Attachment 5

Comments Before the Board of State Prison Commissioners
October 15, 2012

Honorable Commissioners:

My name is Keith Uriarte, Chief of Staff of AFSCME Local 4041. On September 25, 2012 I sent to you a letter stating AFSCME's concerns regarding actions taken by the Department of Corrections Director, James Cox. I request that the letter and its enclosures be made part of the record of today's meeting. If the letter has not already been made part of the record, I have a copy of the letter including its enclosures to submit for the record today.

I am before you today to speak against the Temporary AR 100, Administrative Regulations. I ask that you not approve Temporary AR 100 for all of the reasons set forth in my September 25, 2012 letter, and to reinstate the AR Committee.

I am also here to question the integrity of Temporary AR 301, Shift Bidding. Temporary AR 301 is directly linked to AR 326, Posting of Shifts/Overtime. AR 326 states under "Responsibility", "Wardens/Facility Managers are responsible to ensure there is sufficient staff on duty to safely operate their institutions and facilities." The Nevada Department of Corrections' institutions and facilities are not sufficiently staffed to be operated safely.

At the May 18, 2012, Board of State Prison Commissioners meeting, considerable amount of time was spent discussing inordinate amount of overtime worked in the institutions and facilities. At the April 24, 2012 Interim Finance Committee meeting, Director Cox stated that "...vacancies accounted for 40 percent to 45 percent of the overtime..." He also stated that an audit from former Governor Guinn's office that, "...NDOC was short approximately 200 Correctional Officers. Senator Horsford suggested that, "...the Department would have to offer the Governor and the next Legislature a roadmap for what would work in the future; keeping

200 positions vacant was not working for the Department." Honorable Commissioners, this problem continues today.

AR 319, Workplace Safety, requires the Department to establish safety committees. At least one committee member must be an employee representative elected by ballot by the employees. Where are these committees? Where is Workplace Safety? Where is the integrity of AR 301.

Honorable Commissioners, I asked that you direct Department Director Cox to immediately begin the process to fill all budgeted staff positions as approved in the State's budget and to include that "road map" for the next budget, to insure the safety of all Corrections employees.

Thank you.