



# Tentative Agreement Frequently Asked Questions (FAQs)

## Layoffs

**1. *I thought the contract protected me against layoffs. Why did I get a layoff notice?***

Employees have not received layoff notices. What they received was a surplus letter. The governor sent surplus letters to 20,000 state employees with the lowest seniority. Under Local 1000's tentative agreement, employees are protected from layoffs unless their office or agency is closing down. Local 1000 employees who receive surplus letters will have priority in obtaining new positions.

**2. *With the new layoff language, when does the 50 mile/10% provision apply?***

If a department uses layoffs to reduce their budget, then Local 1000-represented employees must be offered a position within 50 miles and 10 percent of their current job.

**3. *Why did Local 1000 agree to language that gave workers the MPFLP in departments not subject to the Governor's two-day furlough program?***

Regardless of whether or not a department would be subject to furloughs, Local 1000 negotiators wanted to protect all employees from layoffs. The governor signaled during negotiations that he would cut the budget of all departments of constitutional officers by 10 percent if his furloughs were not implemented; he followed through on this threat. Now, because of layoff language in the new tentative agreement, only Local 1000-represented employees are protected from layoffs that can result from the governor's 10 percent budget cut order for constitutional officers' departments.

## MPFLP/Furloughs

### **4. What are the differences between the Mandatory Personal Furlough Leave Program (MPFLP) and the governor's unpaid furloughs?**

	<b>Mandatory Personal Furlough Leave Program (MPFLP)</b>	<b>Governor's Unpaid Furloughs</b>
<b>Effective Date</b>	2/1/09	2/1/09
<b>Duration</b>	6/30/10	6/30/10
<b>Reduction in Pay</b>	4.6%	9.2%
<b>Implementation</b>	8 hours monthly accrual  <i>You determine when/how to use the time.</i>  (No cash value – must be used by June 30, 2012.)	2 mandatory days off (state offices closed)  <b>or</b> 2 – department directed days off

### **5. Does the 4.6% equal one furlough day?**

Yes, except for permanent intermittent, part-time and bargaining unit 3 employees who work less than a full year—their leave credit will be prorated.

### **6. Under MPFLP, what happens if I retire before the program is over—is my retirement impacted financially?**

Your retirement is calculated on your base salary, not the reduced salary that is the result of the temporary MPFLP.

### **7. Under the tentative agreement, if you use MPFLP during a given regular workweek, will those MPFLP hours count towards accumulation of overtime (i.e., if my work week is an 8/40 M-F schedule, I use MPFLP to take Tuesday off and then get called in for 8 hours of work on Saturday, will my 8 hours on Saturday be OT)?**

Yes. MPFLP hours will count towards OT accumulation; under terms of the tentative agreement, only sick leave is exempt from OT calculations.

### **8. How does the MPFLP work for PIs?**

Salary and personal leave credits are prorated, based on the number of hours PIs work.

**9. Will we still be furloughed if the governor wins the court hearing on March 13, 2009?**

Not if the contract is ratified. If the contract is not ratified and the governor wins in court, departments not currently covered under the two-day furlough program will likely be at risk of inclusion.

**10. My department's budget does not come from the state's general fund, so why reduce my salary and cut funding for my department if it does nothing to solve the budget deficit?**

Governor Schwarzenegger has issued a straight across the board executive order that affects ALL state employees – including those whose salaries are paid out of the general fund. Local 1000 has been fighting this and still is trying to defeat this effort. But the Governor has it set in his mind that across the board furloughs will save the state money. He also argues that he has the authority to make these cuts and so far the courts have agreed with him. He has indicated that if he cannot furlough all state workers he will lay off thousands of us. Local 1000's tentative agreement includes the best protections we could get to prevent massive layoffs of the workers we represent. In order to reach an agreement with these protections, we had to accept some compromises such as the temporary 4.6 percent pay cut and the Mandatory Personal Furlough Leave Program (MPFLP).

**11. How will personnel specialists know how to process furloughs already taken in February and March?**

Upon ratification, DPA will direct departments on how to reconcile the difference between our new contract and the governor's mandated furloughs.

**12. When can I use the Mandatory Personal Furlough Leave Program (MPFLP)?**

Your personnel office will be responsible for applying the appropriate leave credits after the contract is ratified by Local 1000 members, the Legislature and signed into law by the governor.

**13. Are we going to have to keep taking the department-directed furlough days?**

Yes, until the contract is ratified by the Local 1000 membership, Legislature and signed into law by the governor.

**14. Isn't it true that adding furloughs to this contract means we will always be subject to furloughs?**

No. We negotiated a sunset date for the MPFLP. This means that both the leave and the pay-cut portions of the tentative agreement are temporary and end on June 30, 2010.

**Money Issues**

**15. Will employees still get merit Increases?**

Yes, the merit salary language is unchanged in the tentative agreement.

**16. Why was my pay reduced by 9.2% in February?**

The state will apply the two mandatory furlough days a month, with the corresponding pay reduction, until our new contract is ratified by the Local 1000 membership, the Legislature and signed into law by the governor. Once our new contract is signed into law, the Mandatory Personal Furlough Leave Program (MPFLP) will take effect. The State Controller will work with departments to ensure MPFLP is implemented according to our contract. At such time, employees will be made whole.

**17. When will I get the new two (2) personal holidays Local 1000 negotiated?**

The personal holidays will be credited to each full-time and part-time employee on the first day of July each year.

**18. How does the health care proposal affect me?**

Once the contract is ratified by Local 1000 members, the Legislature and signed into law by the governor, you will be credited the following employer premium contribution if you are enrolled in the Blue Shield Access+, Blue Shield Net Value or Kaiser HMO plans:

<u>Single</u>	<u>2-party</u>	<u>Family</u>
\$13.78	\$29.96	\$43.72

**19. Is the health care premium contribution retroactive?**

Yes, once the State Controller's office programs the change, this portion of the agreement will be retroactive to January 30, 2009.

## **20. What will happen to my dues?**

Dues are calculated at 1.5% of your pay. So if your pay goes down, so does your dues. For most represented employees, your dues will be reduced proportionate to your 4.6% monthly pay reduction for the term of the contract. The exception is if you gross more than \$6,000 a month and are paying the dues maximum (\$90 a month), you will continue to pay the maximum.

## **21. How does the new overtime requirement work?**

Sick leave will no longer be counted for the calculation of overtime. Unlike recently passed legislation which exempts all leaves from overtime calculations, all other leaves will continue to be counted toward overtime for Local 1000-represented employees.

## **Ratification**

### **23. To ratify the contract, must a majority of members vote yes, or just a majority of voters?**

The majority of those who vote must vote yes to ratify the contract. Each bargaining unit is counted separately.

### **24. What happens if members don't ratify the contract?**

If Local 1000 members reject the tentative agreement, the governor will most likely seek further reductions and takeaways. In fact, there is *no guarantee* that the governor and his state negotiators will go back to the bargaining table with Local 1000.

In addition, we would lose everything that was negotiated by our bargaining team over the last nine months. Employees will be subject to the governor's two day per month mandatory furloughs, his permanent elimination of two state holidays, and the elimination of all leaves towards overtime calculations.

### **25. If we ratify the contract, can the governor or the Legislature reject it?**

The tentative agreement is put into a bill. The Legislature and the governor are required to pass and sign the bill.

It is highly unlikely the governor or Legislature would not sign the bill since the governor's representatives (DPA) agreed to the deal.

## **Other Questions**

### ***26. How will the Institute for Quality Public Services work?***

The Institute represents a new benefit for Local 1000 members. The purpose of the Institute is to administer continuing education and professional development programs for SEIU Local 1000 members. The state will contribute \$1 million dollars to a trust fund to establish the Institute. A Joint Labor Management Committee of state representatives and one union representative per bargaining unit will administer the fund. Once the JLMC meets, more information will be available on how members can take classes.

### ***27. What improvements were made to the Business and Travel Section?***

The per diem rate for those who are required to travel was increased from \$40 per day to \$55. The change to the daily reimbursement rate is broken down as follows:

- Breakfast increased from \$6 to \$8
- Lunch increased from \$10 to \$ 15
- Dinner increased from \$18 to \$25
- Incidentals increased from \$6 to \$7
- Reimbursement for 2 check-in bags for air travel

### ***28. Are the supervisors going to get the same deal as us?***

Local 1000 does not negotiate for supervisors—sometimes they get what we get, sometimes they don't.

### ***29. If another state employee union ratifies a better contract will the “me too” clause apply?***

A “contract protection” clause is included in the tentative agreement; it ensures that if any other group gets an improvement on their contract, we can reopen negotiations to bargain over similar improvements.

### ***30. Is it true this contract is all contingent on the special election which takes place on May 19 of this year regarding the increase in sales tax and other taxes included in the new state budget. If this does not pass, I was told that this contract will be null and void and there will be no contract until July of 2010, which means we will have a 10% pay cut and two furlough days until that time.***

This is not true at all.