


[CALENDAR](#)
[CONTACT US](#)
[JOINING COUNCIL 2](#)
[LEGISLATIVE UPDATES](#)
[LEGISLATURE](#)
[LINKS](#)
[LOCAL NEWS](#)
[MORE ABOUT COUNCIL 2](#)
[NEWSPAPERS](#)
[OFFICES](#)
[HOME PAGE](#)
[SCHOLARSHIPS](#)

VOLUME 18#2

Spring 2003

Council 2 takes judges to court

Council 2 has asked the State Supreme Court to compel Yakima County judges to negotiate with about 100 members of Local 87 in the county.

The application to the court stems from a refusal by the judges to negotiate with the Council 2 members. The judges say that the promulgation of an administrative rule by the State Supreme Court prevents them from negotiating with employees over workplace conditions. Council 2 vigorously opposes this decision, which essentially prevents collective bargaining between the employees and their employer.

As a result, Council 2 not only has asked the State Supreme Court to order the judges to negotiate, but also has launched a media campaign to make the people of Yakima aware of how their money is being spent at this time of budget crises.

Advertisements have been published in the local press and commercials have aired on local radio stations. For more than 30 years, judges have negotiated with court employees, not only in Yakima County, but in counties across the state, says Council 2 President and Executive Director Chris Dugovich.

But in October 2002, Martin Muench, Senior Deputy Prosecuting Attorney, informed Council 2 that "the presiding judges of the Superior Court and District Court will not be participating in negotiations for working conditions."

Wages are negotiated by the Yakima County Commission, but judges have the power to hire and fire workers under their supervision and to set workplace conditions.

The judges want their decisions to be final on all these issues, including those that result in union grievances and complaints of unfair labor practices.

The judges cite an administrative rule adopted by the Supreme Court that they had to oversee all working conditions of their employees. Council 2 believes that this interpretation of the rule is wrong.

Dugovich points out that a similar issue arose in Spokane County where the judges also tested the collective bargaining law. The judges lost and the state Supreme Court ruled they had to bargain. Muench was the civil attorney handling the Spokane case at the time, Dugovich adds.

That hearing cost the taxpayers of Spokane County \$100,000 in legal fees.

"They are spending all this money fighting this law that has not been challenged in 30 or 40 years," Dugovich says. "All of a sudden it is a problem with them. If they have their way, they will get to decide without any negotiation what working conditions would exist on the job, such as how employees are transferred, laid off, or terminated. "Such decisions would be their prerogative entirely.

"Clearly, we cannot accept that and we will vigorously contest this move. It's all about power and arrogance.

"The judges' refusal to talk to the union means that a new contract on working conditions has not been negotiated. The earlier contract expired January 1.

A recent incident indicates the depth of feeling in the court offices.

One of the advertisements that appeared in a local newspaper was posted on a bulletin board for union members. Court Administrator Harold Delia directed Local members to remove the ad from the board.

The union members decided that, rather than cause a confrontation, they would remove the ad.

But they replaced it with a notice saying that an advertisement would appear in the Yakima Herald the following weekend. A copy of the advertisement appears on Page 1.

[ADDITIONAL STORIES](#)
[Convention goes well work hard, learn a lot — and have fun](#)
[Council 2 takes judges to court](#)
[Council 2 pension reform finally approved](#)
[Details of approved retirement bills](#)
[Library staff start to negotiate](#)
[Deadline for Jerry Clark scholarship is July 1](#)
[Scholarship awards](#)
[Regional conference to be held in October](#)
[Bob Chauvin: great guy who cared for others](#)
[Council 2 opposes 1-807, Eyman's latest scheme](#)
[Council 2 files unfair labor charge against City of Vancouver](#)
[Election to go ahead in spite of County challenge](#)
[Voters asked to check out signature gathers](#)

Procedural questions were decided at a court hearing on May 15, but no date has yet been set for the hearing of the application itself.