



## Personal Services Questions.....2007 Session

### Department of Corrections Response

1. **Has the agency implemented a broad band pay plan, agency-wide or for selected jobs? If so, when was it implemented and what were the estimated cost increases in the year of implementation? How were these costs funded (by holding vacant positions open, appropriations for other purposes that were unexpended, etc)?**

The Department of Corrections technically implemented broadband in September of 2002. There was no pay impact at that time as it was a procedural/technical move whereby a plan was submitted, the concept was negotiated with our unions and all employees were moved onto PP020 without making any pay adjustment. Employees who had previously enjoyed a career ladder under PP060, most notably Correctional Officers and Probation and Parole Officers, were guaranteed to continue to get the same pay adjustments as they always received. (Both had a 3 grade career ladder which they moved through in 2.5 to 3 years dependent upon facility and contract language.)

However, when there were no additional funds appropriated in the 2003 Legislative session to fund what was viewed as reasonable cost of living raises, nor funding to transition to an actual market based broadband salary plan, the agency met with resistance from the unions and contract negotiations became bitter and prolonged over the "broken promise" of broadband.

The 2005 session provided funding for general pay raises but not for implementing the market based broadband plan. Once again negotiations with the Unions representing Corrections employees got bitter and showed NO SIGN of an end. Unions were demanding that the state fulfill its longstanding promise to implement meaningful broadband pay. To complicate matters the agency was in crisis filling vacancies in the Correctional Officer ranks at our largest facility – Montana State Prison. In an attempt to settle with the unions, the Department of Corrections made concessions to maintain labor peace in our major employment programs, Correctional Officers and Probation and Parole Officers. Entry rates for both of these classes were adjusted during the most recent biennium because of recruitment challenges, most notable in the Correctional Officer class at MSP.

2. **At what percentage of market are new employees paid? How do employees progress to the market rate for their positions? What is the agency's target percent of market? What is the agency average percent of market in FY 2006?**

New employees at the Department of Corrections start at the Department of Administration identified "entry" which is approximately 80% of the market rate. If there is a difficult recruitment situation or if the selected candidate brings particularly impressive experience or competencies to the position they may start at a higher rate toward market but this is an unusual circumstance. The agency broadband plan aims to move new employees to the identified market rate at the end of their 5<sup>th</sup> year of service. These incremental increases are contingent on completion of training requirements and an acceptable performance evaluation review.

The agency would ultimately like to have employees at market rate to reduce the hard and soft costs associated with turnover including recruitment, selection, training, overtime and productivity.

An accurate assessment of average market percent in FY 2006 would require comparing almost 100 department class rates to 2006 market data, which is not yet built into Corrections pay tables. Two large classes of employees are the Correctional Officer, who have an average percent of market of 93%, and Probation & Parole Officers, who are at 91.4%

**3. Did the agency have vacant positions for a significant portion (6 months or more) of FY2006? If yes, how many and why were these vacant? How did the vacancies impact agency operations?**

Yes, the agency did have vacant positions for a significant portion of FY 2006 because we were having difficulty recruiting applicants for a number of department positions, particularly Correctional Officers and medical positions such as Nurses. The vacancies resulted in additional overtime requirements for Correctional Officers and vacant medical positions resulted in the department contracting for these services.

**4. Did the agency have authorized pay exceptions for pay plan 60 positions? If yes, why?**

No, as agency positions are in PP020, but the agency did get additional funding from the Governor's budget office in FY2006 to increase the entry pay rate for Correctional Officers to \$12.00/hr.

**5. Did the agency have authorized position upgrades or downgrades for pay plan 60 positions? If yes, why?**

No, we did not have any pay plan 60 upgrades or downgrades, but we did have 20 PP020 classification upgrades in FY2006.

**6. What challenges does the agency face in recruiting and retaining staff? What actions has the agency taken to address recruitment and retention issues? Is the agency competing with other state agencies or the public sector for staff?**

The agency has substantial challenges recruiting and retaining certain staff, particularly Correctional Officers and Medical positions, such as Registered Nurses, Licensed Practical Nurses, and a medical doctor. The agency has established a full-time "Recruiter" position, investing in the future of the department, recognizing that the issues we are now facing are not short-term but rather a long-term commitment. Additional turnover information, including agency initiatives, was provided with handouts distributed on Tuesday, January 16<sup>th</sup>.

The agency is competing with other state agencies and the public sector for staff positions.

**7. Are agency staff members represented by collective bargaining units? How many of the agency staff are impacted by collective bargaining unit agreements? What provisions are included in bargaining unit agreements? How often are these agreements negotiated?**

Yes, 811 out of 1203 employees (67% of department employees) listed on a January 10<sup>th</sup> union membership report are members of bargaining units. The department has eight collective bargaining agreements with three different union representatives.

Each of the agreements provides for the same equal step five-year to market progression as was previously discussed. In addition the Probation & Parole Officer contract contains provisions that allow officers to exceed market rate by successfully completing specific targeted training courses designed to increase their effectiveness dealing with sex offenders and those with addictions.

The bargaining agreements are re-negotiated every two years.....although there have been times when the department has been unable to reach an agreement until well into the second year of the biennium.