



## May/June 2017 Newsletter

### Message from Ken Strong, President

I want to express my gratitude towards the men and women of AP&P who during the time of questions concerning the new pay plan moved forward from the stages of complaining to stepping up and becoming part of the solution. These Individuals have given their time and have worked hard to accomplish a goal of building a more equitable pay plan. The chance to be heard, the chance to change what has happened, the chance to provide solid information to substantiate change and hopefully make a more promising career for the rest of the Department has been the driving objective of their work. These individuals deserve your support in every way possible.



We have two main issues that are getting a hearing before the Executive Director due to these individuals, the CS1 position and the Agent position. I have to say to John Carpenter & Audrey Brown; how impressed I am with how quickly you gathered your information together.

In regard to the agent compensation issue, I hope FOP members understand how many nuances and complexities need to be sorted out before FOP can make a claim that the information used by the consultant isn't accurate. States vary dramatically. Not all agents do what our agents do in the state of Utah. So far, thanks to John Carpenter and his committee, 8 main points have been identified for comparison purposes as well as several other issues that are local in nature. A lot of work and thought has been put into this project in a very short amount of time. It speaks volumes regarding the professionalism of our agents.

Prior to a decision being made by the Department, I want to say I believe we have gathered information that will shape the new pay plan for many years to come. Agents John Carpenter (agent compensation issue) and Audrey Brown (CS1 issue) are leading the way and if you have any information that may help the cause send it to them or me ASAP.

There has been a lot of discussion about these issues and important information has been obtained through this process. I look at complaints as questions we need to address and they leads to ways of developing solutions. I appreciate the emails and staff who come up to me and say, "Have you looked at this issue?" or even better they say, "I researched this and found this info." These people know who they are and I appreciate their contributions.

With this being said, for all of the Men and Women who serve in Law enforcement. Stay safe and help those around you be the same.

With my greatest respect

## The Difference between UPEA and FOP



### Who is representing you?

On Thursday, April 20<sup>th</sup>, a staff member of UPEA told the Cook Administration in the Employee Compensation Committee that UPEA was ready to move ahead with the implementation of the proposed salary schedule as recommended by the Outside Consultant without any changes. This occurred, after FOP made it abundantly clear in the meeting that FOP was not willing to move ahead until FOP had an opportunity to independently verify the comparison data used by the consultant to make his recommendations.

During the compensation meeting with Director Cook, Executive Director Atkinson said that FOP was not convinced that the consultant's work was correct in regards to the classification of agents and supervisors and that FOP was working to independently verify the accuracy of the data gathered by the consultant to determine if there were errors made. FOP requested additional time in order to accomplish this task and indicated to the Director that we anticipate concluding our study by May 15. The department was concerned about any delays because of the time that it may take to place employees properly on the new salary schedule. FOP acknowledged that proper placement of people on the salary schedule is a big task, but more importantly making sure the people are properly compensated and equitably paid should be the number one priority and it was of paramount importance that the consultant's recommendation be independently verified. Director Cook agreed with the position that employees should be equitably and fairly compensated and indicated he would see if the extension could be granted.

During the discussion, UPEA stated that they were willing to move ahead with no changes in the recommendation of the consultant. When asked directly by Executive Director Kelly Atkinson whether UPEA independently verified the data through their research, the response by the UPEA staff member was that they hadn't, but they had confidence in the work of the consultant because they had worked with him in the past. That is the difference between FOP and UPEA. Our members are too important to simply not do the work that is necessary to represent their interests.

FOP is an organization solely dedicated to certified officers. We are not advocates for support personnel, we are not champions for UDOT workers, we don't represent professors at universities, or employees working for the Utah State Tax Commission - we represent agents and officers exclusively and we do it better than any other organization in the state of Utah.

In FOP's fight to get an administration that we could partner with to make the kinds of gains we are currently experiencing under the Cook Administration, these other organization sat on the sidelines as we called for a legislative audit which eventually revealed nepotism, cronyism and favoritism within the walls of the Department of Corrections. When it became apparent after five years of failed policies, that the previous administration had to go, UPEA refused to join FOP in calling for the Governor to remove the Executive Director and sat on the sidelines once again when FOP conducted a vote of no-confidence.

When FOP worked with Director Cook and his administration to initiate a career pathway for officers and agents, UPEA sat mostly silent, content to let FOP do all the heavy lifting and quickly after the task was accomplished to step forward to claim credit. Executive Director Kelly Atkinson remembers an earlier meeting several years back where Director Cook and the employee organizations were attempting to establish a career salary schedule for sworn officers and agents. Contributing little to the meeting, the only question UPEA raised at the end of the meeting was a question directed to Director Cook asking, "What are you going to do for the support staff?" There is a proverb very applicable to the issue at hand. The proverb states, "**No man can serve two masters**".

FOP is dedicated exclusively to representing POST certified officers. In our pursuit to give our members the best quality representation we will not abdicate our responsibility to an outside consultant without independently verifying the information. The record clearly indicates that FOP was at the forefront, leading the way to establish a career pathway for officers and agents. The legislative record clearly indicates who lobbied heavily over the last three years to accomplish this objective. FOP will not sit idly by and allow another employee organization to pull the legs out from underneath them and then claim to represent for their own aggrandizement without ensuring that those members know how their organization is representing them.

## **FOP WORKING TO SEE ALL CS1 ARE TREATED FAIRLY**



By: Audrey Brown

On April 20, 2017, Director Jim Hudspeth met with FOP Executive Director Kelly Atkinson, Officer Audrey Brown, and Officer Mike Miller to discuss the CS1 to Sergeant proposal. In the meeting, all parties agreed upon fundamentals which needed resolution.

FOP Executive Director Atkinson explained had FOP known there would be CS1s not included in the conversion back in June 2016, they wouldn't have agreed to it and/or would have grieved it at the time. FOP asserts this exclusion of the community based CS1s has created an immediate disparity and a long term inequity. FOP supports the proposal offered by the CS1s and is encouraging the department to adopt the resolutions prior to July 1, 2017.

Director Hudspeth generally agrees and recognizes the problems created by excluding some

CS1s from the conversion. However, the resolutions may not be as simplistic as calling CS1s sergeants. He indicated AP&P isn't ready to adopt the "sergeant" title. Rather, AP&P is considering the possibility of restructuring agents into three tiers, i.e. Agent 1, Agent 2, and Agent 3, with CS1s assigned to one of the tiers.

Regardless, if CS1s are or aren't changed in name, Director Hudspeth implied there will still need to be some remedy to the problems created by the DPO conversion. He also acknowledged the increasing inequities which will come about after the implementation of the pay plan starting on July 1, 2017. Director Hudspeth will be attending an NIC training with other representatives from state probation and parole providers. He said this would present an opportunity to explore how other states have structured their departments.

The second consideration Director Hudspeth had was whether or not the two halves of the department should continue to have open lateral transfer opportunities. It may be employees might have to commit their career path solely dedicated to one half of the department or the other.

Or, the department and employees might benefit from greater opportunities for lateral transfers throughout the entire chain of command hierarchy. Either way, the department does have an obligation to announce in advance and with ample time for employees to respond prior to enacting any restrictions or expansion of career path options.

The concerns surrounding the unfavorable morale and disheartened staff within AP&P was discussed. This resolutions from the CS1 proposal could be a demonstration of the administration's commitment to mending the divide which has been created from the consultant's pay plan proposal which was financially more advantageous to DPO than AP&P. Regardless, the department is still working towards solutions for AP&P to restore balance between the two divisions.

Director Hudspeth agreed to thoughtful consideration of the proposal. He explained a decision of this scope and magnitude would need to be made by Executive Director Rollin Cook. Director Hudspeth further committed to representing both his position and ours to Executive Director Cook. Director Hudspeth further agreed to provide a response within a timely manner; which could required additional meetings, possibly with Executive Director Cook, in the coming weeks.

See Hudspeth response at [www.UTAHFOP14.com](http://www.UTAHFOP14.com) Compensation

## **BITS AND PIECES FROM THE EMPLOYEE COMPENSATION COMMITTEE MEETING**



Besides FOP standing up for correctional officers, agents and supervisors at the employee compensation committee meeting held last week, two other important issues were discussed of relevance to officers and agents.

1. The placement of employees on the new salary schedule was discussed. The administration indicated that the Legislature appropriated \$5.8 million for the implementation of the salary schedule. The actual cost of implementation is more in the area of \$7.9 million. As a result, in order to implement the salary schedule the department will place people on the new salary schedule based on fully completed

years of service. FOP expressed concerns about the policy and said that it would cause contention but the Department expressed the funding didn't exist to do anything else.

2. The Department indicated the new policy for advancement would be a 5% promotion. If that increase place people on the salary schedule of the appropriate lane higher than their years of service based on the implementation formula used above, the employee would stay there until years of service corresponded with the appropriate step. FOP indicated that upon advancement an employee should be put on the first step of the appropriate lane (ie sergeant, Lt, Supervisor) which provided a 5% increase, and then each year go to the next step of the salary schedule. The proposal is under consideration.

The administration will shortly circulate a list of all the placement Q&As regarding the new salary schedule.

## AP&P COMPENSATION COMMITTEE REPORT



FOP is working feverishly to secure information that would warrant adjustments of the salary schedule recommended by the consultant for agents and supervisors. The justification for this action is that the information for correctional officers is easily gathered and compared against the four highest paid counties with correctional facilities.

However, making a similar comparison for agents and AP&P supervisors is not that easy. Information must be gathered from surrounding states and then compared against similar jobs. John Carpenter, an AP&P agent in Region Five, is spearheading the committee and FOP is hopeful the work of the committee will be completed shortly.

For more information on the status of the work of the committee please contact Agent Carpenter at [johncarpenter@utah.gov](mailto:johncarpenter@utah.gov).

### NOTES:

FOP has secured via a GRAMA request the salary information and documents used by the consultant for this recommendations regarding the new pay plan. Go to [www.UtahFOP14.com](http://www.UtahFOP14.com) to review this documents under the Compensation tab.

The FOP AP&P Compensation Committee will meet with Director Cook on Thursday, at 9 AM in the morning. For updates on the progress of the work to bring equity to AP&P Compensation, please go to [UtahFOP14.com](http://UtahFOP14.com) under the Compensation tab.

## GRIEVANCE REPORT

FOP has processed a number of grievances since the last newsletter. Several have gone to FOP's attorneys for resolution. Here is the status of those grievances.

FOP members can also decide to have grievances processed internally. The Executive Director works with the administration to resolve these grievances. Here is the status of those grievances.

An agent claimed he was being harassed by his immediate supervisor. FOP built the case, presented the arguments, and the agent was reassigned to a new supervisor.



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