

August 18, 2010

# UNION UPDATE



## Courts block furloughs for all state employees

### Local 1000 litigation stops gov's scheme

Our ongoing campaign against furloughs led a superior court judge to issue a court order last week blocking the governor's latest furlough pay cut.

Alameda Superior Court Judge Steven Brick ruled Aug. 9 that there are "serious questions" about the legality of furloughs and issued a temporary restraining order (TRO) blocking all furloughs for Local 1000-represented employees, regardless of funding source. Thursday afternoon the 1st District Court of Appeal in San Francisco rejected the governor's attempt to overturn our court victory blocking furloughs. As a result of that ruling, furloughs are suspended until a court rules otherwise. The next scheduled court date on furloughs is Monday, Sept. 13.

"I'm happy that the court recognized the tremendous hardship the governor's furlough orders have caused, not just for state employees, but for our communities as well," said Local 1000 President Yvonne Walker.

### Eight lawsuits

The fight against the 2010 furlough order is just one of eight ongoing legal actions by Local 1000 against furloughs. These include cases that apply to all employees represented by Local 1000 as well as other litigation that uses different legal arguments seeking to overturn furloughs at non-General Fund departments. There is also a lawsuit that successfully stopped furloughs last year for employees of the State Compensation Insurance Fund.

On Sept. 8, our attorneys will ask the state Supreme Court to invalidate the original January 2009 furlough order and seek back pay for our members.

For a complete list of the ongoing legal actions, go to [seiu1000.org](http://seiu1000.org) and look for the "Local 1000 Lawsuits" icon.

### Members persuade judge

In his ruling, Judge Brick wrote that the furloughs have depleted state employees' savings, hurt their credit, brought on foreclosures and have even threatened many families' ability to afford food and medicine.

The judge wrote that Local 1000 "made a sufficient showing of great or irreparable harm to at least some of their members through the 30 plus declarations." Brick credited the member statements for showing the balance of harm was on workers.

"Judge Brick was not convinced that furloughing of these employees was going to do anything to address the \$19 billion deficit that was used to justify the furloughs," added Felix De La Torre, Local 1000's lead attorney on the case.



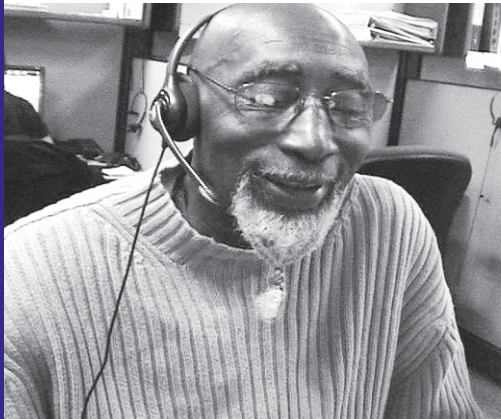
Since 2009 our members have been fighting the governor's illegal furloughs with protests such as these all over California

## 60,000+ calls for member resource center

**97% of all calls answered within 20 seconds**

Local 1000's Member Resource Center is fielding more questions than ever from members, on topics ranging from filing a grievance to identifying your job steward or even discounts on theme park admissions and other member benefits.

Established in late 2009, the call center offers a toll-free number that connects members with a trained, knowledgeable union representative who can answer questions or, when necessary, refer you to professional staff for representation or other issues.



**Questions Answered Monday – Friday 7 a.m. to 7 p.m.**

**866-471-SEIU (7348)**

**CHANNEL 1000 LIVE**

If you missed the latest live town hall webcast with President Yvonne Walker, catch an encore broadcast on our website.

Go to [seiu1000.org/channel-1000/channel-1000-live](http://seiu1000.org/channel-1000/channel-1000-live)

## Know Your Rights

### Members' and stewards' rights in enforcing our contract

**Article 2.6:** Steward Time Off

**Article 2.7:** Employee Time Off

**Article 2.8:** Union Steward Protection

**Article 5.5:** No Reprisals

Your union contract contains hundreds of provisions designed to protect your rights, including state time off for representational purposes, and guarantees that you and your steward will not be discriminated against or harassed for exercising rights guaranteed by our contract.

#### Your Local 1000 contract guarantees:

- Employees are entitled to reasonable state time off, during work hours, to confer with a steward or union representative.
- Employees' release time is subject to approval by the employee's supervisor. (See next section if your supervisor denies your request.)
- Stewards are also given state time off, during work hours, for representational purposes.
- Stewards' release time is subject to prior notification and approval by the steward's immediate supervisor.
- Additional stewards can also be granted time off under this section if agreed to by all parties.
- Managers and supervisors cannot interfere with a steward's work in representing employees or enforcing the contract.
- Managers and supervisors cannot impose or threaten to impose reprisals, or otherwise restrain or coerce union stewards in representing employees or enforcing the contract.

#### If your supervisor claims that the time requested is unreasonable and will not approve of the meeting, you should:

- Ask your supervisor when would be a reasonable time to meet with your steward. (Supervisors may not suggest lunch or breaks, as that is your personal time.) Remember to tell your supervisor if the matter is urgent or time-sensitive.
- Assess the situation and remind the supervisor that the contract says "shall be granted reasonable time off."
- Make sure the supervisor approves a time that will not delay your ability to meet grievance timelines. The bottom line is the supervisor must approve a time for the meeting.

#### How to take Action

Contact your steward or the Local 1000 Resource Center if you feel your rights have been violated, and/or your supervisor will not approve reasonable time for the meeting. Your steward will work with you, management and your contract to determine the best course of action, including whether or not to file a grievance.

For more information regarding your rights and stewards' rights, review your contract at [seiu1000.org](http://seiu1000.org) or call the Local 1000 Resource Center at **866.471.SEIU**.

#### Resource Center

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

#### Website

[seiu1000.org](http://seiu1000.org)

#### Connect with Local 1000

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