

MEMORANDUM

State of Alaska
Department of Administration
Office of the Commissioner

TO: All Commissioners
All Administrative Services
Directors
All Human Resources
Managers

DATE: July 8, 2003

THRU: Mike Miller 
Commissioner **PHONE:** (907) 465-2200
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From: Art Chance 
Labor Relations Manager **PHONE:** (907) 465-3794
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SUBJECT: Policy Memorandum: Written Offers of Settlement or Changed Conditions

There have been several recent controversies and misunderstandings regarding offers to resolve disputes or enter into agreements that have been initiated at the department level. While the Department of Administration encourages department level managers and human resources staff to discuss resolutions and potential agreements to change conditions, only the Department of Administration has the authority to make formal, written offers to a labor organization. The only exceptions are those specifically delegated, templated letters of agreement set out in the Department of Administration's delegation to the departments of limited collective bargaining authority, e. g., acting in a higher range, alternate work week agreements, etc.

The Department of Administration encourages free discussion of issues and the exchange of language proposals between appropriate department officers and employees and union representatives. However, in no circumstance may a department representative present language to a union representative in the form and style of a Letter of Grievance Resolution, Letter of Dispute Resolution, Letter of Agreement, Letter of Understanding, or other similar formal instruments with a signature line on the instrument. There have been several instances of unions having been presented with such an instrument and their having accepted and signed the instrument only to have the Department of Administration refuse to execute the instrument because it did not comply with Statewide policy or was for other reasons determined not to be in the State's best interest. This has caused unnecessary conflict and in at

least one instance a union has attempted to enforce the formal offer that it had accepted.

In sum, settlement or agreement proposals with signature lines are not to be issued at the department level. If you negotiate an agreement or settlement communicate it to your assigned Labor Relations Analyst and he/she will prepare it in formal form and present it to the appropriate union representative for signature. The Department of Administration is not bound by and will neither enforce nor defend any agreement that is not formally proposed in the manner required by this memorandum. If you have any questions or require further information, please do not hesitate to contact me.

cc:

L/R Staff

DOP Section Chiefs