



ALASKA STATE EMPLOYEES ASSOCIATION

American Federation of State, County & Municipal Employees Local 52

FOR IMMEDIATE RELEASE

February 8, 2021

Contact: Jake Metcalfe, Executive Director

907-277-5200

jakem@afscmelocal52.org

Court Orders Permanent Injunction against State Interference

Anchorage - Today Superior Court Judge Gregory Miller found that the State of Alaska breached its collective bargaining agreement with ASEA, breached the covenant of good faith and fair dealing, violated the separation of powers enshrined in the state constitution and Public Employee Relations Act, and violated the Administrative Procedures Act. The Court further ordered a Permanent Injunction against the State of Alaska for the State's attempted interference with ASEA membership and union administration which began in 2019.

In addition to the Permanent Injunction against state interference, Judge Miller ordered the State to pay ASEA more than \$186,000 in damages.

ASEA Executive Director Jake Metcalfe said he is pleased with Court's decision. "The Governor took a radical and unsupported legal action that hurt all state employees. This has wasted state resources, time, and attention from other more important issues like governing. The Court agreed with us and held that the Clarkson opinion and the Governor's order and illegal Administration policies it propped up are not supported in law."

The court cites interference by the State, particularly through actions by Gov. Mike Dunleavy, Clarkson, and Commissioner Kelly Tshibaka when they sought to unilaterally modify union membership procedures, to implement the August 27, 2019 Clarkson legal opinion and Administrative Order 312, and to circumvent the State's collective bargaining obligations by direct dealing with bargaining unit members.

"We are grateful for the permanent injunction, not only for ASEA members but for every public employee union in Alaska. This injunction allows all of us to continue our representation and work to make life better for every employee, public or private, in Alaska." Metcalfe also said, "ASEA looks forward now to working with the State on the real and important issues facing our members, like their health and safety in the work place."

ASEA/AFSCME Local 52 is an affiliate of the American Federation of State, County, and Municipal Employees (AFSCME). AFSCME represents more than 1.4 million public service workers across the country. ASEA/AFSCME Local 52 is the largest union of state and municipal public service workers in Alaska with more than 8,000 hardworking public employees. ASEA members include public health nurses, virologists, guardians, emergency dispatchers and responders, firefighters, and public safety officers. They work in 24-hour facilities, ensuring our most vulnerable Alaskans are cared for. Alaska can't recover our economy or end this pandemic without the dedicated work from ASEA/AFSCME Local 52 members.

