**MINUTES of UNION MEETING** May 2, 2019

Meeting held at the Ferndale branch of the WECU bank.

Afternoon session called to order at 1305 hrs. Evening session called to order at 1704.

Pizza and pop were served at both sessions. Root beer floats were offered at the evening session.

Report from the Sergeant at Arms: nothing to report

Report from the Vice-President: nothing to report

Report from the Treasurer: not present

Report from the Secretary: not present

1. ***Expanded AWS for Blaine Agriculture Specialists****. Options prepared by Adam Williamson will be discussed and an advisory vote taken.*

A paper version of the AWS proposal was distributed to attendees. There would be 5 total AWS slots. 3 would be 0800 – 1800, and two would be 1000 – 2200 with one day of 1400 – 2200 every-other week. All AWS schedules would have rotating days off.

No Agriculture Specialists were present to discuss the topic at the afternoon session.

Two Agriculture Specialists were present to discuss options during the evening session. Discussion touched on topics such as, which work unit would be best suited for AWS, would the proposed schedule be better if it started at 0600, are these really the schedules we want to propose? etc. One person commented that she would rather have set days off. Other comments were that the bridging of 0800 would be helpful. Still further comments focused on the popularity (or lack thereof) of 12-hour shifts. Albright mentioned that the easiest sell for management would likely be the Flex unit, because of the inherent flexibility. But there’s nothing saying that it could not be expanded to other Agriculture work units.

Because of the lack of consensus on what schedule would be preferred, it was agreed that the architect of the AWS, Adam Williamson, would canvass the Agriculture work unit to get a “vote” on whether to go forward with the schedule, as proposed. That effort is in progress currently.

1. ***Assignment protocols for overtime***

President Albright asked if there were any concerns regarding the protocols on the assignment of OT, such as participating groups, areas of eligibility, etc.

The afternoon session raised concerns regarding the determination on who is assigned to OT at the Peace Arch. The consensus was to ask the chapter leadership to inquire with Scheduling on how the determination is made.

Other discussion focused on the possibility of creating a secondary pool of overtime volunteers, from “other” ports, to work voluntary overtime in lieu of forcing someone at the initial port. Reportedly, a visiting management observer from Buffalo suggested this practice, and DFO Fasano is interested. Officers in Point Roberts have been in favor of this for some time. The union suggested a similar protocol as much as a year ago, if managed by a MOU. Undetermined interest from other ports. Forced OT is probably the biggest morale buster in CBP. Management has been approached to make this a reality in the Blaine area, but an MOU will be needed.

One member queried the reasoning on why the swing shift almost ceases to exist on regular time, every summer, for officers assigned to the Peace Arch or the Pac Hwy. Albright explained management’s stance on this, briefly, stating that management prefers to create OT on the swing shift instead of the day shift. OT on the swing shift provides more flexibility for management regarding scheduling, control of the overtime budget, and continued availability of personnel throughout the summer. Albright was not defending management, simply explaining management’s stance on the issue.

1. ***Impact of new program regarding the hiring of additional CBP Technicians*** *and their resulting assignment to processes not previously staffed by CBP Technicians. Also, impact on Officers. Comments sought*.

Albright provided a synopsis of issues being faced by current CBP Techs regarding the grievance and bargaining related to AWS and the Bid and Rotation. Also, information was provided regarding the desire by CBP to assign CBP Techs to duties traditionally performed by CBPOs. This is part of a pilot project being pursued by several ports around the country, including Blaine, Denver, Hidalgo(?) and a few other place. Approximately 20 CBP Techs will be hired in Blaine.

Discussion was involved, and focused on the appropriateness of assigning Techs to direct law enforcement-related duties. Albright explained the legal reality of CBP assigning Techs to internal support roles such as Scheduling and Command Center, as opposed to front-line law enforcement roles. Can Techs be assigned to issue I-94s? The matter is complicated. Internal CBP policy argues against the assignment of Techs to Nexus, at least regarding the role of interviewer and grantor of admission into the Nexus program. One Technician present commented on the choices of CBP management to absorb some Techs into the CEES in some locations, but not all, and the lack of forethought on what to do with the non-uniformed Techs who were not absorbed into the CEEs.

Albright commented further that it was a complex matter which would require research in the INA and CBP policy, regarding the proper authority and work assignments given to CBP Techs. He asked for the members to please inform chapter leadership in the event they begin to see some of the threatened changes.

1. ***Updates on matters being pursued by the chapter****.*

Albright provided brief updates on numerous issues being pursued by the chapter. Among those are the following:

* AWS in Mission Support (very involved)
* AWS modification for CBP Techs (very involved, including grievances)
* Bid and Rotation for Techs
* Rail office relocation
* Mold mitigation and office relocation in FP&F
* Overtime excusal prioritization – agreement reached in Vancouver and Victoria, but no recent word from Blaine management
* Swapping schedules and shifts (mostly for Agriculture Specialists)
* Seattle Field Office relocation – continuation of bargaining, now down to restroom facilities in the Cargo building
* AWS for Danville and Metaline Falls
* Two discipline cases headed for arbitration
* AEU selection grievance headed to arbitration (this and the above grievance will be the chapter’s first arbitrations in over two years)
* Several refused Requests for Information, now being grieved, possibly headed to arbitration
* Secondary OT pool discussions
* ROAM issues
1. ***Other topics***
2. A member asked **how many signatures are required to remove a manager?**

Albright responded that there is no official policy on this matter. There is no such rule. But the possibility of a symbolic no-confidence vote remains (even though prior chapter leadership always cautioned against such a maneuver). The Blaine Police Department recently voted a unanimous no-confidence vote in their Chief. This, and other issues, caused the Chief to resign.

1. A member complained about **OT being assigned more than 72 hours in advance**.

Albright responded that it had been the general practice in the Blaine area to assign OT 10 to 14 days in advance, since at least the year 2000, and that any reversal in that practice would surely lead to harsh criticism from the majority of members. Albright acknowledged that the practice differs widely from port to port.

On a related topic, one member asked why OT is assigned so late to Ag Specialists. Chapter leadership will follow up.

1. A member asked questions about **minimum staffing**, who decides the number, when, etc.

Albright explained some of the sordid history on minimum staffing agreements, going back to the 1995 Local Inspectional Assignment Policies, the impact of President Bush’s cancellation of the Clinton era Partnership in 2001, etc. In short, we can discuss minimum staffing numbers with management, but we have little ability to formally bargain the matter. Staffing numbers is a “management’s right” found in Title 5, and management jealously guards this right.

On a related topic, one member complained about specific staffing numbers in Agriculture work areas in Blaine, and commented that Cargo did not normally need 4 Aggies, but the Peace Arch definitely needed more than two. The member suggested reducing one Aggie from Cargo, and adding one Aggie to the Peace Arch. The same member complained about management not allowing schedule or location swaps. Albright explained the current developments on that issue, including discussions with the Area Port Director.

Afternoon session adjourned at 1450 hrs. Evening session adjourned at 1850 hrs.