



Vashon Island Fire and Rescue
10019 SW Bank Road PO Box 1150
Vashon WA 98070 206.463.2405 206.463.2954 fax
www.vifr.org administration@vifr.org



Date: 28 December 2020

Time: 18:00

SPECIAL MEETING

Present: Candy McCullough, Chair (Webinar)
Camille Staczek, Vice-Chair (Webinar)
Dave Hoffmann, Position 05 (Webinar)
Brigitte Schran-Brown, Position 03 (Webinar)
Andy Johnson, Position 01 (Webinar)
Charles Krimmert, Fire Chief (Webinar)
Rebecca Pollock, District Secretary (Webinar)
Sofia Mabee, Labor Matters Legal Counsel (Webinar)
Captain Tonkin, Local 4189 President (Webinar)
Firefighter Davidson, Local 4189 President-Elect (Webinar)

Absent: Robert Larsen, Assistant Chief of Operations (Webinar)

Welcome

Chair McCullough welcomes all parties to this Grievance Hearing pursuant to the current Collective Bargaining Agreement between Vashon Island Fire and Rescue and Local 4189 and its provisions related to Grievance procedures: specifically, Section 26.3.2 Step 2 which requires "The Board [to] schedule a hearing regarding the grievance to take place within twenty-eight (28) calendar days of its receipt of [an] appeal" by the Union.

Legal Counsel Sofia Mabee states that we are here to give the Local the opportunity to present and expand upon their written appeal and make any key points and statements they would like to emphasize, or they'd like the Commissioners to consider. Once the presentation concludes, the Board, Legal Counsel, District Secretary, and Fire Chief will go into an Executive Session to discuss what has been presented. The Board of Fire Commissioners will provide a written decision thereafter within the required 21 calendar day period.

Commissioner Schran-Brown asked if it is proper/legal for this discussion to occur in executive session and if there is a specific exclusion in the RCW that allows for it.

Legal Counsel Mabee and District Secretary Pollock confirm that there is a specific provision that allows for this particular type of discussion.

President Tonkin provided the Union's position stating that the Local has looked at what other organizations are doing and using them as examples in order to arrange some form of paid leave status for those exposed or potentially exposed to COVID-19. President Tonkin states that Chief disagreed with the Local's position on the matter, but the Local feels that their position is for the greater good of the organization and the community. President Tonkin discussed the King County Medic One Policy that addresses paid administrative leave for COVID matters and requested that it be sent to the Chiefs, the Commissioners, and other members of the Administration as they believe it is a good model for a potential policy to be implemented at VIFR.



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President-Elect Davidson discussed the main reason for their appeal is that the Local believes paid administrative leave is the best practice in address of this matter and the best way to address goal #1 which is safety of the crews, their families, and the community the District serves.

President-Elect Davidson stated that the District has identified people in the past that have come to work when they should not have because they were protecting their leave banks and other crew members from having to quarantine as well. If paid leave had been in place, members would have been motivated to be safer and would be more likely to disclose symptoms to the Captain on Duty and the Administration.

President-Elect Davidson discussed a Firefighter who was feeling ill on shift and was reluctant to share symptoms because he did not believe he had the sick leave to cover his absence if he was required to go home and concerned about his financial wellbeing.

President-Elect Davidson addressed the concern that this leave may be abused and that everyone the Local has talked to on this topic have said that abuse has not been an issue and the Local anticipates that we would not have an issue here at VIFR either. Davidson also states that even if it occurs, it is not enough of a concern to create a problem for everybody else.

President-Elect Davidson stated that through this bargaining, discussion, and Grievance process, filing the Grievance was not the Local's first choice. The Local would rather not have had the District's business in the news, would have liked to avoid a fight with Chief, and the Grievance process all together, but the Local felt pressed into this position.

President-Elect Davidson stated that he attempted to bargain with Chief regarding what the Local thought was best practice. The two of them had multiple lengthy conversations discussing research used to support their respective points. Davidson attempted to bring in swaying arguments time and again but stated that Chief and the Local disagreed and that continuing to press Chief to put this policy in place led nowhere.

President Tonkin discussed that some members relaxed their adherence to PPE protocols in the middle of the year with big breakfasts and dinners with other members. They have since tightened up, but he witnessed little lapses in protocol still here and there. He has also witnessed some volunteers coming in when not on duty or with family members to use exercise equipment. President Tonkin believes that Captains on Duty can and will enforce these protocols as well as ensure no misuse of Paid Administrative Leave with clear policies in place.

Commissioner Schran-Brown asks how many times people have been potentially exposed during 2020.

President Tonkin states twice with career folks and one other with a volunteer who had to quarantine a few times but did not impact career or part-time staff.

President-Elect Davidson requests that new language and new policies be created and implemented in order to address these unique COVID-19 situations.

Sofia Mabee, once all questions had been asked and answered, stated that as a process issue, a Grievance and the corresponding appeal to that Grievance is a very narrowly defined legal issue. While the Local's position on a



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potential new policy has been heard; those comments will go towards something the Local would like in the future.

President Tonkin addressed the specific topic that is the subject of the Grievance and that the deduction of sick leave implemented was an unauthorized payroll action as it was not agreed upon between the parties and that was in breach of the current Collective Bargaining Agreement.

The Board of Commissioners thanked the Local for presenting their case.

Public Meeting moved into Executive Session at 18:51 for 30 minutes

Extended at 19:23 for 15 more minutes by Chair McCullough

Extended at 19:44 for 5 more minutes by Chair McCullough

Executive Session ended at 19:50

Decision


Chair McCullough states that we had a constructive discussion regarding the Board's approval or denial of the Local's Appeal of Grievance 2020-01. The Board of Commissioners has heard the local's concerns and will draft and send the required written decision within the week to Local 4189.

Adjourned at 19:51

Chair called end

The next Regular Meeting will be on Wednesday 30 December 2020, at 18:30

Approved this 27th day of January 2021



Andy Johnson, Chair



Rebecca Nason, District Secretary

