

## MEET & CONFER MEETING March 1, 2018

Director Ryan greeted the Employee Organizations and addressed the below agenda items.

Attendees: CO II Clinton Roberts, ASPC-Lewis and CO II Scott Falcon, ASPC-Eyman, represented ACA; CO II Darren Sikes, ASPC-Lewis, CO II Matt Ball, ASPC-Florence, CO II Tommy Carberry, ASPC-Florence and CO II Graham Buffton, Board of Directors, ASPC-Tucson, represented AZCPOA; Senior Parole Officer Waldemar Mehner, CO II Martin Diaz, ASPC-Perryville, and PPS II Cynthia Norton, Community Corrections, represented FOP. Also present from ADC were Director Charles L. Ryan, Interim Deputy Director Greg Lauchner, Brad Keogh, General Counsel, Mike Kearns, Division Director of Administrative Services, Karen Hellman, Division Director of Inmate Programs and Reentry, Benjamin Alteneder, Chief Legislative Liaison, James O'Neil, Administrator of the Office of Continuous Improvement, John Bogert, Deputy Chief Human Resources Officer, Ron Lee, Security Operations Administrator of Offender Operations and Kathy Campbell, Program Evaluation Administrator of Health Services. Natalie Poff was present to take minutes.

### ACA

#### SUBMITTED QUESTIONS AND ANSWERS

On behalf of ACA, the following questions were submitted in advance:

**Question 1** – In anticipation of the "Correctional Aid" (CA) or "CO 1" positions that we are being told through rumors are for control rooms. Can you elaborate on this position?

- a. Correctional Officers are worried that a "CA" will cause issues for the staff by kick starting inmates.
- b. Staff are concerned about fatigue. With a "CA" in less physical posts, the staff will not be able to get much needed recuperation during twelve hour shifts.
- c. Is the CA position going to be used as vacancy savings to give raises to the CO II's?

**Answer 1** – Ron Lee: We have identified 176 positions in seven complexes (Phoenix, Safford and Douglas do not have any). The positions are spread throughout the close and max units over days and swing shifts and AM front and back on 12 hour shifts. Not all control rooms will be used for this non-contact post to allow for CO IIs in unit to be

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assigned to help with fatigue. These Correctional Trainee Officers will be in CORP and will be able to attend COTA once 21 years of age. We are trying to grow our own. Even with a \$2,000 lower annual salary than CO IIs, this is not enough savings to apply to staff raises.

Director Ryan stated that there are 6,655 Correctional Officer (CO) positions and as of

Monday, February 26, there were 897 CO vacancies. Director Ryan advised that his office is actively talking with the Chief Operating Officer at the Governor's Office regarding this ongoing issue. Director Ryan reiterated the efforts made by the Department to take a closer look into the issues affecting CO turnover. He reminded the group about the A3 breakthrough project in which groups of Officers and Cadets were surveyed to elicit their input. The Voice of the Customer surveys indicated that one of the primary reasons Officers leave is compensation, a lesser reason for which Officers leave is due to Supervisor treatment, and one of the reasons they stay is for benefits. Using the AMS problem solving approach, the Correctional Officer hiring process was streamlined in 2017 from 120 days to 28 days from initial contact to hire. At the start of that project, there were 640 vacant CO positions which then dropped down to 480. Now that number is back up and will breach the 900 mark by the following week. Director Ryan stated that even though the AZPOST age requirements changed a number of years ago to a minimum age of 21 for hiring COs, nothing states that we (ADC) cannot hire 18-year-olds into the workforce. Within two or three years, the CO Trainees will be vested by the time they get to COTA. Director Ryan clarified that the CO Trainees are not going to take over control rooms. He stated that other agencies are adopting similar Trainee programs, and ADC is hopeful that the CO Trainee program will cultivate a new wave of experienced Officers.

**Question 2** – In the current policies for Administrative Investigations and Employee Grievances (DO 601 and 517), nowhere in the policies does it state that an employee has the right to documentation. In responding to allegations, an Officer does not have access to logs, sign in sheets, etc. ACA has gotten complaints from staff around the state who have been denied access to documentation. ACA would like an addition be added to both policies in regards to requesting documentation.

**Answer 2** – Interim Deputy Director Greg Lauchner: Department Order (DO) 601 authorizes an employee to receive a copy of an administrative investigation or inquiry upon completion and request through the office of the Inspector General. Documents related/relevant to the investigation/inquiry would be included in such requests. A grievance related to DO 601 would be filed after the investigation or inquiry was completed, and therefore available to the employee upon request for grievance purposes. If employees are seeking documents not related to DO 601, communication

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with their respective chain of command is encouraged. Based on the above, a policy revision is not needed.

ACA advised that Officers have requested logs in order to respond to Administrative Inquiries; however, their requests were denied.

Mr. Lauchner advised that, in the event such requests are denied, staff should take the request up their chain of command.

ACA asked if there was any kind of form specifically to request ingress-egress logs.

Mr. Lauchner stated that there is not a form to request ingress-egress logs, but the request must be sent through the requestor's chain of command. The release of

Administrative Inquiries or investigation reports must be requested via e-mail and addressed to the Inspector General. Mr. Lauchner advised that the only person authorized to release an inquiry is the Inspector General.

**Question 3** – ACA & AZCPOA: As we all know that the main reason that staff are leaving is pay. Raises are needed! In a past Meet and Confer meeting, Director Ryan stated, "Governor Ducey wants Directors (all agencies) to operate their agency as a CEO and to manage/operate accordingly with the resources appropriated." According to past Meet and Confer meetings, it would seem to be that the authority to allocate the additional funds to pay within the budget given falls on the Director. A \$0.05 raise would be \$2.00 per week, \$104 per year per Officer. According to certain Legislators, there is no funding for raises and the need is dire. As an Officer, we get to receive pay raises for the first nine years only, and on any higher rank with more responsibilities, we will stay at the minimum pay with no possibility of an increase ever. What are you doing as our Director to increase our salary based on the pay scale?

**Answer 3** – Director Ryan: Agency Directors, including ADC, do not have unilateral authority to give pay raises. When taking into account that Corrections Officers, and in a broader sense the Correctional Series, encompasses thousands of positions, the fiscal impact of even small pay raises is significant. Since the fiscal impact is significant, ADC's available budget is a critical limiting factor. If the Legislature and Governor are unable to allocate new resources for permanent pay raises, based on the entire State budget and competing critical needs, then ADC cannot commit to permanent pay raises. However, given our available resources, the Director has implemented a number of one-time compensation strategies in the past to address this issue. The one-time compensation efforts have included: Compensatory Leave pay off, Holiday Leave payoff, Retention Pay, Spot Incentives, Merit Pay, site specific stipends and Merit Pay.

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The Director will again review one time compensation strategies to include merit this fiscal year, based on available funding.

**Question 4** – ACI, how much money does ACI make if any? Where does the funding go?

**Answer 4** – Karen Hellman: In FY 2017, ACI had sales of \$43.6 million with a profit or net income of \$4.6 million.

ACI's primary revenue source is inmate labor contracts with for profit entities. ACI also generates revenue on the sale of goods produced by ACI. ACI must sustain itself from the revenue it generates (A.R.S. 41-1622) including all operational needs, such as staff and inmate salaries, and manufacturing/ production costs, such as raw materials. The majority of ACI's revenue goes toward these purposes. Also, ACI has supported the State and ADC directly. In addition to an annual transfer of \$1,000,000 to ADC's Building Renewal Fund, one time transfers over the past three years have supported:

- FY 2016 \$500,000 was transferred to the State general fund
- FY 2017 \$1,000,000 was transferred in support of the AIMS replacement project and \$73,700 for Statewide e-procurement system replacement

- FY 2018 \$1,450,000 was transferred for Locking System Replacement at ASPCEyman Director Ryan stated that ACI is completely self-sufficient. In the 80's, ACI, then known as ARCOR, received general fund allocation. They were losing money. Legislation later changed and required ACI to be self-funded. ACI generates money and is a great work program for inmates.

Karen Hellman encouraged the employee organization to refer their constituents to the ACI website at [www.aci.az.gov](http://www.aci.az.gov) whenever questions arise, as there is a wealth of information available there.

**Question 5** – Has there been analysis of how much Gov. Ducey's AMS roll out has cost? And how much the innovations have saved?

**Answer 5** – James O'Neil: ADOA is currently responding to a public records request which has requested expenditures on statewide AMS consultant cost and statewide Return on Investment (ROI). At the end of January 2019, ADC will have paid approximately \$3.3 million in consultant costs with AMS deployment (\$1,049,379 for Phase 1, \$1,499,999 for Phase 2, \$500,000 for Phase 3 and \$229,740 for Results Software and 1,200 Results Software Licenses).

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The end of Phase 2 resulted in over 600 staff being trained in AMS with Tier Boards being stood up at the Director's level (Tier IV), 5 out of 6 Tier III Division Boards, Health Services is scheduled March 7, 2018, and all Prison Complexes (Tier II). Phase 3 begins March 21, 2018, with a pilot at Phoenix Complex in which AMS will be rolled out to the front line (Tier I and Tier 0). It will then continue to be rolled out to all divisions, reaching over 3,000 ADC employees over the course of the next 12 months and eventually all 9,541 employees agency wide.

Total ADC AMS expenditures will equal \$3,279,119.00 at a cost of \$343.69 per employee (9,541 FTE).

Some immediate benefits to AMS:

- Hiring Correctional Officers 66% faster – Recruitment process has been streamlined from 120 days to 28 days.
- Corrections cut inmate reception intake – Reduced intake process from 7.5 days to 3 days.
- Right-sizing Corrections' Vehicle Fleet – Identified vehicles not meeting mission critical needs, sent 315 light duty, heavy duty and construction equipment to surplus providing over \$225,000 to the general fund and reducing operating costs by \$25,209.
- High Target Inmates into programs – Increased enrollment over 334% from 3.16% to 13.73%.
- Corrections and AHCCCS: Inmate Medicaid Enrollment – Increased applications 2,236% from 390 applications to over 9,112 applications a year.
- Wildland Fire Crew Overtime Payment Process Improvement - Reduced the time of staff receiving overtime payments from an average of 3.3 pay periods (over 6 weeks) to 1 pay period (2 weeks).

- Reduction in the Quantity of Staff Assault Incidents - 21% reduction in the number incidents of assaults on staff with a reported number of 36 for the month of January 2018, down from 59 in January 2017.
- Increase in Volume of Driver's License or State Identification Issued – Increase of over 576% of DL/State Identifications being issued from 47 in the month of October 2016 to 318 in January 2018.

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- Increase in Volume of Applications for Replacement for Social Security Cards Prior to Release - an increase of 120% in the volume of applications being processed for inmates prior to their release (October 2016 there were 114 applications for the month, most recently January 2018 there were 251 applications).

Director Ryan stated that Governor Ducey's mission is to make Arizona the number one place to work, live and recreate. ADC started its journey to AMS in June 2016.

Phase 1 started with the Executive Team, which took six months to be indoctrinated.

Phase 2 rolled out to the prisons (Florence) and then down to the unit level.

Phase 3 began February 1<sup>st</sup>, 2018, and continues to involve consultants. This phase will conclude January 31, 2019.

Tier 4 – Director Level

Tier 3 – Division Director Level

Tier 2 – Prison Complex Level

Tier 1 – Unit Level

Tier 0 – Line Staff

AMS will continue to cascade so that employees are able to solve problems no matter their level within the organization.

James O'Neil advised that the best is yet to come. Using AMS, we'll be able to remove waste and find better ways to do business.

Director Ryan stated one of the benefits of AMS in a State Government Enterprise is that silos have been eliminated and there is better collaboration between agencies.

Employment centers in Lewis are now called the second chance centers. This has helped forge relationships with the Department of Economic Security (DES) and has presented opportunities to collaborate with DES on initiatives. Program building at Eagle Point is another initiative that will provide training in five or six trades that will prepare inmates for jobs. Resume writing, soft skills and job fairs are among a few of the tools available. 55 percent of participants walk out with jobs. Director Ryan stated there has been and continues to be a significant decline in inmate intake and, since 1974, the inmate population has declined by almost 1,300 inmates. At the beginning of January, there were 41,727 inmates and by the end of February there were 263 less. Director Ryan stated the reduction of recidivism and reentry is one of Governor Ducey's key initiatives. Eggers has been mothballed and Papago is going to be sold. The Department has a little over 800 minimum security beds. The population is declining, and the contract threshold requires the use of minimum beds. We are paying for 90%

plus one and we are not paying for empty beds. Director Ryan continued to say that the AMS is intended to empower employees to make decisions. In AMS, everyone has a voice.

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FOP

### SUBMITTED QUESTIONS AND ANSWERS

On behalf of FOP, the following questions were submitted in advance:

**Question 1** – Hiring 18-year-old employees to serve as aide:

On social media, reports of ADC planning to hire 18-year-old employees to augment UNARMED POSTS in the units have resulted in mixed comments from current Officers, mostly negative. And with that said, the FOP agrees with the premises of hiring to fill posts, but the FOP would suggest the administration move towards lowering the minimum age of Correctional Officer I (Academy Cadet) to the age of 18. Hiring 18-year-olds has been a practice at the Maricopa County Sheriff's Department (MCSO) for years now and is still the current minimum qualification for employment at MCSO. We are unaware of any age-related issues that MCSO has had to date.

**Answer 1** – John Bogert: There have been 176 CO II positions reclassified to the Correctional Officer Trainee (CO Trainee) position. These positions have a minimum age requirement of 18 and are designed to help employees engage in a career, promote to Correctional Officer II's (CO II) and are not AZPOST certified. CO II's are AZPOST certified and the minimum age requirement mandated by AZPOST rules is 21 years of age. At this time there is no plan to seek a change in those rules but in the future this decision can be evaluated based on the success of the CO Trainee program.

Director Ryan stated he will take FOP's statement under advisement. He further said we are developing and recruiting for the future. Letters are being sent to high school principals to recruit for Trainees. Director Ryan recently spent the day with 51 recruiters and Officers, both male and female, in an effort to recruit youth. Director Ryan stated if the Trainee program is successful, ADC can host recruitment events yearround.

FOP asked if Trainees are covered.

Discussion ensued regarding the Trainee program. Initially, it was stated that the Trainee positions are covered. Please note the following correction; the Correctional Officer Trainees are uncovered.

**Question 2** – Unit Rotations:

At some, if not all Complexes, staff rotations have stopped. The prevailing theory is because of low staffing levels that are uneven at different Units. When does the Command Staff believe staff rotations will return?

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**Answer 2** – Ron Lee: Unit rotation has not stopped. Unit rotations between Eyman and



Florence were temporarily halted due to the large movement of staff between units as the significant staff vacancies affecting the ability of the units to properly balance staffing on the shifts. We have started the transfers of 25 officers from Florence to Eyman to balance vacancies between the two complexes. Once that balancing is complete, internal balancing of unit vacancies will occur with unit rotation being included. You should not expect a large group of staff rotating units all at one time. This will be carefully planned in order to cause the least disruption to unit operations as possible.

**Question 3** – AMS Project on staff assaults:

Is there an AMS project to analyze inmate on Staff assaults? What was the result of this project?

**Answer 3** – Ron Lee: The Department currently has an A3 AMS project on staff assaults. The team has been collecting data for several months and will be starting to analyze the data at the end of this month. In order to get to the root cause there has been many types of data collected, such as, location of assault, inmate custody, mental health score, ages of staff and inmates involved, etc. At this time there are no results to report. We will be sharing the results once the team concludes the project. We are currently working with several other States to find common root causes.

**Question 4** – Non-employee Representative:

Under 38-1104 (A) 1 "with the employer's permission, the law enforcement officer's representative may be from the law enforcement officer's professional membership organization." FOP is requesting that the Department to allow members of the FOP who are prior employees of ADC who separated without issue (retired or medically retired) to act as employee representatives. Because the representatives may have to enter a secured area within a State Facility, they may be subject to a background investigation per DI 315 and DO 602. FOP will be willing to pay for the background investigation of non-employees at a reasonable cost, to include the expense of a Department ID Card. No other individual exemptions are requested for these Representatives, as they must follow Department Policy as to conduct.

**Answer 4** – Interim Deputy Director Greg Lauchner: Department Order (DO) 601 is compliant with State Law and authorizes the use of representatives with no prohibition regarding affiliations to professional memberships. DO 601.07.1.2.1 defines "Representative" as a current Department employee regardless of classification or job

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assignment. In order to best maintain the confidentiality, integrity, and accountability of administrative investigations, the Department will not revise DO 601 as requested. Director Ryan advised that he would like to have an offline discussion regarding FOP's inquiry.

**Question 5** – Promotions Fitpro:

Are they going to change the fit pro for promotional points to the current COTA standard? The current COTA standard is run 1 mile in 15 minutes, six push-ups and 20 sit-ups. The current promotional standard is the old COTA standard based on age, and

the run is still a mile and a half.

**Answer 5** – John Bogert: The current COTA fitness standard is based on the essential functions of a Correctional Officer (CO) in the field. This standard was developed after an intense, outside vendor study of the actual work CO's do and represents the fitness level required to meet the essential functions. The promotional Fit Pro test is designed to award additional promotion points to employees for exceeding the necessary requirements. At this time, there is no plan to change the promotional Fit Pro test.

**Question 6** – North Unit – Tents Removal:

At ASPC-Florence North Unit, Yard 3, is there a process underway to reduce the Inmate population over the year to fulfill a complete emptying of 400 beds in the Tents. And is there a plan to remove the physical structures? (Tent Housing) Can you elaborate on a strategic plan to utilize the empty property once this initial process concludes?

**Answer 6** – Ron Lee: A total of 10 tents, 5 from each side of Yard 3, have been reduced for a total reduction of 100 beds. This is due to the overall reduction of minimum custody inmates, and it allows staff to have less inmates and structures to have to supervise. The tent membranes are not reusable due to the elastomeric compound that is painted onto the membranes to make them more weather resistant; they are going to the landfill. The frames are currently being removed with the metal being reused for other projects. The overall tent operation will continue into the foreseeable future. There are no plans to close the entire tent operation. This allows us to consolidate inmates for better supervision.

FOP – Special Note: The Arizona Fraternal Order of Police Corrections Foundation (a 501c3 nonprofit) is having a Henry rifle raffle for ADC employee Brian Bylbie who is a former ADC K-9 Officer, Parole Officer/Supervisor, and currently works in ADC Victim

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Services as a Victim Advocate. Brian is known for his friendly demeanor and is battling health issues Tickets can be purchased via the website: [www.azfop44.net](http://www.azfop44.net). Central Office Employees can give monies to Sgt. Mehner at Central Communications (Dayshift, M-F).

## AZCPOA

### SUBMITTED QUESTIONS AND ANSWERS

On behalf of AZCPOA, the following questions were submitted in advance:

**Question 1** – Implement part-time or critical need officers for hospital coverage: Auditors recommended using part-time workers in Nevada — such as retired officers — to help augment staffing without overtime or the additional costs of a full-time employee. This strategy helped Nevada's Capitol Police force lower its overtime costs by 20 percent, and auditors estimate it could help Nevada prisons save \$500,000. Have you considered this option for the Arizona Department of Corrections?

**Answer 1** – Ron Lee: The number of staff required for supervision of inmates in hospitals ebbs and flows. It is very difficult to estimate how many officers are needed on any given shift or day. The department experimented with part-time officers several



years back. They actually took up a full time position number, and the response to the program was quite low. It was not worth continuing due to the low response. The CORP Return to Work Program already allows for retired Officers to come back to work in CORP designated positions after being away from the Department for one year. This gives the Department the greatest flexibility in their assignments as they can work any Corrections Officer post.

**Question 2** – (Douglas Complex) If you are out sick 2 or more days is this considered 1 call in or 1 for each day you're out?

**Answer 2** – Ron Lee: If an employee is out sick two or more days consecutively the call-in's are considered as one call-in.

AZCPOA stated that call-ins such as the example are being handled as separate call-ins at Douglas.

Ron Lee advised that an e-mail clarifying call-in procedures will be sent to the Institutions to correct that issue.

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**Question 3** – (Douglas Complex) Why is it we are afforded 60 hours of sick leave but can only use 48 hours in 12 months?

**Answer 3** – Ron Lee: Staff accrue sick leave hours each pay period. Staff may use their sick leave with approval of their supervisor.

I believe this question is related to DO 525.02, Sick Leave Usage referencing an employee who has a history of three (3) or more call-ins in a six (6) month period. Please keep in mind the accrual of sick leave is a benefit provided by the State of Arizona to its employees. This does not mean that we have to allow employees to use every hour of sick leave accrued. Attendance is a critical component of effectively and efficiently managing the agency and ensures adequate staffing levels for safety and security. The Department demonstrates respect and appreciation for employees who exhibit reliability by imposing and enforcing a reasonable attendance standard throughout the Department.

AZCPOA stated that Douglas, Tucson and Perryville are marking sick leave call-ins as Unauthorized Absence (AB). AZCPOA shared a three-page directive that was given to all Supervisors at ASPC-Tucson. AZCPOA stated that they are working with the Southern Region Operations Director to further look into this issue. Graham Buffton of AZCPOAs Tucson Chapter will send Director Ryan the three page directive via e-mail for further review.

**Question 4** – (Perryville Complex) Is it possible to have a trial of K9s on site at yards that have a high number staff assaults during days and swings as a deterrent in the spirit of staff safety.

**Answer 4** – Ron Lee: Every institution has assigned K9 teams. SSU and the Majors look at trends and deploy the K9's to the areas/units where they see the most use. It has been standard practice for K9 to be on the yard doing random and target searches, or just walking the yard, when they are available. Unfortunately, we do not have

enough teams to be on every unit during day and swings everyday due to the other duties the teams are assigned such as barrier sniffs for work crew inmates, visitation on the weekends, and the required training each week to maintain certification.

Director Ryan stated if there is a unit with a greater frequency of assaults, he does not see why ADC could not bring K9s onto the unit. The data would need to show the need for K9s.

**Question 5** – Is there a possibility of a merit pay for perfect attendance?

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**Answer 5** – Mike Kearns: No, Merit Pay is based on MAP scores. Annually, each employee's MAP is structured to specifically measure and rate performance. Perfect attendance is not an alternative measure to utilize in applying Merit Pay.

Director Ryan stated that dependent on the availability of funds, he anticipates giving merit pay, the same as last year when MAPs are completed. Director Ryan shared with the group that the Department projects that \$64 million will be spent on overtime. In addition to paying out Compensatory Leave, ADC is also looking at paying out Holiday Leave. Director Ryan shared that there have not been any other approved pay packages as the priority is Education.

**Question 6** – Can DO 525 be re-written to make the unscheduled absences written play by play for overall consistency like late is addressed?

**Answer 6** – Director Ryan: The issue of how to handle unplanned absences was recently addressed during a video conference with all ten Wardens. Guidance was given for interpretation of the policy by supervisors and administrators. The language in DO 525 is sufficient as written.

**Question 7** – (Perryville Complex) Is/can the Department push towards getting the law changed to where consensual sex inmate to inmate is a crime. This is a major problem at female yards.

**Answer 7** – Brad Keogh: The seriousness with which the Department treats sexual activity between inmates is reflected in DO 125, which prohibits both consensual and non-consensual sex between inmates, expressly providing that "The Department has zero tolerance for sexual contact **of any kind with inmates** and offenders including sexual harassment, conduct, assault and/or contact, **by inmates**, staff, contractors, volunteers and others."

The Department's seriousness is further reflected in DO 803, which prohibits both consensual and non-consensual sex between inmates, providing for a multitude of disciplinary sanctions for a wide array of conduct, from sexual assault to indecent exposure to consensual sexual contact to displaying sexually explicit material to handholding.

The Department's commitment to keep all inmates safe from non-consensual sexual activity is reflected in its federally certified 100% compliance rate with the Prison Rape Elimination Act National Standards, which are administered by the U.S. Department of Justice and its Bureau of Justice Assistance and the National PREA Resource Center.

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The current state of the law governing sexual activity with inmates is set forth in A.R.S. § 13-1419, which makes it a felony crime for a "person" to intentionally or knowingly engage in any act of a sexual nature with an inmate. The Legislature defines "person" only as an employee, third party contractor, official visitor, volunteer, or agency representative of ADC, ADJC, private prison facility, juvenile detention facility, and city or county jail.

When presented with the opportunity to include inmates within the definition of "person", the Legislature declined to do so. The Department currently has no plans to lobby the Legislature to expand the definition of "person" to include inmates. Even if the Legislature were to so expand the definition of "person", it remains uncertain, at best, whether the county prosecutors would pursue felony prosecutions of consensual sexual activity between inmates.

Director Ryan reiterated that there is no such thing as "consensual" sexual activities between inmates. Those infractions are subject to PREA.

**Question 8** – (Yuma Complex) A schedule of times memo for supervisors was put out to report to shifts accordingly, it is being followed as directed. There are units with less than 8 officers to manage in some complexes, and supervisors do not require all that time to prepare for their shifts. It is a waste of .25 hours Cash OT for some of these units, and some of our supervisors chose to not claim this Cash OT- but some of them do still, following this direction. The 45 minutes after the hour it is unnecessary to take care of their shift paperwork. May you please re-consider this direction to re-adjust these supervisors' hours of arrival in these specific units to what it is reasonable to complete the task?

**Answer 8** – Ron Lee: The Department adheres to the schedule as stated in the 'Notice to Supervisory Staff Re: Recording of Hours Worked Security Series and Shift Work.' This notice went into effect after the Arizona Department of Corrections settled with the Department of Labor regarding supervisor's unreported overtime hours. The 'Notice to Supervisory Staff Re: Recording of Hours Worked and Security Series and Shift Work' is required to be signed by each Sergeant and Lieutenant. The notice outlines posting, sample supervisor schedules, overtime approval/usage and compliance with Department Order 512.

As a result of the notice, the posting of Supervisor positions and the hours of posting changed. The change was intended to allow supervisors adequate time to prepare for

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briefing, as well as complete or collect paperwork at the end of the shift, without incurring overtime. The notice also outlines what is required should a Supervisor need

overtime to complete their duties and who is authorized to obtain overtime. It does not differentiate between units with eight employees versus those with two hundred employees. It is to provide a consistent implementation of supervisory schedules. Per the notice, the supervisor schedules are as follows:

**Days:**

Supervisor 1-0515-1315-prep for briefing

Supervisor 2-0645-1445-receive all documents and equipment accountability for shift

Supervisor 3-0545-1400-work shift

**Swings:**

Supervisor 1-1315-2115-prep for briefing

Supervisor 2-1445-2245-receive all documents and equipment accountability for shift

Supervisor 3-1345-2200-work shift

**Graves:**

Supervisor 1-2115-0515-prep for briefing

Supervisor 2-2245-0645-receive all documents and equipment accountability for shift

Supervisor 3-2145-0600-work shift

While it may not require 45 minutes to complete the shift tasks of that day, there are other administrative tasks the supervisor can complete such as working on MAP's, completing CBT training, reviewing AL requests, etc. These types of duties are perfect for the before and after shift periods so that supervisors are on the yard assisting and supervising during the shift.

Ron Lee stated that not recording time for hours worked is an issue. He said if you are working, you have to claim your time. Supervisors and employees are responsible for making sure all hours worked are recorded. Ron Lee advised that he would send an email

to the Wardens

Director Ryan issued a verbal Cease and Desist notice to the Employee Organizations in attendance. **It is NOT acceptable to not record hours worked.**

**Question 9** – What is the plan for hiring 18-year-old? Where will they work and how many do you expect to hire?

**Answer 9** – Ron Lee: We have identified 176 positions in seven complexes (Phoenix, Safford and Douglas do not have any). The positions are spread throughout the close and max units over days and swing shifts and AM front and back on 12 hour shifts. Not all control rooms will be used for this non-contact post to allow for CO IIs in unit to be

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assigned to help with fatigue. These Correctional Trainee Officers will be in CORP and will be able to attend COTA once 21 years of age. We are trying to grow our own. Even with a \$2,000 lower annual salary than CO IIs this is not enough savings to apply to staff raises.

**OPEN DISCUSSION:**

Director Ryan stated that ADC is the largest State Agency in Arizona. He further stated

that ADC invests time and money training Officers. The average cost to train each Officer is \$12,000, then after approximately 4.1 years, Officers choose to leave. ADC is in the bottom 1/3 of the Western United States. Director Ryan stated that he is going to continue to ask for a pay package for Officers. Director Ryan acknowledged that the Officers have an incredible role in public safety.

ACA asked how they can help to get first line staff to vote for legislators. ACA offered a suggestion to add tables or booths outside of the Complexes to get staff to vote.

Interim Deputy Director Greg Lauchner stated that as a State Agency, our position is apolitical and reiterated that as an Agency, politics and work cannot be mixed.

Brad Keogh suggested to the Employee Organizations to use money from member dues to pay for a high-power lobbyist to convey their messages to legislators.

FOP stated Lewis Complex is keeping afloat by using Officers from Yuma to cover posts while on overtime. FOP said a vanpool is desperately needed.

Mike Kearns advised that he will look into vanpool opportunities.

Director Ryan said he'll need to look at available fleet. There were 99 vans, now there are 50 or less.

FOP asked if anyone has asked for Sweep Funds to be put back into the general fund.

Mike Kearns stated that the Governor's budget and recommendations can be found on the Governor's Official website at <https://az.gov/>.

Director Ryan reiterated that the Governor's budget is ADC's budget.

Close:

The Director encouraged the Employee Organizations to utilize the opportunities they have to communicate the questions and concerns of their members more frequently, including taking advantage of his open door policy. Director Ryan thanked those who were in attendance.

## MEET & CONFER MEETING

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Meeting adjourned at 12:10 p.m.

cc: Executive Staff

Wardens

Paul O'Connell

File