



# Stateline

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## CIVIL SERVICE REFORM PROPOSALS

BY GOVERNOR BILL OWENS

Last month, I joined former Governor Dick Lamm and other members of the Civil Service Reform Commission to announce proposals from the Commission's report, which calls for sorely needed reforms to Colorado's personnel system.

Colorado's personnel rules, some of which date back to 1918, are obsolete, making it difficult to enact changes in state employment policies. In fact, Colorado is the most restrictive state in the country when it comes to the state legislature's ability to change employment policies because they are frozen in the state Constitution.

Since our civil service system was first enacted in 1918, Colorado has come a long way. Our state budget has grown from roughly \$1.3 million to today's budget of nearly \$6 billion, and our number of state employees has likewise grown throughout the years. State employees and taxpayers deserve a personnel system that is up to speed with the 21st century, rather than a second-rate, outdated set of policies.

As the report points out, "aspects of Colorado's civil service system are showing signs of strain and even breakdown." For example, it is wrong to take six months or longer to fill a state job, particularly at a time when people are eagerly looking for work. Very often, some of the best, most sought-after candidates cannot afford to wait and pursue a job with the private sector.

The report also addresses extending temporary employment from the current maximum of six months to nine to allow sufficient time for a project to be completed, and limiting bumping rights to vacant positions.

Some other suggestions from the report concern the authority of the State to outsource and giving state institutions of higher education the option of creating their own separate personnel systems for their employees.

The recommendations made in the report will help dispose of those outdated personnel policies that no longer meet our needs. That's why I am hopeful that the Legislature will refer civil service reform to the 2004 ballot. The bill in the Legislature will be carried by Senator Norma Anderson and Representative Rosemary Marshall, demonstrating the bipartisan support for the Commission's recommendations.

The business of state government is serving the people of Colorado and this report offers common-sense reforms and innovations that will help meet Colorado's challenges.

*Editor's note: To access the Governor's Commission on Civil Service Reform Report, please refer to: [www.colorado.gov/dpa/csrc/index.htm](http://www.colorado.gov/dpa/csrc/index.htm)*

## COLORADO MINE SAFETY PROGRAM HONORED WITH NATIONAL AWARD

BY BILL YORK-FEIRN  
MINE SAFETY PROGRAM COORDINATOR, DNR

The Department of Natural Resources' Mine Safety and Training Program (MSTP) was recently honored as the Grand Prize winner in the 2003 National Training Materials Competition sponsored by the U.S. Department of Labor, Mine Safety and Health Administration (MSHA).

The MSTP won first place among state grantee entries as the best training resource for 2003 with their new, interactive CD-ROM program entitled "Part 46 New Miner Training - Second Edition." The award was presented to Bill York-Feirn, Mine Safety Program Manager and Scott Waybright, Mine Safety Trainer by Dave D. Lauriski, MSHA Assistant Secretary of Labor; Jeff Duncan, Chief, MSHA Educational Policy and Development; Pat Brady, Acting Superintendent of the MSHA Academy and Melody Bragg, MSHA Training Material Competition Coordinator.

"This new, innovative CD-ROM program was designed and produced through a cooperative effort between the Colorado Rock Products Association, the Mile High Chapter of the American Red Cross, Focus on Training, LLC, and the Division's Mine Safety & Training Program," said York-Feirn. The Colorado Rock Products Safety Committee was instrumental in reviewing and improving the initial version of the program which was released in June, 2000 to assist mine operators in complying with the requirements of the newly

promulgated Part 46 MSHA training regulations. The first edition also garnered the 2000 Grand Prize at the national competition and has sold almost 1,100 copies since that time.

The program is designed as an interactive, self-paced method of delivering consistent and effective

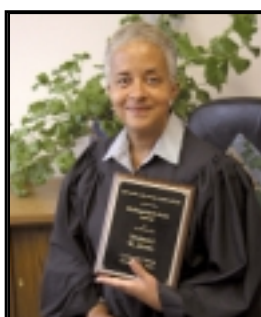
safety training to a single new miner or to a group. It covers all ten required topics to comply with MSHA requirements and includes an introduction by Dave Lauriski, MSHA Assistant Secretary of Labor. This edition also includes the new Part 47 Hazard Communications requirements, a new expanded First Aid Module created with the Mile Hi Chapter of the the American Red Cross and a new, simple

install program designed for use with Windows 98 or higher. Self-tests examine the miner's knowledge of the material and a certificate of completion can be printed with the name of the miner and the date of completion. Copies of the program are available for purchase at the Colorado Rock Products Association at (800) 877-0785.

*The Mine Safety & Training Program has been an MSHA grantee since 1971 and provides education and training services to the mining industry to assist them in complying with federal health and safety regulations.*



*Pictured from left to right: Dave D. Lauriski, MSHA Assistant Secretary of Labor, Bill York-Feirn, and Scott Waybright, Mine Safety Trainer.*



## ALJ MARGOT W. JONES NAMED DISTINGUISHED JURIST

Administrative Law Judge Margot W. Jones of the Colorado Division of Administrative Hearings, Department of Personnel & Administration, was presented the Distinguished Jurist Award by the Sam Cary Bar Association. Jones received the award at the bar association's first annual fundraising dinner, the theme of which was, "Living the Dream", a tribute to our African American Judiciary."

Judge Jones has been an administrative law judge (ALJ) and hearing officer since 1984, joining the Division of Administrative Hearings in 1998. She presides in matters involving professional licensure, human services, and workers' compensation. She is a graduate of the University of Denver and the University of Colorado Law School.

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## BUILDING A TOTAL COMPENSATION STRATEGY

By JEFF SCHUTT  
DIRECTOR OF HUMAN RESOURCES, DPA

The Total Compensation Reform Act (HB03-1316) requires the State "to provide prevailing total compensation to officers and employees in the state personnel system"

in recruiting and retaining a qualified workforce. It ensures that any new investment the State makes in employee total compensation will be used most efficiently and effectively, and that, on balance, such investment will meet the greatest needs of the total workforce.

The Act requires the State Personnel Director to craft a total compensation recommendation that thoroughly analyzes the annual compensation survey report, meets the statutory obligation, and *appropriately considers budget realities*. This year's recommendation, submitted to the General Assembly as part of Governor Owens' budget proposal, illustrates the efficiency and effectiveness that HB-1316 envisioned.

The 2004 Annual Compensation Survey Report showed a total of \$92,580,566 new money needed to achieve prevailing compensation for FY 2004-2005. The Director carefully considered the survey report, the current gap in contributions to group benefit plans, the intent of a performance salary system, the need to maintain competitive, market-based salary ranges, and, most importantly, the current budgetary climate.

From these considerations, DPA proposed a total compensation budget package of \$47.5 million in additional compensation for employees. This

recommendation ensures that BOTH health insurance benefits and salaries keep pace with those paid by comparable public and private sector Colorado employers.

In the short term, this recommendation significantly closes the gap in the State's contribution to group insurance plans. Given the current budget constraints and the considerable size of that gap, it will take at least two years to provide competitive benefits, but the recommendation does move us much closer.

With regards to salary, our strategy of moving pay ranges according to the market and funding back to pay-range minimum those employees who fall below the range certainly maintains the integrity of a pay structure that is *comparable*. Making upward movement within the ranges tied to performance further ensures government accountability. Limiting such awards to the highest achievers makes those awards meaningful in a tight budget.

More importantly, the Act and this year's recommendation help build the foundation for a longer-term, flexible total compensation strategy, one that will enable a better balance between the needs of the workforce and the needs of individual employees. We envision a multi-year plan based upon the following strategy:

- Close the gap in benefits - this year's proposal gets us much closer in '05 and the gap should be completely closed by '06;
- Maintain competitive salary ranges;

- Continue to adjust those ranges based on salary survey data and fund the movement back to range-minimum for those employees who fall below range minimums;

- Make performance awards meaningful;
- Once the gap in benefits is closed, use the funding to maintain competitive benefits and put the bulk of new employee compensation dollars into meaningful performance awards;
- Such awards become the way for employees to move upwards within salary ranges;
- Further down the road, provide the legal framework and mechanisms for employees to have a true cafeteria total compensation package, in which they decide how to best allocate for their individual needs.

This longer-term strategy continues a decades long movement to provide greater flexibility in the compensation system and to better enable the General Assembly's expectation of the most cost-efficient and effective employee compensation system. As we continue to implement this strategy, the State will be better positioned to attract and retain top talent.

## COLORADO-GROWN PRODUCE IS BETTER FOR YOU AND BETTER FOR COLORADO

By WENDY LEE WHITE  
MARKET SPECIALIST, CDA

To recognize the importance of locally grown, raised and processed products in the State of Colorado, the Department of Agriculture created the Colorado Proud program in 1999. The program helps consumers identify and purchase Colorado products by labeling them with the Colorado Proud logo. Since its inception in 1999, the program has grown to over 400 members including growers, processors, restaurants, retailers and associations statewide.

Colorado Proud is important because agriculture is essential in the State, contributing nearly \$16 billion annually to the State's economy - ranking in the country's top 10 for production of more than 30 agricultural products. Colorado has more than 30,000 farms and ranches encompassing 31.3 million acres - nearly half the State's total land. Agribusiness also contributes more than 105,000 jobs in Colorado.

As stated by Governor Owens in the Colorado Proud Month Proclamation, "The State's economy is strengthened by Colorado agriculture, which includes farmers, ranchers and food processors. Colorado Proud makes it easier for consumers, retailers and restaurants to buy locally grown and processed products."

Look for the Colorado Proud logo at supermarkets, restaurants, specialty stores and the State's farmers' markets. Don't miss out on what Colorado has to offer.

For more information, visit [www.coloradoproud.org](http://www.coloradoproud.org).

*The Colorado Proud program supports producers throughout the State. By buying locally grown, raised and processed foods, you are receiving high quality fresh foods and helping Colorado's economy, local farmers, ranchers, manufacturers and processors in your area.*

## NOVEMBER IS ADOPTION AWARENESS MONTH

By GARRETT GROVES  
SPECIAL ASSISTANT TO LT. GOVERNOR JANE NORTON

Colorado has approximately 708 children in the public child welfare system who are in need of nurturing, supportive, forever families. In an effort to help locate caring adoptive families for these children and raise awareness of the need for adoption in Colorado, Governor Bill Owens has signed a proclamation declaring November 2003 as Adoption Awareness Month.

In November of 2002, Governor Owens asked Lieutenant Governor Jane Norton to promote adoption within the State of Colorado as part of a larger Strengthening Families Initiative. This year on November 19 at 5:30 p.m., Lieutenant Governor Norton will rally Colorado around our waiting children by participating in the second annual "Shout Out" Ceremony on the State Capitol West Lawn.

During that ceremony the names of approximately 400 children waiting for their very own family will be called out and candles lit to honor them. The Department of Human Services, Division of Child Welfare Services, the Adoption Exchange, the Colorado Coalition for Adoptive Families, and the Office of the Lieutenant Governor are jointly sponsoring this event. The "Shout Out" Ceremony is open to all interested parties, and will conclude at 6:30 p.m.

In addition, the 2nd Annual "Gathering of Families Foster Care/Adoption Honoring Ceremony and Pow Wow" will be held on November 22 from 1:00

p.m. to 5:00 p.m. at the Southwest Improvement Council, 1000 S. Lowell Street, in Denver. This joint event has been organized to celebrate November as both National American Indian Heritage and Adoption Awareness Month, and is sponsored by the Colorado Division of Child Welfare Services and the Denver Indian Family Resource Center. The guests of honor will be Lieutenant Governor Norton and U.S. Senator Ben Nighthorse Campbell. They will honor foster children, foster parents and adoptees. The event will include the Wiping of the Tears Ceremony by Sandra White Hawk, which heals the grief in the hearts caused by feelings of separation and isolation, the honoring of minority foster parents, dancing, and a community meal. All are invited to participate.

Celebrations are being sponsored throughout the state to honor those who have adopted children and to encourage others to adopt one of Colorado's waiting children. To learn more about adoption in Colorado please visit our website [www.colorado.gov/ltgovernor/initiatives/adoptio.html](http://www.colorado.gov/ltgovernor/initiatives/adoptio.html), or call Sandy Blaylock in the Office of the Lieutenant Governor at 303-866-2087.



Sisters Paulette (back), Shonquea (left), and Diauj (right) wish to stay together and are looking for a new family.





## LOOKING FORWARD

By JEFF WELLS  
EXECUTIVE DIRECTOR, DPA

On October 28, Governor Bill Owens announced the appointment of Jeff Wells to be Executive Director of the Colorado Department of Personnel and Administration (DPA). He replaces Troy Eid who recently resigned to become a partner with the law firm of Greenberg Traurig, LLP.

Wells has served as the Executive Director of the Department of Labor and Employment (DOLE) since January 2003. Prior to that, he served as that department's Deputy Executive Director since 1999. In addition to his DPA appointment, Wells will continue to serve as the Executive Director of DOLE.

His lengthy and distinguished career in public service began in 1982 when he was elected to the Colorado Senate. He served as a Senator for 16 years, earning a reputation as a stalwart supporter of public and higher education, family issues and criminal justice. His colleagues recognized his leadership by electing him Senate Majority Leader for twelve consecutive years, a position he held longer than any other Senator in Colorado history. His record and expertise with the legislative process led to his election as National Chairman for the Council of State Governments in 1997. He also served two terms as Chairman of the Western Legislative Council, a consortium of state legislators from the western United States, in 1993 and 1994.

After just a few weeks of taking the reins at the Department of Personnel & Administration, it's remarkable to see the diversity of jobs and services that the State's workforce offers all across Colorado. Even though, the range of responsibilities and geographical locations is far reaching, there are many common threads found within the State's largest workforce.

As is the case in the private sector, state employees are continually being asked to do more with less in a constantly changing business environment. While at the outset this may have been perceived as an impediment, we are now seeing the benefits of having overcome such an obstacle. The workforce has pulled together and created efficiencies that before didn't exist while never wavering on a commitment to deliver the highest level of service to the citizens of Colorado. Today, the employees who serve our great state remain as strong and motivated as ever.

In turn, the State's workforce deserves the support that DPA is charged with providing – the tools and resources that enable our employees to be successful in their jobs. This includes promoting a total compensation system that is commensurate with their peers in the private sector, including a competitive salary structure and closing the gap on competitive health benefits by offering a more complete package that workers can actually afford. It also includes protecting insurance rate parity for state employee's living in Colorado's rural areas so that everyone has access to more affordable health care wherever they may work or live.

In order to build upon DPA's achievements over the last several years, effective communication will be paramount. For me, it's a two-way street; my ability to communicate with the workforce is just as important as the workforce communicating with me. I have always embraced an open-door policy, as I firmly believe collaboration with employees is an integral element to any success.

I look forward to the opportunity of working with all state employees in making Colorado an even better place for everyone to live, work, and raise a family. It will be through our collective efforts that, together, we will be able to succeed in meeting the challenges that lie ahead.

## SOLD! EBAY AUCTION OF UNCLAIMED PROPERTY SHATTERS EXPECTATIONS

By BRIAN ANDERSON  
SPECIAL ASSISTANT TO  
STATE TREASURER MIKE COFFMAN

State Treasurer Mike Coffman declared the State's first use of the Internet to auction unclaimed property a roaring success, with sale prices dramatically exceeding the estimated value of the items up for bid.

"I am thrilled at the results of the eBay program. It far exceeded our expectations both in the higher sale amounts of the items and the lower costs to the State," Coffman explained. Last month, Treasurer Coffman officially kicked off the State's first online auction of unclaimed property on the eBay internet auction site.

One item, a rare 1834 penny sold for \$180. The total cost to the State for the online sale of the first three items was \$22—roughly 2.8% of the total sale proceeds of \$780. By comparison, a traditional auction would have cost twenty percent of the gross sale or \$156 of the \$780 earned in the eBay auction.



Photo courtesy of Dan Kopelman

The items being auctioned are from the State's unclaimed property program; The Great Colorado Payback. The program holds unclaimed assets—including items from safety deposit boxes, savings accounts, IRA's and other property—turned over to the State by financial institutions, insurance companies and other businesses until the assets can be claimed by their rightful owner or heir.

Because of limited storage space in the state treasury vault and a steady stream of new items—roughly two thousand per year—periodically the treasurer auctions items from abandoned safety

Please see EBAY, p. 4

## CIVIL SERVICE REFORM FAQ

By PAUL FARLEY  
DEPUTY EXECUTIVE DIRECTOR, DPA

In response to inquiries received in public meetings and by e-mail, we are answering more common questions here as a service to state employees.

**What is the Civil Service Reform Commission doing now?** The Commission completed its work when it issued its final report, and has been dissolved. The recommendations will form the basis of legislation that will be introduced by Representative Rosemary Marshall (D-Denver) – herself a 27-year classified state employee – and Senator Norma Anderson (R-Lakewood), in the 2004 legislative session. Constitutional changes will require a 2/3 vote of each house of the General Assembly to be sent to the November ballot for approval by the voters.

**Is the state personnel system going to be removed from the Constitution?** Not at all. At its first meeting, the Civil Service Reform Commission discussed and quickly rejected the idea of trying to pull the system out of the Constitution. Although 35 states have done so (see Appendix C of the Commission's final report), the Commission concluded that a constitutional civil service system well serves the State, the public, and employees. The goal is to make our system more flexible, by changing it from being the most rigid in the country to somewhere in the middle of the 15 states that have constitutional systems.

**Does this mean that state employees will become "at will" employees?** No. Certified state employees will still enjoy civil service protections – in pay, in status, and in tenure. Appeals will still be handled by a constitutionally independent

Personnel Board, complete with due process hearings as is currently the case.

**Is the Commission recommending the kind of changes that recently occurred in Florida?** No. In Florida, 16,000 positions were taken out of the civil service. Here, very few additional positions will be exempted – only the immediate staffs of department heads, and a limited number of senior executive service (SES) positions. Currently, there are fewer than 70 positions in the SES statewide – amounting to less than one quarter of one percent of the classified work force.

**What about the constitutional provision regarding the salary survey?** Many employees believe that the principle of competitive or prevailing compensation is in the Constitution. In fact, the only constitutional requirement concerning employee compensation (in Article XII, section 13(8)), is that employees "shall be graded and compensated according to standards of efficient service which shall be the same for all persons having like duties." In other words, employees having similar duties and with similar performance should be paid similar amounts. But this only concerns comparisons between employees who are all *within* the state system.

The total compensation survey which the Department of Personnel & Administration conducts every year compares state employees with non-state employees in comparable positions in both the public and private sectors. This is required

Please see FAQ, p. 4



In appreciation of the extraordinary effort he puts into his everyday duties, Chief Tom Medina, of the 16<sup>th</sup> Judicial District, Probation Department, was presented with a baseball bat signed by his staff. Pictured from left to right back row: Dusty Wallace, Naomi Herrera, Bernice Archuleta, Wanda Hatley, Brandie Bezona, and David Book. Front Row, left to right: Steve Wilkins, Twila Henegar, Chief Tom Medina, Dana Montoya and Wayne DeHerrera.

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deposit boxes that have been stored by the Treasury for a minimum of five years. The funds from the sale are then credited to the unclaimed owner's account in the Great Colorado Payback database, where they are held until claimed.

Thanks to his aggressive promotion of the program, last year Treasurer Coffman set a record for the sixteen-year-old unclaimed property program, returning \$9.1 million to nearly 16,000 claimants. All told, the Treasurer is holding almost \$200 million in unclaimed assets belonging to more than a million owners.

"Certainly my goal is to reunite these assets with their rightful owners or their heirs, before they are selected for auction. Hopefully, our efforts will encourage more people to contact the unclaimed property offices to check for their name on the Great Colorado Payback list," Coffman concluded.

For additional information on the unclaimed property program or to search for your name in the Great Colorado Payback database, please visit [www.treasurer.state.co.us/payback](http://www.treasurer.state.co.us/payback) or call (303) 894-2443. There is no charge for the service and no time limit to file a claim.

**SAVE THIS DATE!**  
**YOU WON'T WANT TO MISS THE ANNUAL CSMA LEGISLATIVE LUNCHEON**

Mark your calendar for **January 8, 2004**, and plan to attend the 2004 Colorado State Managers Association (CSMA) Legislative Luncheon. CSMA is busy planning another great event where you can meet and talk with state legislators as a new legislative session begins.

The Luncheon will return to the Brown Palace Hotel, and will begin right after Governor Owens' State of the State Address. Legislative leaders will be invited to address anticipated legislative issues of interest to state employees, such as civil service reform and total compensation. Last year's menu of Beef Filet and Salmon was such a hit, it will be offered again, along with a vegetarian alternative. Cost will be \$30 for CSMA members, and \$40 for non-members. Check [www.csma.info](http://www.csma.info) and your mailbox for more details, available soon!

FAQ, from p. 3

by a statute, section 24-50-104(4), C.R.S., which was amended last year in House Bill 1316. The Civil Service Reform Commission recommended no changes to the total compensation survey system, although of course the General Assembly could look at it again in the upcoming session.

**Why is the Commission recommending changes to contracting? Isn't there already enough contracting in state government?** Some people have opposed contracting reform by talking about how many dollars of contract work the State uses now. But the question is not whether there is *enough* contracting, but the right *kind* of contracting. We have always had contracting, and always should, but what has been missing is clear guidance regarding what should be outsourced, how it should be outsourced, and what should *not* be outsourced. The Commission concluded we have to provide better training for state employees in contract oversight and administration, while at the same time, "state employees need to be protected from adverse effects on pay, tenure, and status directly resulting from outsourcing." This is why people who suggest that this is leading to some sort of "spoils" system do not understand the issue - the Commission recommended that contracting reforms be phased in gradually, to minimize the impact upon state employees.

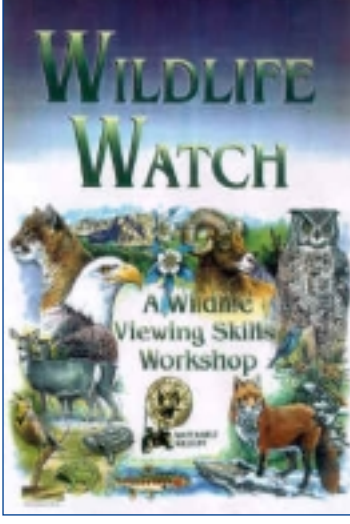
Please send your questions or concerns to: [stateline@state.co.us](mailto:stateline@state.co.us) For more information, see [www.colorado.gov/dpa/csrf/index.htm](http://www.colorado.gov/dpa/csrf/index.htm)

**CSECU Annual Food Drive**

The Colorado State Employees Credit Union (CSECU) is holding its annual Food Drive to benefit the Colorado State Employee Assistance Program (C-SEAP) Emergency Assistance Fund. Through December 18 non-perishable food or monetary contributions may be donated at any of the eleven CSECU office locations. In addition, there are collection points at various state worksites. The most needed items include those that can make a meal such as: macaroni and cheese, cereal, pasta, tuna fish, soup, canned fruit/vegetables, peanut butter, and baby food.

Donations aid state employees in crisis situations by providing them with short-term financial assistance and food. Financial donations are also welcome. For more information on how to donate, please contact the credit union at (303)832-4816, outside the metro area (800)444-4816. The C-SEAP Food Drive will help make the holidays a little brighter for many state employees and their families.

**ATTEND WILDLIFE WATCH FREE**



Wildlife Watch is a wildlife viewing skills workshop. **State employees and family members** (adults and children over 12) are invited to attend any workshop **free of charge!** Participants need to register for Wildlife Watch online or by phone. The workshop dates, times and places are detailed on both the Web site and phone line. When you sign-up, be sure to let us know that you are a state employee and tell us how many are coming.

**Dec. 6** Aurora, Plains Conservation Center  
**Dec. 13** Littleton, Carson Nature Center

Register online at [www.wildlifewatch.net](http://www.wildlifewatch.net)  
 or by phone: 303- 291-7258

**STREAMLINED PURCHASING AGREEMENTS FOR NATURAL GAS SAVES STATE TIME AND MONEY**

BY MEGAN CASTLE  
 PUBLIC INFORMATION OFFICER  
 GOVERNOR'S OFFICE OF ENERGY MANAGEMENT & CONSERVATION

The Colorado Governor's Office of Energy Management and Conservation (OEMC) is proud to announce the savings reported from the Master Price Agreements for the purchase of natural gas, which was launched in January 2003. The agreements were responsible for saving \$850,000 for four state agencies.

This significant contribution helps statewide efforts to help balance the budget in this difficult year. Streamlined purchasing procedures, market benefits of shorter term contracts, and competitive pricing have all contributed to the success of this effort to make state government operate as cost effectively as possible.

OEMC, in partnership with the State Purchasing Office and the State Buildings and Real Estate Program lead the effort to promote and support the purchase of transport gas by state agencies. Transport gas is natural gas purchased from a third party supplier instead of the local utility; in most cases transport gas is less expensive than utility-provided gas.

With the Master Price Agreements, agencies have the ability to enter into short-term agreements in place of long-term contracts; this allows them to take advantage of seasonal or monthly price breaks. With a Master Price Agreement, an agency can commit to shorter terms while capitalizing on competitive market pricing.

