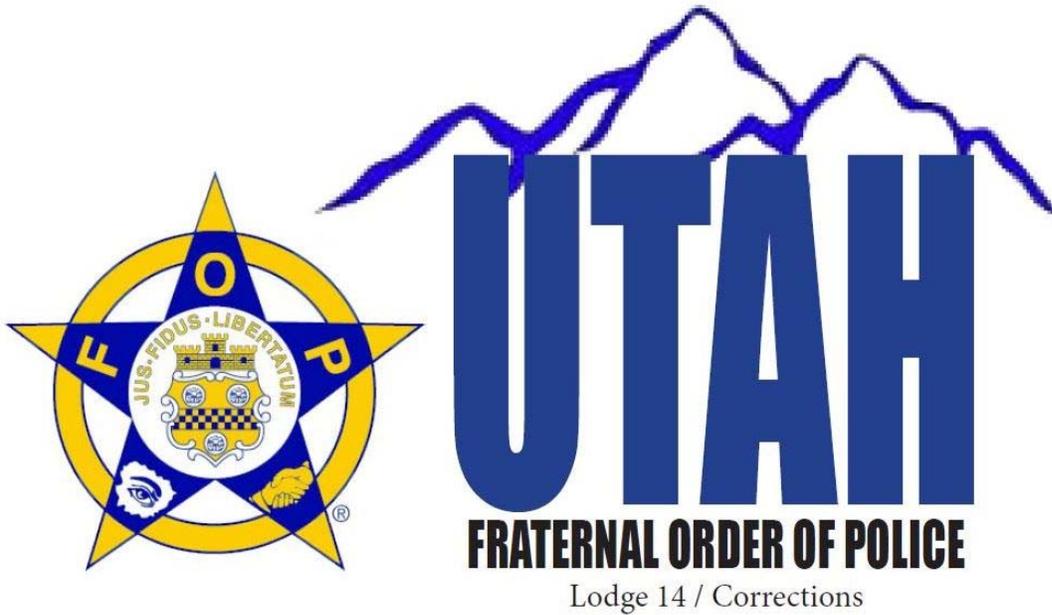


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MARCH 2017 FOP LODGE 14 NEWSLETTER

FOP Leadership

[BECOME A MEMBER OF AN ORGANIZATION WHICH IS WORKING FOR YOUR INTERESTS TODAY!](#)

Ken Strong, President

Michael Renckert, AP&P Vice President

Jared Diehl, Corrections Vice President

Holly, Neville, Secretary/Treasurer

David Booth, Sgt. at Arms

FROM THE DESK OF THE PRESIDENT

Dear FOP Lodge 14 members,

With the reports of the new pay plan approval, I wanted to thank those staff who made an extra effort to step up and support The Cause. This has been a work in progress that



started in September of 2013. We have learned a lot about state rules, our department and the heart of its people along the way. Frustrated with the very slow progress at times, yet we prepared for meeting after meeting with a few positive encounters along the way. People gave us encouragement, help and suggestions that came from sources ranging from fellow Officers all the way to the Governor's Office. I want to acknowledge them for their help for getting us to this point.

Holly Neville, whose incredible skills of creating presentations, writing and editing, and her interpersonal skills that made friends and allies of the people who supported us.

Dave Booth, who offered his leadership skills by encouraging staff to write letters, as well as his photographic talents to document and show the effort being put forth for our staff.

Jennifer Starks, for her incredible work creating, moderating, monitoring, and sharing information on "The Strong Cause" Facebook group. I feel this group has been the nucleus of our efforts, and the gathering of ideas and information sharing was impressive.

Psychologist **Sean Casey**, for his expertise in building the graphs and spreadsheets used in our presentations.

Kent Demill, who stepped up and supported us to get this rolling even before most staff knew what we were trying to accomplish.

FOP Vice President **Jared Diehl**, who brought renewed energy, vigor, knowledge and offered help with everything.

CUCF's **Jason Nielson & Laura Mumford** and the **CUCF employee's work group** that produced the valuable information related to Correctional Staff by Rank and the Public Assistance they qualify for.
Ryan Garlock's CPM group work which compared our benefit plans with the Counties benefit plans.

Robert Bond, Doug Cook, Stephen Tebben, Vaughn Howard, Marty O'Bray, The Scheduling Office, Neil Halladay, Brent Jacobson. All of those who contributed valuable information, encouragement and time to helping The Cause.

Some may feel their contribution was small, but to the bigger picture every bit was helpful, and piece by piece it worked because of them. To each and every one of you who took the time to write to our Legislators and explain how important this issue is to you personally, I thank you. We were successful in improving UDC Officer's lives far into the future due to your efforts.

At the start of this process, I was approached by three employee organizations who requested I join their groups. I stated that I wanted to remain neutral, so every group would feel comfortable working with us. I waited to see who would step up and actually earn my dues. Who would work hard to support and drive our agenda forward. Who would mentor and protect the Officers they claim to represent. For 18 months, I watched these groups give lip service and then disappear, never providing anything substantial to help. Although some individuals in those organizations helped, the organization itself failed to contribute anything more than minimal information and time, except for one.

From our initial meeting with all of the employee organizations, it became clear that F.O.P. was there for us. More specifically, **Kelly Atkinson** requested a meeting with us, took our information and went straight to work laying out a plan to effect a change. He was not only helpful, he soon took the lead and put us in front of the Governor's staff at the Capitol, and then with the state DHRM director. This was the foundation to start a new pay plan and we became more productive by working with these individuals and groups. We owe him our gratitude and respect for what he does for us every day. I see his work behind the scenes at the Capitol during the Legislative session and all year long. His relentless drive to accomplish

this goal is inspiring. I joined FOP because of his spirit and drive. I have met the F.O.P. Attorneys and they are solid, savvy and focused. I believe this organization has our best interest at heart and will relentlessly pursue improv

And finally, a thank you to **Director Cook** for understanding the need and having the vision and patience to see this new pay plan through; **Deputy Director Haddon** and the rest of the Corrections staff who worked hard supporting us by putting staff compensation as a priority with the Legislature. This collaboration and team work proved to be successful for the past three years. This effort is appreciated and did not go unnoticed.

ing our work place and the treatment of our Officers.

The staff of UDC appreciate your efforts as well.

**Thank You,
Ken Strong
President F.O.P. Lodge 14**

FOP Works with the Cook Administration to Establish a Career Salary Schedule



historic appropriation recommendation.”

It took a lot of hard work and effort, but \$5.8 million has been appropriated to the Utah Department of Corrections for the sole purpose of implementing the outside consultant's proposed career salary schedule. The overall appropriation includes a 2% cost-of-living for all UDC employees and topped over the \$7.6 million mark. Ken Strong, President of FOP, stated: *“This is the largest salary appropriation to the Department of Corrections in its history. It's been the accumulation of a lot of effort and hard work on the part of the Cook Administration as well as FOP being on Capitol Hill every day lobbying for the passage of Governor's Herbert's*

Kelly Atkinson, FOP's Executive Director, stated: “Those that have followed this issue over the last four years knows that it was Captain Strong who first led the efforts with Director Cook to improve wages among sworn. Without the two of them, this would not have happened”.

Many know that for the last several years FOP in the Cook administration have worked together to create a career salary pathway. But the Governor office believed that anything was created by UDC would be perceived as self-serving by the legislature. Once the outside consultant was hired by the Governor's Office, the proposal developed by him was widely accepted by legislators. The momentum to develop a career salary schedule culminated when the Governor's Office agreed to bring in an outside consultant. While FOP knew the hiring of an outside consultant came with inherent risks, FOP felt that any risks were outweighed by the fact that the current status quo was untenable. Because no salary system currently existed in all of state government (with the exception of UHP), without a structure approved by the Legislature, employees' wages were subject to a year-by-year assessment by the Legislature. This year-by-year assessment has been the practice in the state since the 1950s.

Now that a salary schedule has been adopted by the Legislature, FOP pledges that the Fraternal Order will work tirelessly, as has been the case in the past to correct the inequities that exist in the now current system (agent pay being the highest priority). The operative word

here is “system”. UDC now has a system, where before there was none. You can make changes within a system. You can’t change a compensation structure which has no salary steps and is based on ranges controlled exclusively by HR.

Myths About the Pay Structure



MYTH: The Cook Administration developed the Pay Plan.

FACT: The Governor’s Office of Management and Budget put out an RFP (request for proposal) for a consultant to create a salary career path for UDC. The winner of the open bid was Neville Kenning of Kenning Consulting, Inc. A prominent, nationally recognized consultant for the development of public employee salary schedules including correctional agents and officers. His firm is out of Newport Beach, California.

MYTH: Once the career salary schedule is adopted, there can be no changes.

FACT: The Utah Highway Patrol adopted their salary schedule three years ago and each year thereafter, they made changes in their system to address salary inequities. This year the Legislature appropriated 860,000 dollars to Trooper to adjust pay ranges.

MYTH: AP&P is going to be privatized.

FACT: When the staff at the Governor’s Office heard this rumor, they laughed right out loud. Their direct response was, “No way!” In addition, the Director has confirmed that this issue has never been discussed at any meeting where he has been in attendance.

MYTH: Director Cook has said there will be NO changes in the new career salary schedule.

FACT: FOP has attended 3 of the four open houses held by Director Cook for staff to explain the new career salary schedule. Director Cook has never said in any of those 3 meetings that there will be NO changes in the new career salary schedule. What he has said, is that he will NOT make recommendations to change the system proposed by the consultant *without concrete evidence demonstrating inequities*. People hear what they want to hear and what suits their purposes. FOP is dedicated to fixing the salary inequities in the new plan and will pursue this agenda vigorously.

MYTH: All staff will start on the first step of their appropriate lane.

FACT: Because not enough funding exists to place all sworn staff on the salary step that matches their years of service in their position, all sworn staff shall receive one step on the salary schedule for each *two years* served in their **current** position (not years of service with the Department).

MYTH: If the salary schedule step that you are placed on exceeds your current salary, you will NOT receive a raise.

FACT: Whether you will be placed on the step above your current salary has yet to be determined. However, every sworn staff member will receive the raise that all other employees in the State of Utah receive (right now this is believed to be approximately 2%). Then, each year thereafter, every sworn officer and agent will move up one step on the new career salary schedule until the officer or agent tops out on the schedule.

My Take

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By Executive Director Kelly Atkinson

The Fraternal Order of Police is an organization which is constantly pushing the boundaries of what others claim are hard limits. While other so-called employee organizations have been on the scene for decades, FOP is relatively new to corrections. Started by a handful of dedicated AP& P agents, FOP's aggressive brand of representation, once formed, started to make a major impact in the lives of officers and agents.



The road has not been easy. Our efforts were met with resistance. We expected resistance from the administration as most administrations seek to maintain the status quo. What was surprising to FOP was the resistance met from the other employee organizations. The reluctance and sometimes flat-out refusal to step up to the plate and represent members was maddening. Here are just a few examples:

- When FOP arrived on the scene, Utah Highway Patrol officers who were injured in the line of duty, continued to receive their retirement benefits as if they were employed until such time they return back to work or retired. FOP secured a sponsor to carry the legislation, broadening the benefit to agents and correctional officers, and requested assistance from the other employee organizations in lobbying the Legislature. The record clearly reflects that FOP passed the legislation without the help or assistance of these other organizations. Agents and officers are now treated the same way as UHP officers when hurt in the line of duty.
- FOP was blown away when it arrived on the correctional scene to discover that all public employees working for the state of Utah received up to a 4% annual cost-of-living adjustment upon retirement. The only exception - Utah Highway Patrol officers and agents and Cos. FOP officers asked, "How could this be given the decade's other organizations had been allegedly representing the sworn staff of UDC?" It was FOP that formed an organization with the Utah Highway Patrol to correct this inequity. Cops United for Retirement Equity (C.U.R.E) lobbied heavily to have the 4% annual C.O.L.A. extended to UHP & UDC. While these other so-called organizations join C.U.R.E. they were more than happy to sit back and let all the heavy lifting be done by FOP & UHP. Of course, once the legislative victory was achieved, these organizations were quick to take credit for the success. Again, a review of the legislative record will prove who was responsible for securing the benefit.
- FOP led the battle in corrections for improving the grievance policy. During the early days of FOP, the department was the only department that had an internal hearing officer to review department decisions. All other departments had rotating administrative law judges review their departments' discipline. It was FOP that asked for a Government Records Access and Management Act (GRAMA) request and discovered that the internal hearing officer, housed within the department, had never reversed a departments discipline findings and had seldom mitigated discipline. When the department had a series of layoffs, FOP led the successful battle to have the position of an in-house ALJ terminated and replaced with ALJs from the Career Review Service Office.
- When FOP arrived on the scene, there were two sets of rules. One set for the administration and another set for line officers. Time and time again upper level administrators could violate department policy with immunity. Many of these upper level administrators were members, even officers, of the employee organization claiming to represent line officers. While the administration claimed that those in supervisory capacities were held to a higher standard, all evidence of their actions were contrary to their words. FOP quickly adopted the mantra, "We don't want supervisors held to a higher standard, we want them held to the same standard." Time and time again upper level management continued to protect supervisory personnel with immunity of egregious and serious offenses. FOP led the fight to reveal this hideous practice and called for a legislative audit. Prior to doing so the two other organizations claiming to represent agents and officers were approached and asked to

join in the call for the audit. Both declined claiming while they knew and understood that serious, egregious, violations of policy were occurring, the potential repercussions from the administration if we failed to secure the audit was just too big of a risk. FOP took this issue on alone. The results was a blistering audit by the independent legislative auditor in 2007 claiming nepotism, favoritism and cronyism abounded within the department. The report was an exoneration of everything that FOP had claimed and the accumulation of more than 2 ½ years of work on the part of FOP to ensure that every alleged violation checked out and was verifiable and egregious.

- The audit resulted in the appointment of a new Executive Director. FOP experienced a brief honeymoon with the new director and initiated talks to create a career ladder with guaranteed annual increments. The honeymoon ended when the new director met with President Steve Miller and Executive Director Kelly Atkinson and revealed a so-called career ladder the gave an \$0.11 raise to officers after five years of service. FOP protested vigorously claiming that the system was flawed because of the parsimonious wage adjustment and the lack of the AP&P officers being included in the career ladder. From that point on, the administration viewed FOP as the enemy. After five years of an administration that failed to change the culture that existed previously, FOP's leadership called for a vote of no-confidence on the administration (an option referred to as nuclear). Once again FOP approached the other organizations that proclaimed to be representing officers and agents, but were told while our cause was just, "the stakes were just too high".

The result of our proactive approach on the part of our members has resulted in a reputation with legislators and the Governor's Office that FOP is an organization that fights aggressively for its members, but in a reasoned and a logical fashion based on the facts. Our current administration and FOP have worked hand-in-hand to fight for a progressive agenda improving the promotional policy, the grievance policy, and fair and equitable compensation for sworn officers.

With the historical implementation of a career salary schedule for agents and officers working for the Utah Department of Corrections, FOP is proud of the work that we've done. My take is that we should give mad props to Director Cook and his team, to Captain Strong and his team, Vaughn Howard and his team, and FOP for their leadership in achieving this monumental step. Finally, after years of struggle and battles a salary schedule exists from which to build and improve upon. No more starting at ground zero every single year, hoping that we can secure a meager appropriation to secure a wage increase. No more wondering if you have a career pathway or future with the department.

FOP is quite confident that the same organizations that have been, for the most part, MIA in our efforts will now rush forth claiming that they single-handedly accomplish this objective when once again the record will clearly demonstrate which employee organization fought for and worked with the administration to achieve this historical landmark in the history of the department.

GREIVANCE REPORT & Non-members

Every month FOP gets a number of calls from agents and officers asking for assistance in various aggrieved matters. It is heartbreaking when these officers are not FOP members. FOP recently received an email from a member asking for support for her co-worker who is going through some extremely challenging times and fighting to keep his career in law enforcement. The email expressed that the officer felt like they could handle any problems they confronted in their employment. However, the officer was wrong.

When an officer is confronted with an allegation from the administration, that allegation is usually backed by administrators along the chain of command, senior management, HR, and the Utah Attorney General's Office. The officer or agent has FOP and only FOP. The resources of FOP are awesome. The organization has the best lawyers in the state for law enforcement issues. The organization has the respect of the both the administration and a reputation with lawmakers and influential policymakers.

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Unlike other organizations, there is no gatekeeper where a member has to get approval before they can go to the attorneys. FOP dues are slightly higher than other similar organizations, but there is no comparison in the level of representation and aggressiveness you get when you're a member of FOP versus any other employee organization you can belong to in the state of Utah. This statement is attested to by the number of grievances FOP has won or significantly mitigated the proposed discipline. More importantly is the development that many problems are resolved or dismissed before discipline and or grievances need to be filed by FOP discussion the situation with the Administration. While some rank-and-file members may not think things are getting better in the department in this area, FOP clearly sees, based on FOP's institutional knowledge, things are getting better.

Just this last month:

- A grievance recommending 40 hours of discipline was reduced by Director Cook to a LOR
- An allegation of discrimination and biased was resolved by contacting HR and having Jim Hudspeth intercede to resolve the matter without the need to file a grievance.
- Another issue was resolved through FOP's communication with the administration regarding an overtime issue where a member was denied future overtime because of a situation completely out of the control of the employee. A email, which was immediately acknowledge by the administration, fixed the program even though the member had attempted to resolve the issue initially without the help of FOP.

FOP encourages all nonmembers to make an investment in themselves. Join FOP today at UTAHFOP14.COM!

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