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SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

SERVICE EMPLOYEES INTERNATIONAL)
UNION 775, WASHINGTON PUBLIC)
EMPLOYEES ASSOCIATION/UNITED FOOD)
AND COMMERCIAL WORKERS LOCAL)
365, SERVICE EMPLOYEES)
INTERNATIONAL UNION LOCAL 925,)
SERVICE EMPLOYEES INTERNATIONAL)
UNION DISTRICT 1199NW,)
INLANDBOATMEN'S UNION OF THE)
PACIFIC/ILWU, UNITED FOOD AND)
COMMERCIAL WORKERS LOCAL 21, and)
WASHINGTON STATE NURSES)
ASSOCIATION,)

No. 07-2-05431-6 SEA

DECLARATION OF DENNIS M.
REDMON IN SUPPORT OF
EVERGREEN FREEDOM
FOUNDATION'S OPPOSITION
TO PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

Plaintiffs,

v.

STATE OF WASHINGTON, OFFICE OF
FINANCIAL MANAGEMENT, and STEVE
MCLAIN, Director of Labor Relations, in his
official capacity,

Defendant.

DENNIS M. REDMON declares and states as follows:

1. I am over the age of eighteen and competent to testify to the matters herein.
2. I am not a party to this action.
3. I am employed as a Special Agent for the Washington State Department of

Revenue Compliance Division in Tumwater Washington. I have been employed by the
Washington State Department of Revenue Compliance Division since October 1983. I am

1 currently in a position represented by the Washington Public Employees Association (WPEA),
2 and have been represented by the WPEA for collective bargaining purposes for 7 of my 23 years
3 of State employment. While my direct experience was primarily with the WPEA, I believe they
4 have been experienced by many state workers represented by the coalition of union requesting
5 this injunction.

6 4. Washington State employees at DOR prior to July 2005 were free to voluntarily
7 join or remain unaffiliated with the WPEA. A union security clause could not be negotiated into
8 a Collective Bargaining Agreement (CBA). Employees had to specifically vote to approve union
9 security, and had the statutory right to end union security by a vote. Effective July 1, 2004 state
10 law was changed to allow the governor to negotiate union security into a CBA. A written
11 agreement was between the WPEA and the Labor Relations Office who negotiated for the
12 Governor that all employees affected by the CBA were required to be allowed to on ratification,
13 in exchange for the WPEA proposal for union security being accepted into the CBA. The WPEA
14 then counted only union member ballots resulting in about 109 ballots forcing 819 DOR
15 employees into union security association with the WPEA.
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18 5. This collective bargaining process was opaque and undisclosed to state
19 employees. Non union member employees were not informed of the CBA, of union security, of
20 their right to vote on the CBA, or generally of the time and place of the voting. As a state
21 employee now forced into union association and dues/fee payment under threat of termination,
22 with no rights to a hearing or appeal under RCW chapter 34.05, I have a strong interest and need
23 for access to information documents related to the state and WPEA collectively bargaining. As
24 the CBA which was negotiated specifically waives state and federal overtime laws, waives the
25 “past practice” case law which established the balance of workers rights and management rights,
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1 and created a 16 item list of management rights with no balancing workers rights, I feel the
2 employee has a need to demand and receive the transparency that Public Records disclosure can
3 bring to this process.

4 6. Open and transparent collective bargaining is critical to the employee
5 accountability needed for the WPEA to fairly represent employee interests. The WPEA has not
6 earned the trust or respect of many employees because of the history of not explaining or
7 disclosing important CBA articles and content to represented employees prior to voting, and
8 because of the widely flawed ratification process used by the WPEA in September 2004. The
9 state also communicated and coordinated the improper denial of a ratification vote to non-union
10 members in September 2004. That the WPEA and the state were each participants in this unfair
11 practice increases the need for public and employee access to records related to collective
12 bargaining so such impropriety can be identified, disclosed and corrected in the future.

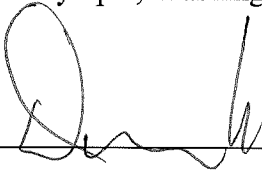
14 7. As the Governor, and the Labor Relation Office she controls, negotiate these
15 CBAs directly with the WPEA, and negotiate and sign the state budget, and the governor has
16 gained significant political financial and other support from the WPEA and other public unions
17 involved in this case, it serves a high public purpose that the process be transparent. Given the
18 questions and impropriety that a majority of state employees have experienced in relation to
19 collective bargaining between these parties the need for transparency is strong.

21 8. I have seen no indication of employees engaged in union negotiation being
22 harassed by the public, or by the state.

24 9. Bringing or supporting transparency in collective bargaining is necessary to
25 supporting the rights of public employees to know what the state and unions negotiate, and how
26 employee interests are affected and represented. The state and WPEA have close and ongoing
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1 relationships. The potential for conflict of interest in the WPEA representing union interests
2 above employee interests exists in my view. That potential conflict of interest also exists
3 between the Governor and the LRO in my view. Public access to records involving collective
4 bargaining is critical to my needs as an employee and to the broader public. That collective
5 bargaining has resulted in the WPEA increasing it's income from dues or fees by over 300% in
6 the last 2 years due to collective bargaining agreements negotiated in secret, and ratified in a
7 process the Public Employment Relations Commission has ruled as an unfair labor practice
8 makes the case that we need more transparency, not less.
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10 Executed this 24th day of May, 2007, at Olympia, Washington.

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