



Metropolitan Washington Airports Police Association

International Union of Police Associations, Local #5004

Washington Dulles International Airport

23550 Autopilot Drive

Dulles, VA 20166

Union Board Members

President Corporal J. Moseley

1st Vice President Corporal Y. Markham

2nd Vice President Corporal S. Gordon

Secretary Corporal J. Spina

Treasurer Corporal J. Ivey

UNION BOARD MEMORANDUM 2022-001

To: All Union Members

From: Jason Moseley, Union President

Subject: August 2022 Union Executive Board Update

Date: August 21st, 2022

The Purpose of this memo to the Union Membership is to provide an update of the Union Board's activities recently. I first want to give my most sincere apologies for the delay in addressing the Membership in a timely manner, and for that I, myself, take responsibility. To be honest, I feel like a track and field sprinter running a never-ending marathon but sprinting the entire race so far to attempt to keep up. The Management of our Department seems to be working very diligently to give us so many issues to address and challenges that we can't possibly address them all. Well, for those of you who do know me personally, there is no challenge I will not take head-on, and the entire Union Board has been very hard at work supporting the Union Membership and myself in accomplishing this mission.

I would also like to offer Congratulations and announce that on Wednesday, August 17th, 2022, the Union Board voted on all three Head Shop Stewards to put another level of stability and support to the Union Membership. The Union Board would like to welcome Cpl. Greg Price as DCA Head Shop Steward, Cpl. Keith Shibley as HQ Head Shop Steward, and Cpl. Chris Coleman as IAD Head Shop Steward. I have the utmost confidence in all three members to provide excellent work and assistance to the Union and know that they are qualified and eager to make a difference.

To address some of the concerns of members of the Union brought up recently, I want to give the biggest of thanks to the I.U.P.A. Union Lawyer Mrs. Meinzer for addressing these inquiries, as we want to be fully transparent and keep everyone updated as much as we can and are permitted. I asked Mrs. Meinzer to respond to the three matters most recently brought up, as I did not feel that it was appropriate or best for me to respond due to the matters addressing items that took place before I was placed in office. I did not want to provide an inaccurate or uninformed answer, possibly making the situation worse.

I feel that Mrs. Meinzer's response to the question of how I was placed into Office and the questions of the contract were addressed, however, to remove any doubt, this past Wednesday, the Union Board had a meeting, and they conducted another Union Board vote to place myself in Office as the Union President, and I recused myself from the vote as it would be clearly inappropriate, to ensure that we meet the Membership's appropriate expectation that we follow our own rules and Constitution. As Mrs. Meinzer advised the Union Board and addressed in her response to the question, it was understood that the board complied, however, to maintain our effort to be transparent and forth right with the Membership, they conducted another vote to eliminate any concern or question about the original Union Board Vote. The results were 4 Yea's and no Nea's in for placing Cpl. Moseley in Office as Union President for the remainder of the term.

In response to Cpl. Humady's Inquiry about more communication, we have steps to increase communication being implemented and I hope to reveal those on our Union Local's website very soon. We will also be coordinating with the Union VP's and Head Shop Steward's for each command to attempt to recruit additional Shop Stewards to assist Union Members with any issues that come up and to ideally have a Union Rep on shift at any time in case a member has a need come up where they need a rep there to assist or be a witness. Once we get any members wishing to participate as Shop Steward's we will coordinate with Mrs. Meinzer to conduct another training session so they can be properly prepared to assist.

In reference to Ofc. Ahn's inquiry, I have looked into the matter, and as far as I am able to determine at this point, the survey in question occurred sometime back during Cpl. Alexander's tenure as Union President. As I understand at this point, Cpl. Alexander set up the survey and received the results. As we can tell at this point, Cpl. Alexander apparently maintained those results and no one else recalls the results. However, I do agree with Mrs. Meinzer that if the survey is that old, with all the turnover that has taken place, I feel that is only fair, appropriate, and far more accurate to conduct another survey and make it as transparent as possible. To do this though, I will need to look into options and suggestions on the best way to accomplish this. Please understand though, as with anything in life, there are pros and cons to a decision like this, including but not limited to contract implications, shift trade implications, overtime implications, childcare implications, vacation planning implications, shift bid implications, quality of life implications, and others I may not have thought that could end up being positives or negatives.

To give a brief summary of the last few months, I will list bullet points of some of the most important matters and provide what information that we can, while still protecting members privacy.

- Union Member was served a Notice of Intent to Conduct a Non-Disciplinary Separation of the member's employment with the Department and MWAA. The Union Board, with the assistance of Union Counsel Mrs. Meinzer submitted a Notice to Appeal because much of the information that was provided by MWAA in the letter was factually incorrect. RESOLUTION: MWAA rescinded the letter and provided a letter to the Member advising in writing that their initial Notice of Intent was rescinded and that MWAA considered that matter closed and no longer in consideration.
- Union Member was served a Proposal of Discipline Letter recommending a 3-day suspension for a minor violation. The matter was brought to the Union Board, who, after looking into the details of the matter, found many serious discrepancies as well as serious employees' rights violations had occurred during the investigation. The Union President and DCA VP assisted the Member with an appeal of the Proposal of Discipline to the Chief of Police (C.O.P.). The C.O.P. chose to reduce the

proposal from 3 days to 1 day of suspension based on the appeal. Both the Member and the Union Board agreed that the new proposal was still not fair and just considering the facts. The Member was assisted with an appeal to the Vice President of Public Safety (VP of PS). The Member and the Union President attended the meeting to appeal the new proposal with the VP of PS and a representative of Internal Affairs. The facts of the situation, to include the violations of the Member's Rights were presented to the VP of PS. RESOLUTION: The VP of PS opted to reduce the discipline to the level the Member had requested when asked during the appeal meeting, a Letter of Reprimand.

- Union Member was served a Proposal of Discipline Letter recommending a 3-day suspension for the mid-level violation. The matter was brought to the Union Board, who, after looking into the details of the matter, found serious discrepancies as well as serious employees' rights violations which occurred during the investigation. The Union President and DCA VP assisted the Member with an appeal of the Proposal of Discipline to the Chief of Police (C.O.P.). The C.O.P. requested to have a meeting with the Member to discuss the appeal. The Member and the Union President attended the meeting to appeal the proposal with the C.O.P. The facts of the situation were presented to the C.O.P. for consideration. RESOLUTION: The C.O.P. opted to reduce the discipline to the level the Member had requested when asked during the appeal meeting, a Letter of Reprimand.
- During an appeal meeting with the Vice President of Public Safety (VP of PS), the Union President presented mitigating factors and the uncovered violations of Employee Rights that occurred during the Member's investigation that could lead to the investigation being thrown out due to no longer having the facts to support a sustained finding in the matter. Due to the information provided, the VP of PS which showed violations of The Contract between MWAA and I.U.P.A. Local #5004, MWAA Police Department General Order 2.18 - Internal Agency Investigations, and Virginia Code 9.1-500 - Law Enforcement Officers Procedural Guarantee Act of 2001, and most recently updated in 2020. Based upon the seriousness of the violations, the VP of PS requested a meeting with the Union President as soon as possible. The following day the VP of PS was out of the office, but his assistant arranged for a meeting the following day. The Union President met with the VP of PS to address the issues of employee rights for investigations, the known number of violations at that time to include the frequency and number of investigations that could possibly be compromised with these issues. The VP of PS asked about other concerns, to which the Union President replied that the first goal of the Union Board is to do everything it can to improve the morale of the rank and file. The VP of PS asked the 3 biggest issues from the Union President's view. Based on this meeting and the open discussion, the VP of PS promised to take steps to make changes for the betterment of the department, which some steps were discussed in confidence and cannot be discussed. Some of those steps have already began to be implemented, one of which we can discuss is the creation of a working group of Union Board Members and PD Headquarters personnel to work together to update General Order 2.18 - Internal Agency Investigations to comply with Virginia Law and to put for clarification into sections of concern that were presented by the Union Board, to include but not limited to complainants conducting the investigations they submitted, minimum timeframes for accused members to complete written statements and oral interviews, clear definitions of witness and respondent, clarification that as soon as an investigator knows or suspects that a witness may become a respondent, the investigator will cease all interviews, statements, or action in general until they can then provide the member Respondent Garrity Rights, Notice of Investigation and Charges, has a Union Rep (if requested), and has the lawfully allotted time to prepare their written statement, and oral interview. The VP of PS also advise that he was pausing any investigation he

can, until the general order is updated. The VP of PS also made it clear to everyone that after the general order has been completed, that training will be conducted with all supervisors over the entire general order and procedures, particularly because some of the violations are already addressed within the general order and not being followed and complied with by investigators.

- A Union Member was sent home from work due to being ill by a supervisor while on a shift exchange. The Supervisor spoke with the Union President in a limited conversation when they passed each other after a roll call. The Supervisor asked the Union President his opinion or stance on the matter of the member having their shift exchange privileges suspended, based upon the facts. The Union President advised the Supervisor, based upon the verbiage in the contract, that Member is required to complete their assigned shift exchange, and based upon the key fact that the Supervisor told the Member to go home, and that the Member showed up with the full intention of completing their shift exchange as required, that the Union Board would appeal any suspension of the Member's shift exchanges. The Union President advised that if you remove the fact that this was a shift exchange, if a supervisor instructs/orders a subordinate to go home, they are then required to go home, and in this case would be considered fulfilling their shift because when the Supervisor ordered them to go home that this ordered signified the ending of their shift, thereby completing their assigned shift (aka their Shift Exchange). RESOLUTION: Supervisor agreed with the Union President's reasoning and as of this time no suspension of the Member's shift exchange privileges have been sought.

Finally, PLEASE remember that MWAA Email is not the ideal means of communication of union matters do to the fact that there is no expectation of privacy since MWAA owns the email, and they can look at your emails at any point. I will be setting up a google form on the Union Local's Website for members to provide personal emails and cellphone numbers if they would like to receive Union Communications that we choose to not make public. The website also provides Union Local and private emails for all board members and Head Shop Stewards that we have, to be used for communication for sensitive or confidential information.

Please feel free to reach out to any of the Union Representatives for any questions, concerns, or representation needs. You can also submit questions, issues, inquiries, and other things through the Members Page links on the IUPA Local #5004 website.

Thank you for your support,

Corporal Jason Moseley
Union President

International Union of Police Associations, AFL-CIO, Local #5004