

APPEARANCES FOR THE PARTIES

Christopher J. Coker, Attorney at Law for the Union.

Amee J. Tilger, Patrick Inouye, Attorneys at Law for the State.

August 24-28, 2026

Video Hearing

Procedural History

This interest arbitration came before me after the Public Employment Relations Commission (PERC) confirmed that the parties were at impasse and certified.

Washington Federation of State Employees represents a bargaining unit working for the Washington Department of Corrections as Community Corrections Officers.

RCW 41.80.200 gives the WFSE “interest arbitration rights as an alternative means to resolve the disputes”.

RCW 41.80.200

Department of Corrections – Interest Arbitration for certain employees.

1. In order to maintain dedicated and uninterrupted services to the supervision of criminal offenders that are in state correctional facilities and on community supervision, it is the legislature’s intent to grant certain employees of the department of corrections interest arbitration rights as an alternative means of settling disputes.
2. This section applies only to employees covered by chapter 41.06 RCW working for the department of corrections, except confidential employees as defined in RCW 41.80.005 and internal auditors.
3. Negotiations between the employer and the exclusive bargaining representative of a unit of employees shall commence at least five months before submission of the budget to the legislature. If no agreement has been reached sixty days after the commencement of such negotiations, then, at any time thereafter, either party may declare that an impasse exists and may submit the dispute to the commission for mediation, with or without concurrence of the other party. The commission shall appoint a mediator, who shall promptly meet with the representatives of the parties, either jointly or separately, and shall take such other steps as he or she may deem appropriate in order to persuade the parties to resolve their differences and effect an agreement. A mediator, however, does not have a power of

compulsion. The mediator may consider only matters that are subject to bargaining under this chapter.

4. If an agreement is not reached following a reasonable period of negotiations and mediation, and the director, upon recommendation of the assigned mediator, finds that the parties remain at impasse, then an arbitrator must be appointed to resolve the dispute. The issues for determination by the arbitrator must be limited to the issues certified by the executive director.
5. Within ten working days after the first Monday in September in every odd-numbered, the governor or the governor's designee and the bargaining representatives for any bargaining units covered by this section shall attempt to agree on an interest arbitrator to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. The parties will select an arbitrator by mutual agreement, by alternatively striking names from a regional list of seven qualified arbitrators provided by the federal mediation and conciliation service, or, with the consent of the parties, the American arbitration association.
1. The fees and expenses of the arbitrator, the court reporter, if any, and the cost of the hearing room, if any, will be shared equally between the parties. Each party is responsible for the costs of attorneys, representatives and witnesses, and all other costs related to the development and presentation of their case.
2. Immediately upon selecting an interest arbitrator, the parties shall cooperate to reserve dates with the arbitrator for a potential hearing between August 1 and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates, absent an agreement to the contrary.
3. The parties shall execute a written agreement before December 15th of the odd-numbered year setting for the name of the arbitrator and the dates reserved for bargaining and arbitration.
4. (i) The arbitrator must hold a hearing and provide reasonable notice of the hearing to the parties to the dispute. The hearing must be informal and each party has the opportunity to present evidence and make arguments. The arbitrator may not present the case for a party to proceedings.

I was selected to serve as the arbitrator.

I held virtual Zoom hearings on August 24 – 28, 2026.

The hearings progressed in an orderly manner; the attorneys did a superb job representing their own relevant cases.

Witnesses were sworn under oath, testified on ZOOM and subject to cross-examination. Court reporters transcribed the hearing and made copies of the transcript available to me and the parties.

RCW 40.80.010(3) establishes a September deadline.

ISSUES

The Washington Federation of State Employees and the Washington State Department of Corrections submitted impasse issues to be certified to interest arbitration under RCW 41.80. 200 and WAC 391-55-265.

The following issues were submitted:

- Article 25.7 – paid parking;
- Article 25.7 – layoff before seniority transfer;
- Article 34.7B – geographic area;
- Article 34.9F – informal and formal options;
- Article 36.8.3 – the grievability of workload complaints;
- Article 42.1 D and E – regarding 2027 and 2028 salary;
- Article 42. 15G – regarding inversion;
- Article 24.1H – regarding differential
- Article 42.16A – regarding geographic pay;
- Article 42.21A – instructor pay;
- Article 41.1 – work environment;
- Article 47.5 – grievability of workplace;
- Appendix O – reference 7 regarding dog handler pay;
- Appendix S – special salary or special pay increases.

FACTS

1. The parties to this dispute are the State of Washington, Department of Corrections (DOC), and Washington Federation of State Employees. (Union).

2. 1477 active WFSE represented employees work as community corrections officers.
3. The policy analyst costs the Union's financial proposals.
4. The calculations show the cost over \$187 million in the 2027-2029 biennium.
5. The State expects revenues will decrease during the 2025-2027 and 2027-2029 biennium.
6. The Department of Corrections received directions to get a balanced budget and to attempt to lower ongoing cost of the services the state provides.
7. The community corrections officers and reentry divisions perform vital work in the communities around the state.
8. The Community Corrections Division officer's work includes evidence-based interventions, motivational interviewing, iCoach, cognitive behavioral programming, expanded documentation victim notification requirements, treatment coordination, transportation responsibilities, quality assurance expectations, electronic reporting systems, and increasing administrative requirements demand additional time.
9. The CCD has approximately 1,200 employees.
10. The Union members work within the CCD, the reentry division and organizational support services.
11. The CCD Officers work with individuals that have been convicted to their care and custody.
12. CCD has a criteria condition reports unit and a critical response unit that is assigned with the apprehension of individuals on warrant.
13. Individuals may go to prison, jail, or be sentenced directly by the court.
14. Some people in the area provide services to change behavior, treatment, housing, employment, or education.
15. The CCD officers supervise those individuals and carry out conditions ordered by the court, or conditions set by the department.
16. A caseload of 30 is not equivalent to a caseload 30 twenty years ago.
17. The Department's response has never addressed that reality.

UNION'S POSITION

WFSE proposes a general wage increase of 5% effective July 1, 2027, and 5% effective July 1, 2028

Further, another 5% to all ranges and steps, measured against the schedule then in Effectiveness July 1, 2028.

Thirty-five classifications reassigned to a higher salary range – moves of 3-16 ranges.

STATE'S POSITION

Washington State Department of Corrections (DOC) asserts that the State's revenues are expected to decrease by approximately \$886 million during the 25-27 and 27-29 biennium. Which is simply more than the State can afford

The Community Corrections and reentry divisions perform vital work. The community corrections division has several units.

One is the civil commitment unit. The CCD officers supervise people that have been civilly committed by the Court. These people may have been found to be sexually violent predators who are under the rule of the court and may or may not be released to the community under the authority of the Department of Social and Health services. The community corrections division provides supervision for those individuals in the community if the court deems them fit.

CCD does not minimize or devalue the work performed by its employees represented by WFSE. However, the Union's wage proposals may not be feasible given the current budget deficit.

AWARD

My understanding is that the Office of Financial Management contends that Washington State is not currently able to give a large or medium wage increase for the next biennium as there will be budget shortfalls in the next biennium.

I believe the State is in the position to raise employee wages by 1.5%.

Effective July 1, 2027, all bargaining unit wage rates are to be increased by 1.5%.

Effective July 1, 2028, all bargaining unit wage rates are to be increased by 1.5%.

All other changes to the collective bargaining agreement proposed by the Union remain in the current contract language.

Any facts or arguments presented in the hearing or in the documents provided by the Union and/or the State on the last day of hearing that are not cited within this interest arbitration award I found immaterial.

I will retain jurisdiction for sixty days after the issuance of this award for the purpose of interpretation of the award.

This Award is issued at Walla Walla, Washington, this 22nd day of September 2026.

STARR H. KNUTSON

Arbitrator