

GRIEVANCE
Bellingham Local 1937
GUILD OF PACIFIC NORTHWEST EMPLOYEES



STEP Circle one: ①, 2, 3, 4

DATE FILED: 6/2/2021

NAME AND TITLE OF SUPERVISOR

RECEIVING GRIEVANCE: Tami Bennett

Debra Lev, Judge

NAME OF GRIEVANT(S) Group Grievance filed on behalf of all Local 1937 members including those working in the Bellingham Municipal Court.

DEPARTMENT: Bellingham Municipal Court

Court Grievance A
STATEMENT OF GRIEVANCE

SPECIFIC ACTION, EVENT OR PRACTICE THAT IS BEING GRIEVED

Court Grievance A

Ongoing violation

The employer unilaterally changed working conditions for Court employees without bargaining.

- a) employees were prohibited from taking rest breaks together;
- b) employees were discouraged from taking unpaid lunch breaks together;
- c) employees were prohibited from having normal workplace conversations; which included everyday pleasantries, like "how was your weekend" inquiries;
- d) employees were prohibited from having what management perceived as long conversations about work related issues;
- e) employees were prohibited from talking loudly—and later when employees spoke softly to each other, employees were prohibited from whispering;
- f) employees were prohibited from sending group emails to each other;

On April 26, 2021 The City of Bellingham commenced an independent investigation by Attorney Sarah Hale into allegations of a hostile work environment in the office of Bellingham Municipal Court. Local 1937 representatives attended interviews of its members. During the course of the investigation, it became known to Local 1937 leaders that many of these allegations, if true, were violations of the collective bargaining agreement and Washington State Law applicable RCWs. Because Ms. Hale's investigation was thwarted by the actions of Judge Lev, Local 1937 is proceeding with the filing of grievances on behalf of all its members.

LIST OF SPECIFIC CONTRACT VIOLATIONS

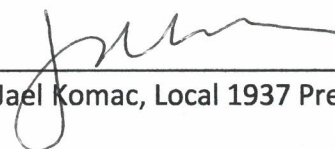
For the reasons stated above, the city violated the collective bargaining agreement including the following provisions:

LIST OF SPECIFIC ARTICLES VIOLATED	REASON WHY THIS ARTICLE IS APPLICABLE
Preamble	Local 1937 is recognized as the exclusive representative.
Article 2	Local 1937 is recognized as the exclusive representative.
Article 2.5	Any change in working conditions without bargaining is prohibited.
Article 4	The Court exceeded its authority by establishing rules that are both unreasonable and in conflict with the contract.
Article 6.4	No restrictions on meal breaks with co-workers.
Article 6.5	No restrictions on rest period breaks with co-workers.
Article 17	There shall be no discipline for violations of working conditions that are not first bargained with the union.

REMEDY REQUESTED

The Employer is compelled to bargain changes with Local 1937. Rules and Policies set forth above shall be rescinded and normal work policies reinstated. Any disciplinary actions or supervisory notes pertaining to employee violations of the unreasonable and improper policies shall be withdrawn and expunged from the records. Make all Grievants whole.

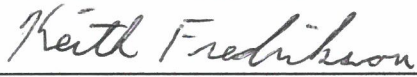
SIGNATURE OF GRIEVANT



Jael Komac, Local 1937 President

6/2/2021
DATE

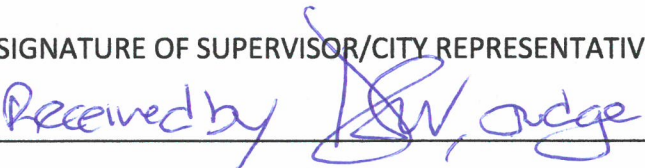
SIGNATURE OF UNION REPRESENTATIVE/STEWARD

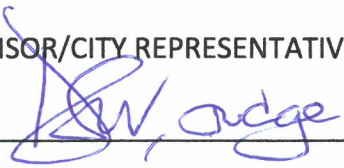


Keith Fredrikson, Steward

6/2/2021
DATE

SIGNATURE OF SUPERVISOR/CITY REPRESENTATIVE



Received by 

2 June 2021
DATE

GRIEVANCE
Bellingham Local 1937
GUILD OF PACIFIC NORTHWEST EMPLOYEES



STEP Circle one: ①, 2, 3, 4

DATE FILED: 6/2/2021

NAME AND TITLE OF SUPERVISOR

RECEIVING GRIEVANCE: Tami Bennett

Debra Lev, Judge

NAME OF GRIEVANT(S)

Group Grievance filed on behalf of all Local 1937 members including those working in the Bellingham Municipal Court.

DEPARTMENT:

Bellingham Municipal Court

Court Grievance B
STATEMENT OF GRIEVANCE

SPECIFIC ACTION, EVENT OR PRACTICE THAT IS BEING GRIEVED

Court Grievance B

Violation of Weingarten Rights

We gained knowledge of this during the investigation.
Employees were deliberately misled when, on December 8, 2020, at a meeting convened by Judge Lev and Administrator Peterson a group of employees were gathered one by one and told to go to a conference room. Upon arrival and seeing there were several co-workers present, at least one member speaking for the group asked if they were in trouble and if they should arrange for Union Representation. The employees were told that the meeting was "not disciplinary" that Judge Lev and Administrator Peterson had "checked with HR" and that this was "coaching". Nevertheless, as the meeting proceeded it clearly was leading to discipline when Lev and Peterson threatened employees with termination if the new working conditions they imposed were not followed. This is a clear violation of public employee's Weingarten Rights and employees reasonably believed their conduct would result in future disciplinary action.

LIST OF SPECIFIC CONTRACT VIOLATIONS

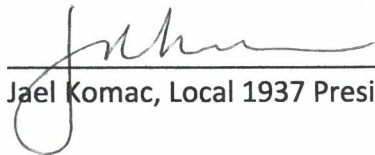
For the reasons stated above, the city violated the collective bargaining agreement including the following provisions:

LIST OF SPECIFIC ARTICLES VIOLATED	REASON WHY THIS ARTICLE IS APPPLICABLE
Preamble	Local 1937 is recognized as the exclusive representative.
Article 2	Local 1937 is recognized as the exclusive representative.
Article 18.2(a), (b) & (c)	Union representation is a right. Employees not informed of meeting subject matter, union representation was available.
Article 17	Discipline is limited to just cause.
Article 19.2	Discrimination for union activity.

REMEDY REQUESTED

Compel Lev and Peterson to honor the rights of public employees before a disciplinary meeting is conducted. Cease and desist from falsely stating a meeting's purpose as a means to thwart union representation. Any disciplinary actions or supervisory notes pertaining to employee violations of the unreasonable and improper policies/rules shall be withdrawn and expunged from the records. Make all Grievants whole.

SIGNATURE OF GRIEVANT


Jael Komac, Local 1937 President

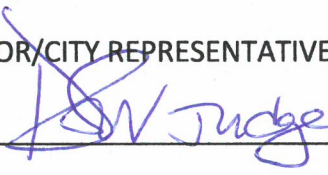
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Keith Fredrikson, Steward

6/2/2021
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J. V. Judge

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GRIEVANCE
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GUILD OF PACIFIC NORTHWEST EMPLOYEES



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RECEIVING GRIEVANCE: Tami Bennett

Dean Lev, Judge

NAME OF GRIEVANT(S) Group Grievance filed on behalf of all Local 1937 members including those working in the Bellingham Municipal Court.

DEPARTMENT: Bellingham Municipal Court

Court Grievance C
STATEMENT OF GRIEVANCE

SPECIFIC ACTION, EVENT OR PRACTICE THAT IS BEING GRIEVED

This an on-going violation. As part of an annual review Administrator Peterson and Judge Lev compelled employees to sign a contract, which contains, in part, a provision that prohibits employees from discussing complaints and concerns with their co-workers and direct complaints and concerns to supervisors. We grieve this action on the grounds that it suppresses union members rights to free speech and concerted action. It also was presented in the form of an illegal contract individually bargained with employees.

Court Grievance C

Bargaining Directly with Employees

LIST OF SPECIFIC CONTRACT VIOLATIONS

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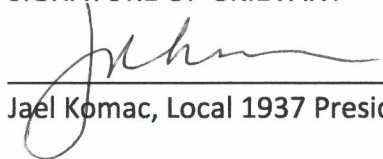
LIST OF SPECIFIC ARTICLES VIOLATED	REASON WHY THIS ARTICLE IS APPLICABLE
Preamble	Local 1937 is recognized as the exclusive representative.

Article 2	Local 1937 is recognized as the exclusive representative.
Article 2.5	Any change in working conditions without bargaining is prohibited.
Article 4	No right to adopt rules in conflict with the contract.
Article 17	There shall be no discipline for violations of working conditions not first bargained with the union.

REMEDY REQUESTED

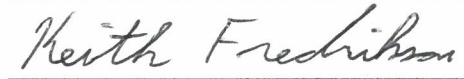
Compel Lev and Peterson to honor the rights of union members cease and desist individually bargaining. The policy be considered null and void until the objectional provisions can be bargained. Any disciplinary actions or supervisory notes pertaining to employee violations of the unreasonable and improper policies shall be withdrawn and expunged from employee records. Make all Grievants whole.

SIGNATURE OF GRIEVANT


 Jael Komac, Local 1937 President

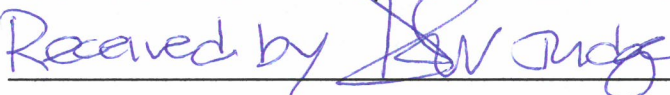
6/2/2021
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SIGNATURE OF UNION REPRESENTATIVE/STEWARD


 Keith Fredrickson, Steward

6/2/2021
 DATE

SIGNATURE OF SUPERVISOR/CITY REPRESENTATIVE


 Received by J. N. Judge

2 June 2021
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Bellingham Local 1937
GUILD OF PACIFIC NORTHWEST EMPLOYEES



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NAME AND TITLE OF SUPERVISOR

RECEIVING GRIEVANCE: Tami Bennett

Donna Lev, Judge

NAME OF GRIEVANT(S)

Group Grievance filed on behalf of all Local 1937 members including those working in the Bellingham Municipal Court.

DEPARTMENT: Bellingham Municipal Court

Court Grievance D
STATEMENT OF GRIEVANCE

SPECIFIC ACTION, EVENT OR PRACTICE THAT IS BEING GRIEVED

Court Grievance D

Union Discrimination and Retaliation

This is an on-going grievance.

Employer discrimination with employees exercising their union rights when Administrator Darlene Peterson interviewed new employees and specifically named Julie Olson, union steward, as a "trouble-maker" and person to be avoided. This occurred on multiple occasions. In addition, employees were told to avoid interaction with her.

LIST OF SPECIFIC CONTRACT VIOLATIONS

For the reasons stated above, the city violated the collective bargaining agreement including the following provisions:

LIST OF SPECIFIC ARTICLES VIOLATED	REASON WHY THIS ARTICLE IS APPLICABLE
Article 19	Action against an employee that is unfair, unequitable, and hostile.
Article 19.2	Discrimination for union activity past and present.

REMEDY REQUESTED

Compel Lev and Peterson to cease and desist discriminating against an employee for their union activity. Make Grievants whole.

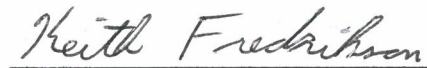
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Jael Komac, Local 1937 President

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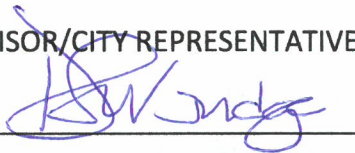
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Keith Fredrikson, Steward

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RECEIVING GRIEVANCE: Tami Bennett

Debra Lev, Judge

NAME OF GRIEVANT(S): Group Grievance filed on behalf of all Local 1937 members including those working in the Bellingham Municipal Court.

DEPARTMENT: Bellingham Municipal Court

Court Grievance E
STATEMENT OF GRIEVANCE

LIST OF SPECIFIC ACTION, EVENT OR PRACTICE THAT IS BEING GRIEVED

Court Grievance E

Union Discrimination and Retaliation

This is an on-going grievance.

After four Local 1937 members jointly complained to the City of Bellingham about the oppressive and hostile work environment, Judge Lev and Administrator Peterson created a hostile working environment by retaliating against the complainants and other union members by:

- a) Increasing enforcement of unreasonable work rules, singled out employees for petty and contrived mistakes, and intensified surveillance to the point that employees were fearful and intimidated.
- b) When Judge Lev and Darlene Peterson refused to recognize long-established working conditions pertaining to safety and by their actions stripped employees of their right to a safe working environment by refusing to honor the safety provisions of the collective bargaining agreement,
- c) When two employees suffered retaliation so intense and relentless that they felt forced to resign their positions,

- d) Failed to address the urgent and alarming safety concerns of employees and city officials by allowing the individual who perpetrated the unsafe working conditions to continue working.

LIST OF SPECIFIC CONTRACT VIOLATIONS

For the reasons stated above, the city violated the collective bargaining agreement including the following provisions:

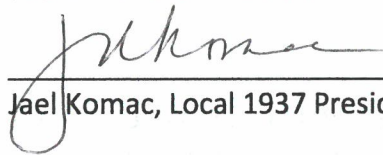
LIST OF SPECIFIC ARTICLES VIOLATED	REASON WHY THIS ARTICLE IS APPPLICABLE
Article 7.2	Disregarded safety concerns and continued to place employees at risk.
Article 17	Improper discipline of employees.
Article 19	Action against an employee that is unfair, unequitable, and hostile.
Article 19.2	Discrimination for union activity past and present.

NOTE: These actions are also a violation of city policies that protect complainants from retaliation by other employees.

REMEDY REQUESTED

Compel Lev and Peterson to cease and desist from intentionally creating a hostile work environment; harassing employees; constructively discharging employees, and endangering the safety of employees. Make all Grievants whole.

SIGNATURE OF GRIEVANT



Jael Komac, Local 1937 President

6/2/2021
DATE

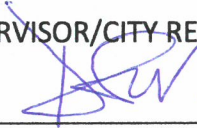
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Keith Fredrikson, Steward

6/2/2021
DATE

SIGNATURE OF SUPERVISOR/CITY REPRESENTATIVE

Received by  Judge

2 June 2021
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GRIEVANCE FORM
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GUILD OF PACIFIC NORTHWEST EMPLOYEES



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RECEIVING GRIEVANCE: Tami Bennett *Debm Lev, Judge* DR

NAME OF GRIEVANT(S) Group Grievance filed on behalf of all Local 1937 members including those working in the Bellingham Municipal Court.

DEPARTMENT: Bellingham Municipal Court

Court Grievance F
STATEMENT OF GRIEVANCE

SPECIFIC ACTION, EVENT OR PRACTICE THAT IS BEING GRIEVED

Court Grievance F

Union Discrimination and Retaliation

This is an ongoing Grievance. When Administrator Peterson and Judge Lev, changed Court policy after a complaint was filed over conducting regular staff meetings during employee's unpaid, duty-free lunch hours. This complaint was successfully resolved in the union's favor, However, Administrator Peterson retaliated by eliminating the practice of holding regular staff meetings and then repeatedly makes comments blaming the union for the reason for this in changing this policy.

LIST OF SPECIFIC CONTRACT VIOLATIONS

For the reasons stated above, the city violated the collective bargaining agreement including the following provisions:

LIST OF SPECIFIC ARTICLES VIOLATED	REASON WHY THIS ARTICLE IS APPLICABLE
Article 19.1	Unfair, inequitable policy.
Article 19.2	Discrimination for union activity.

REMEDY REQUESTED

Compel Lev and Peterson to cease and desist from discriminating against employees for union activity and stop blaming employees for their responsibility in violating applicable contract language and the Fair Labor Standard Act. Make all Grievants whole.

SIGNATURE OF GRIEVANT



Jael Komac, Local 1937 President

6/2/2021
DATE

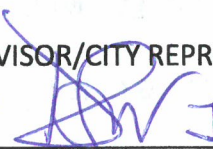
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GRIEVANCE FORM
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RECEIVING GRIEVANCE: Tami Bennett *Debra Lev, Judge*

NAME OF GRIEVANT(S) Group Grievance filed on behalf of all Local 1937 members including those working in the Bellingham Municipal Court.

DEPARTMENT: Bellingham Municipal Court

Court Grievance G
STATEMENT OF GRIEVANCE

SPECIFIC ACTION, EVENT OR PRACTICE THAT IS BEING GRIEVED

Court Grievance G
Temporary Workers

On or about June 1, 2021 Judge Lev used temporary workers to replace bargaining unit workers and perform their work without notice or reason given.

SPECIFIC CONTRACT VIOLATIONS

For the reasons stated above, the city violated the collective bargaining agreement including the following provisions:

LIST OF SPECIFIC ARTICLES VIOLATED	REASON WHY THIS ARTICLE IS APPLICABLE
Article 2.4	Prohibits the use of temporary or agency workers

REMEDY REQUESTED

Compel Lev to cease and desist from using temporary workers. Make all Grievants whole.

SIGNATURE OF GRIEVANT

J Komac

Jael Komac, Local 1937 President

6/2/2021

DATE

SIGNATURE OF UNION REPRESENTATIVE/STEWARD

Keith Fredrikson

Keith Fredrikson, Steward

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