

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE STATE OF WASHINGTON
AND
THE WASHINGTON FEDERATION OF STATE EMPLOYEES
AFSCME COUNCIL 28 AFLCIO**

New Employee Orientations and Access to Employees ~~During~~ Due to COVID-19 Impacts

During the COVID response many employees are working from home in extended telework agreements or in settings that are unable to accommodate in-person access due to employer mandated restrictions related to health and safety precautions. This has impacted the WFSE's access to employees which is a right provided to them in RCW.

This MOU is intended to address those impacts during the COVID response during the time employees are being asked to work from home ~~for~~ where there is restricted access due to employer mandated restrictions related to health and safety ~~reasons~~ precautions.

During this time the parties agree:

- For all new employee orientations the agency will provide a minimum of 7 calendar days' notice to the union in an email that will include the new employees' name, department/division/program, appointment date, mailing address, and if available at the time of the notice, work location, work phone numbers and work email address. The parties may mutually agree to a shorter notice period. The agency will work with the union to identify a time slot and schedule this time on the employee's calendar and will also cc the calendar invite to the union (NEO@wfse.org) so the union will know who has been invited. The agency will ensure that no other onboarding or work meetings are scheduled for the new employee during the time that is scheduled for the union's presentation. The union will provide the agencies with a secure link to place on employee's calendars as the platform for the Union's orientation. Employees that are teleworking may use state issued computers and hot spots, in lieu of a physical workspace for the purpose of attending the new employee orientation. The use of the state's electronic email system must remain de minimus and only when physical access is not available.

Agencies will only include the following statement on the scheduling invitation:

In accordance with the collective bargaining agreement, Article 39, Section 39.11 you are being provided this opportunity for access during your regular work hours to a 30 minute union orientation webinar to receive information about the union

and your union contract via this secure link. You may use your state issued computer during work time for the purpose of attending this orientation. For more information about this opportunity please contact the WFSE Member Connection Center by phone at 833-MCC-WFSE or by email at MCC@wfse.org.

Union Access to Employees: During this same period of time when employer mandated restrictions prevent communication to the union cannot easily access employees through desk drops, on site tabling or use of bulletin boards ~~because employees are teleworking for health and safety reasons in response to COVID~~, the employer is in agreement to extend the rights afforded under the CBA via electronic means. The use of the state's electronic email system must remain de minimus and only when physical access is not available. Employees may use state issued computers and hot spots in lieu of a physical workspace for the purpose of receiving, forwarding to a personal email address, reviewing distributed information on personal time and/or during meal breaks, and to connect to virtual meetings on work time when scheduled in accordance with applicable provisions set forth in Article 39.

For this purpose and with mutual agreement with an agency, the union may submit informational fliers to the agency HR department's designated point of contact (POC) up to twice per month for distribution by the agency to teleworking bargaining unit employees via the state email system. Content will be appropriate to the workplace, politically non-partisan, in compliance with state ethics laws, and identified as union literature. The union will provide the HR POC with a minimum of three (3) business days' notice to distribute the flyer and every effort will be made for distribution to be completed no later than the day following the notice period. ~~Employees that are teleworking may use state issued computers and hot spots, in lieu of a physical workspace, for the purpose of receiving and reviewing this information. The use of the state's electronic email system must remain de minimus and only when physical access is not available.~~ This does not extend use of the state's email system to the union for general communication purposes beyond the provisions of this MOU and the CBA. The agency will only include the following statement with each informational flyer:-

"You are receiving this email in accordance with the collective bargaining agreement. The attached document is from your duly authorized bargaining representative, the Washington Federation of State Employees (WFSE). This information is from WFSE, not your employer. During meal breaks and on personal time you may use your state issued computers and hot spots, in lieu of a physical workspace, for the purpose of receiving, reviewing distributed information and forwarding it to a personal email address. In addition, you may use your state issued computer and hot spots to connect to virtual meetings on work time when scheduled in accordance with applicable sections of Article 39. The use of the state's electronic email system must remain de minimus and only when physical access is not available. Communication that occurs over state-owned equipment is the property of the Employer and may be subject to agency review and/or public disclosure. Therefore, please use your personal email for private communication with WFSE. If you have any questions please contact the WFSE Member Connection Center (MCC) at 833-MCC-WFSE or email MCC@wfse.org from your personal email."

The terms of this agreement apply when physical access to a member(s) is not otherwise safe or available. ~~Communication that occurs over state-owned equipment is the property of the Employer and may be subject to agency review and/or public disclosure.~~ This agreement will remain in effect through ~~June 29~~December 31, 2021 unless extended by mutual agreement.

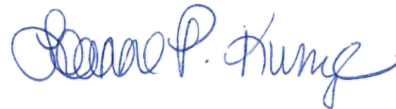
Dated: June 29, 2021

For the Employer



Scott Lyders, Lead Negotiator
OFM/State Human Resources

For the Union



Leanne Kunze, Executive Director
WFSE/AFSCME Council 28