

FEB 8
2012

UNION UPDATE



FURLOUGH LITIGATION

Legal victory for non-budget departments

Narrow legal exemption restores pay for more than 700 members

More than 700 Local 1000-represented employees at five state agencies will receive back pay for all the days they were furloughed in 2009-10 under a legal agreement reached by our attorneys.

All five agencies fall outside the state's budget process, and are: California Lottery, First 5 California, Prison Industry Authority, California Earthquake Authority and the California Housing Finance Agency.

"Our position has always been that furloughs were unfair to all state employees and to California taxpayers, and we vowed to keep fighting as long as there was a shot at overturning furloughs for any of our members," Local 1000 President Yvonne R. Walker said. "We fought hard to stop furloughs altogether, but the courts ruled against us. Our attorneys took a narrow legal path that the Supreme Court left us and used it to benefit more than 700 state workers and their families."

Legal fight continued, despite Supreme Court ruling

Local 1000 filed seven lawsuits in an effort to overturn the mandatory furloughs first enacted by then-Gov. Arnold Schwarzenegger in January 2009. Each lawsuit used different legal arguments to try to exempt as many state workers as possible from furloughs and restore lost pay. One lawsuit succeeded in ending furloughs for more than 6,000 workers at the State Compensation Insurance Fund in the fall of 2009.

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—Yvonne R. Walker
Local 1000 President

In October 2010, the state Supreme Court ruled that furloughs were legal as long as the governor received approval from the legislature. That court decision applied to all departments receiving an appropriation from the annual budget act regardless of whether the agency received money from the General Fund, special funds or was self-funded -- with a few very narrow exceptions.

"This is a prime example of why 'politics matters' to all state employees," Walker said. "Furloughs were a political decision by Schwarzenegger, not a financial decision. We helped elect a governor, Jerry Brown, who recognizes his predecessor's policy was a failure and is willing to work with Local 1000 to make government work."

For more information about the furlough settlement, including frequently asked questions, log on to seiu1000.org or call the Member Resource Center at 866.471.SEIU (7348).

YOUR VOICE, YOUR CHOICE

Candidates coming to Local 1000 town halls

Throughout the state this month, Local 1000 is joining with other SEIU locals to present a series of "One Voice Town Hall" election meetings where candidates for public office make presentations and answer questions from our members.

The town halls will continue through March as part of an open endorsement process in which rank and file union members discuss the candidates and vote on recommendations to SEIU's California State Council.

For a complete schedule of town hall meetings, go to seiu1000.org

DEPARTMENT OF MENTAL HEALTH

Members fight for rights

Local 1000 challenges state over restructuring plans

Local 1000 is demanding that the state slow down the restructuring of the medical side of the Department of Mental Health (DMH) to ensure that worker safety remains a top priority and the members' seniority rights and transfer rights are upheld.

"Our members are committed to working with the Department of Mental Health during this transition to make this process fair and transparent. However, the department is failing to live up to the agreement we made in December," said Kim Cowart, chair of Bargaining Unit 17 and a registered nurse in DMH. "We will do everything necessary to protect our members' rights."

Local 1000 attorneys filed an unfair labor practice charge against DMH with the Public Employment Relations Board (PERB) that accuses the state of "misleading" members and violating last month's agreement with DMH only days after it was signed.

Gov. Jerry Brown last year began implementing plans to restructure

most of the Department of Mental Health into a new Department of State Hospitals with the goal of making state services more efficient while improving patient care and worker safety.

In late December, DMH officials reached an agreement with Local 1000 to protect member rights during the transition process involving hundreds of state employees, including many nurses at DMH facilities throughout California.

DMH agreed to post seniority scores of all impacted members at DMH facilities by Dec. 30 and then allow those members – with the help of a union representative or steward – time to first challenge inaccurate scores before selecting posting options.

The process deteriorated when DMH did not correctly account for staff members who were "temporarily" relocated to vacant positions in other areas. In addition, officials at Atascadero State Hospital rushed through the process



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—Kim Cowart

DMH nurse and chair of Bargaining Unit 17

without allowing a union representative to be on site in order to advise members as had been agreed.

"DMH reneged on its promise to allow Local 1000 the opportunity to have a representative present, which also denied Local 1000 the opportunity to ensure that the DMH selection was fair and accurate," Local 1000 attorneys wrote in the union's PERB charge.

Resource Center

Monday-Friday
7 a.m. to 7 p.m.
866.471.SEIU (7348)

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seiu1000.org

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CHANNEL 1000 LIVE



**Thursday
Feb. 9
6 p.m.**

Local 1000 President Yvonne R. Walker's first town hall of 2012 will take place Thursday, February 9, when Channel 1000 LIVE broadcasts from San Diego.

President Walker will talk about the state budget, Local 1000's goals for 2012, pensions and so much more.

You can watch Channel 1000 LIVE beginning at 6:00 p.m. at seiu1000.org

To ATTEND the San Diego event, call 866.471.SEIU (7348).