



Don Hoch
Director

STATE OF WASHINGTON
WASHINGTON STATE PARKS AND RECREATION COMMISSION
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April 3, 2013

Item E-1: Fort Worden State Park Future Governance – Requested Action

EXECUTIVE SUMMARY: This item asks the Washington State Parks and Recreation Commission to authorize the Director or designee to enter into and complete good faith bargaining with the Washington Federation of State Employees regarding mandatory subjects as it relates to future governance of Fort Worden State Park prior to final Commission consideration of any proposed co-management agreement with the Fort Worden Public Development Authority. This item complies with our Transformation Strategy element “Form strategic partnerships with other agencies tribes, and non-profits” and with our agency culture and core values.

SIGNIFICANT BACKGROUND INFORMATION: At each of the last several meetings of the Washington State Parks and Recreation Commission (Commission) staff has reported on the issue of the future governance of Fort Worden State Park. All agenda items presented to the Commission regarding governance of the park beginning in 2008 through 2012 are now posted on State Park’s website <http://parks.wa.gov/fortworden/governance/>. During 2012, staff engaged in an extensive process with the Fort Worden Public Development Authority (PDA), interested stakeholders and the public regarding future governance of the park. At its December 6, 2012 meeting, the Commission authorized staff to negotiate a co-management agreement with the PDA for the area of Fort Worden State Park generally referred to as the campus area of the park.

The Commission additionally asked staff to bring any proposed co-management agreement with the PDA for their review and final consideration by no later than June 30, 2013. Staff has concluded that any such co-management agreement would cause a reduction and reorganization of staff at Fort Worden State Park.

On February 15, 2013, State Parks formally notified The Washington Federation of State Employees (WFSE) of the Commission’s intent to enter into an inter-governmental co-management agreement with the PDA that would have organizational implications at Fort Worden State Park. Article 38.1 of the 2011-2013 Collective Bargaining Agreement between the State of Washington and the WFSE states, “The Employer will satisfy its collective bargaining obligation before making a change with respect to a matter that is a mandatory subject. The Employer will notify the Executive Director of the Union of these changes in writing, citing this Article, and the Union may request negotiations on the impact of these changes on the employee’s working condition.” Mandatory subjects include wages, hours, and working conditions.

On February 21, 2013, the WFSE notified the Office of Financial Management Labor Relations Office of a demand to bargain over the decision to enter into the above outlined co-management agreement. Thereby, due to the nature of this co-management agreement, agency staff representing this matter at bargaining would need to fully engage in good faith bargaining with the WFSE regarding mandatory subjects.

STAFF RECOMMENDATION: It is appropriate that the agency engage and bargain with the Washington Federation of State Employees regarding impacts on bargaining unit members and bargaining unit work as a result of the Washington State Park and Recreation Commission's intent to enter into a co-management agreement with the Fort Worden Public Development Authority. This matter has been discussed at various Commission meetings, staff meetings, and public meetings with Fort Worden State Park staff and representatives of the Washington Federation of State Employees. State Parks management has informally engaged with Washington Federation of State Employees representatives concerning this matter. Formal bargaining will provide clarity and resolution to any impacts on employees as part of any potential co-management agreement with the Fort Worden Public Development Authority.

LEGAL AUTHORITY: RCW 41.80

REQUESTED ACTION OF COMMISSION:

That the Washington State Parks & Recreation Commission:
 Authorize the Director or designee to enter into and complete bargaining with the Washington Federation of State Employees as it relates to future governance of Fort Worden State Park prior to final Commission consideration of any proposed co-management agreement with the Fort Worden Public Development Authority.

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Reviewer(s):

SEPA Review: Following review, staff has determined that the action proposed for the Commission by staff is exempt from the State Environmental Policy Act (SEPA) pursuant to WAC 197-11-800(14)(g) and WAC 197-11-800(19).

Fiscal Impact: This item has an indeterminate effect on agency fiscal condition.

Andrew Logerwell, Assistant Attorney General: April 2, 2013

Mike Sternback, Assistant Director

Approved for Transmittal to Commission

Don Hoch, Director