

VIA ELECTRONIC MAIL at bryan.norwood@mwa.com

DATE: November 1, 2023

TO: Vice President Bryan Norwood

FROM: Heidi Meinzer, Counsel for IUPA Local 5004
Cpl. Jason Moseley, Union President, IUPA Local 5004

GREIVANT: All Officers and Corporals

RE: Grievance regarding Pay Review

FACTS:

The Authority recently completed a pay study and has repeatedly refused to provide the Union with a copy of the portion of the review that applies to the Bargaining Unit, in violation of Article 35 of the CBA.

On Friday, September 29, 2023, Cpl. Stephen Gorden initiated a Step 1 Grievance with Major Crowder regarding this failure. On Sunday, October 1, 2023, Major Crowder responded that he was unable to resolve the grievance.

On October 4, 2023, MWA sent a Power Point Presentation regarding the pay review for the Police Bargaining Unit. However, MWA has yet to send a copy of the portion of the actual pay review that applies to the Police Bargaining Unit, as required by Article 35 of the CBA and has been the past practice.

On October 9, 2023, the Union initiated Step 2 of this grievance. At Chief Huchler's request, I provided the Chief with documentation that demonstrates that MWA has provided a copy of the actual pay study report along with the Power Point Presentation in the past. On October 25, 2023, Chief Huchler responded that the information the Union was provided for this most recent pay study "appears to address all of the elements" of a comparison. That response did not address whether there was an actual report and, if so, why MWA has failed to provide a copy of that report as required by the CBA and as is the past practice.

Because MWA continues to fail to comply with Article 35 of the CBA, it is proper to proceed to Step 3 by way of this written grievance.

SECTIONS VIOLATED: Article 35 of the Collective Bargaining Agreement states:

Article 35 – Pay Review

The Employer intends to conduct a review of the Washington Metropolitan Area to determine comparable pay. Upon completion of the review, the

Employer shall promptly forward that portion of the review that applies to the Bargaining Unit to the Union.

PROPOSED REMEDY: The Union demands the following remedies:

1. A definitive statement in the Step 3 response regarding whether there exists an pay study report (separate from the Power Point Presentation that was provided).
2. The Authority shall immediately (and by a date and time certain) provide the Union with a copy of the portion of the recently conducted pay review that applies to the Police Bargaining Unit.
3. Posting of a remedial notice in locations accessible to all Bargaining Unit employees of the Authority's violation and the remedies awarded to the Union.
4. Any other relief deemed just and appropriate, including reasonable attorney's fees and costs for the Authority's blatant repeated disregard of the CBA.

The Union reserves the right to amend or revise this grievance based on any facts and information obtained during the pursuit of this grievance and any ensuing arbitration.

Sincerely,



Heidi Meinzer, *Counsel for IUPA Local 5004*