

To: CWA Local 6355 Executive Board

From: President Pickens

Re: State of Missouri Performance Appraisal System Changes and the Labor Agreement with CWA

Date: 1-20-18

*I recommend consideration of the following resolution concerning the illegal and arbitrary changes to the state of Missouri's employee performance evaluation system which deprive CWA represented workers of their legal rights to challenge unfair management actions:*

Whereas, the People of the State of Missouri have enshrined the right of workers to organize and to bargain collectively through representatives of their own choosing in the Missouri Constitution's Bill of Rights, and;

Whereas, the People of the State of Missouri have established a legal process for public employees to choose representatives to organize themselves through and to bargain on their behalf with their employers, and;

Whereas, the Missouri Supreme Court has ruled that the Constitution requires public employers to recognize the legality of the agreements they negotiate with their organized employees, and;

Whereas, the employees of the Missouri Department of Social Services and the Missouri Department of Health and Senior Services whose employing agencies used to be part of the Department of Social Services have legally chosen CWA to be their exclusive representative for all bargaining related to the terms and conditions of their employment with the State of Missouri, and;

Whereas, the employees of the State of Missouri represented by CWA and the State of Missouri and its agencies employing CWA represented members have ratified a Labor Agreement concerning terms and conditions of employment, and;

Whereas, Governor Eric Greitens issued an Executive Order voiding portions of more than 15 clauses of the Labor Agreement concerning CWA represented employee rights within the performance evaluation system, and;

Whereas, the actions taken to unilaterally void these provisions of the Labor Agreement violate the promises made by the State of Missouri to its CWA represented employees in the Labor Agreement, and;

NOW THEREFORE BE IT RESOLVED BY THE EXECUTIVE BOARD OF CWA LOCAL 6355 that the actions taken by the State of Missouri to arbitrarily void portions of the Labor Agreement with CWA violate the legal basic legal rights of CWA represented employees, and;

BE IT FURTHER RESOLVED that CWA 6355 will take appropriate legal action to bring the State of Missouri into compliance with the Labor Agreement, and;

BE IT FURTHER RESOLVED that CWA 6355 will take appropriate legal action to require the State of Missouri to keep its obligations under the Labor Agreement with CWA, and;

BE IT FURTHER RESOLVED that CWA 6355 will take appropriate legal action to require the State of Missouri to inform CWA represented employees of the State's actions in violation of the Labor Agreement, and;

BE IT FURTHER RESOLVED that the President of CWA 6355 will forward a copy of this resolution to the Department of Social Services and the Department of Health and Senior Services at the earliest practical date and will be empowered to take appropriate action on behalf of the membership to carry out this resolution.

*Adopted at the January 2018 Executive Board meeting of CWA 6355.*