



ALASKA STATE EMPLOYEES ASSOCIATION

American Federation of State, County & Municipal Employees Local 52

May 12, 2021
Via e-mail

Kate Sheehan, Director
SOA DOA Division of Personnel & Labor Relations
PO Box 110201
Juneau AK 99811-0201

RE: Demand to Bargain the Impact & Effects of the Administrations' State of Alaska Return to the Worksite Policy, immediately superseding all previous Administration guidance related to the COVID-19 Pandemic in Alaska, Health Mandates, and the subsequent actions taken by the State concerning its workplaces and the General Governmental Employees
and
Information Request

Dear Director Sheehan:

I write on behalf of the Alaska State Employees Association (ASEA) to demand bargaining. This demand is in accordance with the Public Employee Relations Act (PERA), at AS 23.40.070(2); AS 23.40.080; and AS 23.40.250(1) & (9), on all negotiable matters concerning the impacts and effects following the withdrawal by the Governor of his Emergency Disaster Declaration related to COVID 19, and its subsequent Health Mandates, in a press conference on April 30, 2021. The Governor's withdrawal of these orders and mandates has actual, proposed, and anticipated impact on the health and safety of our members and are therefore mandatory subjects of bargaining under PERA. Further, and as you know, Article 37(c) of the GGU Collective Bargaining Agreement, requires the State of Alaska to provide notice to ASEA and negotiate these changed mandatory terms and conditions of employment.

The Return to Worksite policy was provided to ASEA by e-mail after close of business, May 5, 2021, and the policy was already being distributed to the State workforce the following day. The Return to Worksite Policy and Guidelines indicated it was in effect "immediately" and "immediately" replaced all previous safety guidance, and cancelled the COVID Leave Policy effective June 11, 2021. While many of the previous actions and decisions by the State were taken in response to the emergency of the arrival of the COVID-19 pandemic in Alaska, this new policy addresses the loosening of the infection control and prevention measures, and it is time to bargain over the impacts and effects on the conditions of employment for the GGU members. The State has already engaged in bargaining with ASEA over some limited circumstances, such as a Letter of Agreement for overtime pay for Public Health Nurses, and limited hazard pay for other employees,

but the impacts and effects of the State's actions have been significant over essentially the entire GGU bargaining unit, and there is a significant present need for comprehensive bargaining concerning, but not limited to:

Teleworking conditions, equipment, criteria, and plans;
Other forms of distance working;
Employee access to COVID Leave;
Information concerning COVID-19 vaccination status;
Return to office plans and criteria;
Risk management of exposure of GGU members to the public and each other;
Personal protective equipment including, but not limited to, the use of masks in the workplace;
Notice to employees of COVID-19 positive cases in the workplace;
Health and safety decision making procedures related to work assignments;
Health and safety rights of GGU members;
Provisions for employees at higher risk for serious illness such as older adults or those with chronic medical conditions, minimizing face-to-face contact, and assign work tasks that allow them to proactively manage risks;
Flexible sick leave and supportive policies and practices, consistent with public health guidance;
Accommodation of employees with family care responsibilities;
Cleanliness and sanitization of workplaces, proper functioning of facilities;
Hazard pay;
Consideration of CDC safety guidelines; and
All matters related to these topics.

Information Request: Please provide ASEA all plans, reports, studies, or guidance materials on which the State is relying for teleworking or other forms of distance working, return to workplace, risk management for GGU employees exposure to the public, COVID-19 testing and vaccination of employees and the related procedures, disclosure to employees of potential risks, compliance with CDC guidelines, designation of essential employees, and long-term plans if the pandemic should prove persistent. Please provide this information by email to me at your earliest opportunity, and in no event later than the close of business on May 21, 2021. ASEA reserves all rights to supplement this information request.

Please contact me immediately upon receipt of this letter so that we can set up a time for a virtual meeting to begin this process.

Thank you in advance for your consideration and assistance. We look forward to your timely response.

Sincerely,



Jake Metcalfe
Executive Director
ASEA/AFSCME Local 52, AFL-CIO

cc: Amanda Holland, Acting Commissioner, SOA Dept. of Administration
ASEA Board
ASEA Business Agents