



## *NEWS AFFECTING STATE EMPLOYEES*

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### *Senate Committee Hears Responses to ACA Audit*

*TSEA Staff*

*During an informal meeting Friday between TDOC and TSEA, the department agreed to consider working with TSEA on a survey of officers about schedule options.*

*In addition to discussing the ACA findings, TSEA re-emphasized our concern for 39.6% state-wide turnover rates, misleading staffing ratios, the practice of closing facilities to solve staffing shortages, non-competitive employee wages, and the legality of contracting with counties to build private prisons, for which TSEA asked legislators to seek an A.G. opinion.*

*TSEA has previously called for a comprehensive, fully transparent audit of our state prison system, which we believe will uncover other areas in need of attention. We reiterated that message during the presentation.*

*TDOC indicated during their presentation their intent to review scheduling recommendations.*

*They said the audit results verified that our prison system is safe, secure, and operationally sound. "That is due to employees that continue to do the work despite any adversities that may be perceived," Commissioner Schofield said.*

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### *Five Things to Consider as Prisons Commissioner Agrees to Policy Changes*

*Amanda Haggard, Nashville Scene*

*TSEA and Democratic legislators are pushing for more than a three-day, five-prison visit from an auditing entity. Tennessee is home to 13 prisons. When ACA unveiled its report at a hearing this past week, even members of the three-person audit team said the review was in no way comprehensive.*

*Beyond issues identified through the limited review, the department additionally needs to fully look at high turnover, current staffing levels, officer pay, employee morale, and public trust, according to Stamps, TSEA's governmental affairs director.*

*House Democratic Caucus Chairman Mike Stewart, D-Nashville, and Senate Democratic Caucus Chairman Jeff Yarbro, D-Nashville, met briefly with Schofield in the halls of Legislative Plaza after the hearing and both walked away saying they weren't happy with the level and intensity of review.*

*"We can talk all we want, but until we get a full, independent review, it's just difficult to know what is really going on behind the bars," said Stewart, who's rallied behind disgruntled correction employees and started a "hotline" website for employees to alert him of issues in the department.*

*Republicans Sen. Ken Yager, R-Harriman, and chair of the subcommittee Sen. Ed Jackson, R-Jackson, also said they'd like to see a more thorough review, but both were encouraged by TDOC's agreement to survey employees and potentially change policy.*

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## *TN prison chief says ready for scheduling, discipline changes*

Dave Boucher, The Tennessean

*Tennessee State Employee Association Government Affairs Director Randy Stamps said he doesn't know of other state departments with drastically different scheduling and pay structures based solely on facility. He also fears that officers working at facilities that are well-managed might end up getting paid less by staying on the current schedule than officers at more dangerous prisons that switch to a more overtime-friendly schedule.*

*"My problem with differential pay would be are we punishing the folks ... because they've done a good job, and they've been able to retain folks, yet we're going to start paying people more in different areas, different facilities ... because they're not as well-managed at that institution," Stamps said.*

*House Democratic Caucus Chairman Mike Stewart, D-Nashville, agreed. The frequent critic of the department met with Schofield and Yarbro in the hall after the hearing. After their discussion, Stewart told reporters the proposal to allow different pay at different prisons would be unworkable.*

*"To me it seems unrealistic. And let's remember, the story is broader than the schedule itself. The schedule has created all these other problems," Stewart said.*

*"There are over 100 employees who won't be surveyed out at West Tennessee, because they've quit because the scheduling problems created by this 28-day schedule drove them to other employment."*

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## *September Revenues*

News Release, Tennessee Department of Finance & Administration

*Tennessee's revenue collections exceeded budgeted estimates for the second month of the state's fiscal year. Finance and Administration Commissioner Larry Martin today reported that overall September's revenues were \$1.2 billion, which is \$82.2 million more than September 2014 collections and \$113.4 million more than the budgeted estimate. The growth rate for September was 7.14%.*

*"Sales tax collections reflecting August consumer activity show growing consumer confidence in our economy," Martin said. "While corporate tax collections posted positive double digit growth for the month we need to be cautious about the sustainability of our franchise and excise tax growth for the remainder of the year.*

*"We're also watching national and global economic indicators with concern about economic uncertainty surrounding the European and Asian markets. As always, we need to continue to monitor revenue collections and manage our spending."*

*On an accrual basis, September is the second month in the 2015-2016 fiscal year. For September, the general fund was over collected by \$106.2 million and the four other funds were over collected by \$7.2 million.*

*Sales tax collections were \$24.4 million more than the estimate for September. The September growth rate was positive 6.45%. Year-to-date collections are 7.36% above this time last year.*

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## *Tennessee officials told to avoid emailing about outsourcing*

Associated Press, Chattanooga Times-Free Press

*Officials mulling over the privatization of operations at state buildings, college campuses, prisons and armories are being discouraged from putting their thoughts into emails.*

*Terry Cowles, who is in charge of Republican Gov. Bill Haslam's office of Strategies for Efficiency in Real Estate Management, or SEREM, told reporters Tuesday that the group "put that control in place" to prevent the release of what he called premature or incorrect information.*

*"We want to provide you all and the public with as much information as we can, but we have to have some opportunity to make sure in fact that what we're providing is the right information," he said.*

*Democratic State Sen. Jeff Yarbrow said avoiding written communication is an effort to circumvent open records laws.*

*"It looks like the whole administration is avoiding the law against keeping secret the formation of public policy decisions," Yarbrow said.*

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## *Colleges, agencies may be able to opt-out of privatization*

Dave Boucher, The Tennessean

*While state officials continue to stress no decisions have been made, new details of an "opt-out" provision were among the information provided to lawmakers Wednesday about what could happen if the state expands privatization of facilities management.*

*They are also encouraging staff working on that "exploration" to cut down on sending out possible details about the plan in emails, while lawmakers turned down the chance to hear from state employees about potential effects of a privatization.*

*Asked why people should believe the state is simply exploring expanding privatization when it's already come up with opt-outs to an apparently hypothetical program, Terry Cowles, director of "customer-focused government" for the state, said, "well, I can understand your point."*

*"But all I can tell you is we're looking into this at this stage. We haven't decided to do anything other than we believe that, based upon the experience we've had here in general government here in Nashville ... we believe that there's an opportunity to take that experience into the rest of our properties. We have to prove that."*

*... Critics, including organizations representing state employees and Democratic lawmakers, have*

*argued there's no proof privatization saves real money. Any money saved comes not from increased efficiency, but from offering less salaries and benefits to employees working for the private company as opposed to the state.*

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## *Real estate firm earns more than \$3 million from Tennessee outsourcing contract*

Dave Boucher, The Tennessean

*The facilities management contract calls for the publicly traded firm to be paid \$600,000 a year or \$3 million over the course of the five-year agreement. Haslam administration officials say that's already saved taxpayers \$12.9 million over two years.*

*Figures on JLL's leasing commissions were provided Tuesday by Department of General Services' officials following a Times Free Press request last week. So far, JLL has received \$3,355,109.33 in commissions on 19 office leases the company negotiated for the state. The company receives 4 percent of the value of each lease, which state officials say is the industry standard.*

*While a list of the 19 leases and amounts was not available Tuesday, it would presumably includes two Chattanooga leases that Jones Lang LaSalle struck on behalf of the state in 2013. One was with Eastgate Town Center in Brainerd and the other with owners of the former Combustion Engineering offices at 1301 Riverfront Parkway.*

*John M. Hull, deputy commissioner of General Services, emphasized in an interview that "the state is not paying those fees directly. It's actually paid by the landlord."*

*But while Hull said the 4 percent fee is considered standard for such work, he acknowledged office owners are likely factoring at least part of the fee, if not all of it, into their rental charges to the state.*

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## *Haslam Administration Defends Outsourcing in Hearing with Tennessee Lawmakers*

Chas Sisk, WPLN/NPR

*Officials from the Department of General Services and Haslam's office told the legislature's Fiscal Review Committee that a first wave of outsourcing has saved the state \$13 million. The controversial deal gave control of 136 state buildings over to the Chicago-based real estate management firm Jones Lang LaSalle.*

*Lawmakers seemed ambivalent. On the one hand, they were pleased with the savings. But on the other, some expressed skepticism about how those savings are coming about.*

*"Some (maintenance workers) are saying they were simply forced out, because it was a private firm that came in," said state Rep. Johnny Shaw, D-Bolivar.*

*But General Services Commissioner Bob Oglesby said defended the contract. He said private managers are running the buildings more efficiently - and with fewer employees.*

*"We are trying to hire the best people to provide the services," he said, "and we are not an employment agency to hire the general public anymore."*

*The Haslam administration will need to win over lawmakers if it decides to expand outsourcing.*

Officials have discussed turning state parks, university buildings - maybe even parts of some prisons - over to private managers. Already, says state Rep. Tim Wirgau, R-Buchanan, constituents are worried.

"There's a lot of rumors out there, and I actually had this conversation with the commissioner in my office yesterday afternoon, about are we going to privatize parks or are we going to do this?" he said.

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## *New TN logo gets trademark approval*

Associated Press, Knoxville News Sentinel

Republican Gov. Bill Haslam's embattled new Tennessee logo has finally received approval from the U.S. Patent and Trademark Office.

The square logo features the white letters TN on a red field above white and blue bars. It has been criticized for both its simple design and because the Haslam administration spent \$46,000 for a private agency to come up with it.

The governor has said the logo provides a consistent brand across state government and argued that none of the official state symbols could be trademarked.

The patent office denied the state of Tennessee's trademark application on the basis that it was primarily a geographic description. But the Haslam administration gained approval Tuesday after the name of the applicant was changed to the executive branch of Tennessee state government.

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electorate so vital to our  
democracy."

- Brad Henry

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