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TSEA 1-7-15 Presentation to Corrections Subcommittee of Senate State & Local Government Committee

The Committee has asked TSEA to respond to the following questions regarding the recent ACA audit and TDOC's actions in resolving the issues revealed by the audit.

1. How do you feel about the progress TDOC has made in responding to the ACA recommendations?

Besides the survey TSEA implemented in partnership with the department, we are unaware of any progress that has been made towards implementing the ACA recommendations.

The ACA auditors made three recommendations:

- **Change the 28-day work period from 28 days to 14 days**

TDOC told TSEA in an interview that Edison doesn't currently support the 14-day work period. Commissioner Schofield said moving toward the 14 day would depend on the results of the survey.

- **Change the 8 hour shift assignment to a 12 hour shift assignment**

TDOC said they would do the survey with TSEA to gauge which shift employees wanted. After the results were in, they said they would leave that scheduling choice up to the facilities. Commissioner Schofield indicated that if a majority of staff in a particular facility wanted to go to the 12 hour shifts, they would lean heavily on that information with that warden and his staff who would then make that decision.

- **Redefine Disciplinary Offenses**

The department has stated that this requires vetting through the legal process. No timeline was indicated.



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2. Where does TDOC still stand to improve?

The department has taken admirable steps toward improving pay for correctional officers. (*\$1,000 retention bonuses, 5% assignment differential pay for the Correctional Officer series, beginning 2016 \$100 monthly assignment differential for Probation and Parole Officers qualified to carry a weapon, and proposed 5% pay increases for officers, probation/parole and inmate relations coordinators*)

Other areas that need improvement include:

- All ACA audit recommendations – Work schedules, Shift assignments, and Assault definitions
- Overtime pay issues – pay lag, 28-day/171 hours before earning overtime
- Consideration to return to 40-hour work week (TSEA to poll membership)
- Vacancy/Turnover (will see some relief from increased pay)
- Safety concerns due to low staffing
- Market competitive wages
- Staff Morale

3. What are your impressions of the results of the work schedule survey you conducted with TDOC?

We believe the survey produced mixed results, but we were not very surprised by those answers. Some of those answers are as follows:

- 82 percent of survey respondents are negatively impacted by the calculation of their overtime under the 28-day work period.
- 71 percent indicated they are negatively impacted by the ability to flex overtime instead of receiving overtime pay.
- 55 percent indicated they prefer the current 8.5/9 hour shift assignment with 6 days on/3 days off
- 45 percent prefer to move to a 12 hour shift assignment with an alternating mix of a 3 days on 2 days off schedule rotation.
- 56 percent of survey respondents indicated they were positively impacted by the new shift briefings and increased communication.

The results of this survey show that the Department of Correction has much work to do with regard to employee overtime pay and work schedules. And, while the results for work schedule preference are mixed, we believe there would have been overwhelming support for a return to a 40-hour work week if that option was included in the survey. We heard from many employees who were frustrated by the omission of an option to return to a 40-hour work week.

We are thankful to the Senate for encouraging Commissioner Schofield to work with TSEA on the survey; however, we wish the survey could have been a bit more comprehensive in scope and included questions on safety, morale, vacancy, and overtime. TSEA will likely initiate another survey in the near future.