advice, and understand the terms of this Agreement.

Signed: _____
 Date: _____
 Earl X. Wright
 Deputy Director Prisons, Command B
 Department of Corrections

Signed: _____
 Date: _____
 Michelle Woodrow
 Director of Corrections and Law Enforcement
 Teamsters Local 117

Signed: _____
 Date: _____
 Ann Mitchell
 Labor Negotiator
 Labor Relations
 Office of Financial Management
 State of Washington