

From: [McBride, Joy \(LMTAAA\)](#)
To: [Murphy, Dan](#); [DSHS DL ADSA AAA DIRECTORS](#)
Subject: RE: Due 7/29/16: Feedback on SEIU775 Proposed Language
Date: Wednesday, July 27, 2016 5:08:40 PM

Thanks, Dan. I'm going to share this with staff here and get more feedback.

As far as the meaning of "in a separate group orientation," I think that may be their way of telling us that AAA staff should not be present during the 15 minute presentation. Last week had some complaints from SEIU via AL TSA because one of our staff not only stayed during the presentation but spoke up in response to IPs who were looking at her for help when they were being pushed into signing up. We were instructed that our staff must not be present during the 15 minutes and must remain neutral at all times. Prior to that, staff here had not received any information about expectations for them during the union orientation process.

Joy

From: Murphy, Dan
Sent: Wednesday, July 27, 2016 4:56 PM
To: DSHS DL ADSA AAA DIRECTORS <aaadirectors@dshs.wa.gov>
Subject: FW: Due 7/29/16: Feedback on SEIU775 Proposed Language

FYI – NWRC response.

From: Murphy, Dan
Sent: Wednesday, July 27, 2016 4:52 PM
To: Kiboneka, Grace (DSHS/AL TSA)
Cc: Rector, Bea-Alise (DSHS/AL TSA/HCS)
Subject: RE: Due 7/29/16: Feedback on SEIU775 Proposed Language

Grace --- I hope all is well. I Did a quick poll around our shop. This may not be new ground, but of course this is not a new issue. Taking Bea's questions:

1. Any barriers with implementing this language; along with why those barriers cannot be worked around.

-

Our area does about 5-6 IP contracts per week.

Even within Whatcom and Skagit Counties logistics of centralizing/scheduling anything with such a low volume is practical problem (let alone adding in geographic challenges presented by Whidbey, Camano, and the San Juan Islands). For example its 28 miles and 45 minutes from Maple Falls to Bellingham. 29 miles and 38 minutes from Concrete to Burlington. In an effort to gain efficiency (which is what I assume SEIU is after), a few years ago NWRC tried a two-day per week standing schedule (remember we are co-located with HCS) but abandoned it because of no-shows, understandable conflicts (child care, transportation challenges, etc) faced by potential IP's. The delays and complexities of rescheduling missed appointments made things worse instead of better. As a result in order to avoid delays in care we schedule appointments

based on the IP's convenience and not ours. We could certainly reinstitute the "scheduled for our (and now SEIU's) convenience, but likely would see a similar outcome. There is no workaround since the variables in the potential IP's schedule, or their ability to follow-through, are neither in our control or SEIU's. Nor is there a line of workers standing in line to care for a particular client so if an IP doesn't make an appointment its not "no show/no job, who's next" its really "no show/no care."

In short, we could schedule sessions and for reasons neither management or labor can control, its likely many of the invitees would skip it and we'd have to work by their schedule, not ours.

2. If you have suggested improvements to the language, please provide revised language to us

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Reading the language cold I find it confusing. It certainly may be possible to make some gains by scheduling and consolidating where possible, and I see the phrase, "whenever possible" in the first added sentence but then its followed by sentences that include a bunch of "wills" and "shalls" which lead me to conclude the intent is to accomplish contracting only via the enumerated consolidation approaches – feasible or not. And by the way, I have no idea what "during a separate group orientation" means --- perhaps that's why it was circled in what Bea sent out. So --- I'd suggest the following language to make it clearer that the intent is to consolidate in the specific ways listed where it is possible to do so without creating a barrier to IP jobs or delays in client care. I'd modify their proposal as follows (highlights are my adds):

Section 2.3A

"Wherever possible without creating a barrier or delays in IP's becoming employed and providing client care this opportunity will occur during a separate group orientation. For DSHS offices that contract with less than seven (7) IP's per day ... " and repeat later in the paragraph: "Wherever possible without creating a barrier or delays in IP's becoming employed and providing client care, DSHS Offices that contract with more than an average of seven (7) IP's ... "

Section 2.3D

First sentence: "In some cases due to emergent or unanticipated matters, or in order to avoid creating a barrier to an IP becoming employed and providing client care, individual providers may complete tasks ordinarily covered in contracting appointments outside of designated days "

Because it is likely to be more accurate from week to week, change the last sentence to: "on at least a weekly basis, provide a list to the Union of individual providers that did not attend contracting appointments on designated days. who complete tasks ordinarily covered in contracting appointments outside of designated days.

In our area, we just can't be restricted solely to a universe of consolidated approaches and for the reasons listed above, Section 2D is where much of our approach would live. While there

may be other words to get there, the union proposal is pretty murky.

Also, FYI, may not be new ground, but here is the NWRC contracting step-by step:

Day 1:

- CM gives us a form with the name of the new IP and contact information
- CA (case aide) calls IP to request they come into office to complete initial paperwork (background check and intake forms)
- CA runs background check and if there is no record prepares contract and fingerprint form (if there is a record than CA would prepare a suitability review and send to CM – CM completes, has supervisor approve, then CA would prepare contract/fingerprint)

Day 2:

- CA contacts IP to set up appointment – this could take longer depending on IP availability. CA puts contract into signed status.

Day 3:

- Meet with IP and review contracting information. Give IP Safety and Orientation DVDs or online information. S/O cannot be completed until their information gets to the Training Partnership.

Day 6-8:

- It takes 3-5 business days for new IP information to get to the Training Partnership so that IPs can get a confirmation number to confirm that they have completed their S/O.

Day 9-10:

- It takes 1-2 days to receive confirmation from the TP that S/O has been completed (we get reports daily with this information)

This timeline can take longer depending on many factors:

- If the IP wants the initial paperwork mailed to them it will take longer to start the process with running the background check.
- If there is a suitability review needed – depending on how fast the approved review gets back to the CA (this can sometimes take up to a week).
- When the IP can come in for their contracting appointment – it is not always the very next day – sometimes it is up to a week.

From: Rector, Bea-Alise (DSHS/AL TSA/HCS)

Sent: Tuesday, July 26, 2016 2:27 PM

To: DSHS DL ADSA AAA DIRECTORS; Fairfield, Tara (DSHS/AL TSA/HCS); Vue, Pao (DSHS/AL TSA/HCS); Heartburg, Gregory (DSHS/AL TSA/HCS); Roberts, Debbie (DSHS/DDA)

Cc: Kiboneka, Grace (DSHS/AL TSA)

Subject: Due 7/29/16: Feedback on SEIU775 Proposed Language

As you know, over the past several months there were 3 regional meetings to discuss Article 2 of the CBA between SEIU775 and the State of Washington. This article describes union access to new Individual providers during the contracting/safety/orientation sessions. During the meetings ideas were generated about how union access can be done in a way that is feasible from a coverage standpoint for them and in a way that does not adversely impact timeliness of contracting and beginning services for clients.

In a bargaining session today, the union proposed the attached revisions to language for the 2017-19 CBA. They indicated the regional meetings were very helpful for them to understand how the contracting process works, the need for some variation based upon the size and location of offices throughout the state, and for getting input into the process from individuals who do this work.

We are asking that you review the attached proposed language (this is a scan of a paper document so the 2nd attachment is the beginning of article 2.3 and the 1st attachment is the back page of the rest of the article).

Please tell us:

- any barriers with implementing this language; along with why those barriers cannot be worked around.
- If you have suggested improvements to the language, please provide revised language to us.
- Any other information you believe is relevant

Please email responses to Grace Kiboneka no later than Friday, July 29th.

Thank you,

“Transforming Lives”

Bea Rector / Director / Home and Community Services Division

Aging and Long Term Support Administration

Washington State Department of Social and Health Services

(O) 360-725-2272 / bea.rector@dshs.wa.gov

Transforming Lives