

Negotiations stalled

Governor holding up bargaining process

Governor Arnold Schwarzenegger is holding up contract negotiations, despite Local 1000's negotiators' willingness to finalize a tentative agreement.

"We've presented a conceptual proposal that gives our members the best possible contract in today's uncertain economy," said Walker. "We're ready to settle these key issues, but the governor is refusing to send his negotiators back to the table."



The member-elected Bargaining Unit Negotiating Committee has been prepared for days to return to the bargaining table to meet face to face with state negotiators. Our goals: an agreement that protects the interests of members, and to bring an end to months of uncertainty amplified by a rapidly declining economy.

Still on the table – a conceptual proposal that reduces furloughs, provides increased layoff protections, increases employer contributions to health insurance costs, and reduces the governor's demand to eliminate holidays.

State services suffer

Thousands of workers, customers confused

Vital state services were curtailed or unavailable last Friday as the first of the governor's mandated furlough days went forward, leaving confused and frustrated employees and customers in its wake.

In just one example – at the Department of Motor Vehicles – nearly a quarter-million driver licenses and registrations weren't processed last Friday. DMV is the state's third-largest revenue-generating department, responsible for more than \$6.8 billion in annual revenue.

"I really feel for the people," said Darryl Poston of the Irvine driver safety office. "We already have drive tests backlogged for 30 days and written tests are often backed up for three months. The governor is making it worse."

Many furloughed state workers passed out leaflets to frustrated customers, apologized for the governor's poorly planned closure and explained that Local 1000 continues to fight the furlough plan in court and at the bargaining table.

As late as Thursday evening, thousands of workers were unsure of their status. Dozens of official state documents reviewed by Local 1000 last week contained incomplete and often contradictory information.

Adding to the confusion, a number of departments – DMV and the Employment Development Department among them – are hiring new employees and granting overtime, despite the governor's furlough order. At the same time, departments continue to outsource work, awarding contracts that are contrary to the governor's executive order.

Local 1000 tracking furlough waste

To independently document instances of furlough waste, Local 1000 needs members to e-mail examples, including overtime, substitute employees and other expenditures caused by the governor's order.

Send your observations to: furloughwaste@seiu1000.org

KNOW YOUR RIGHTS

YOUR UNION CONTRACT PROTECTIONS

Article 6 - Grievance and Arbitration

Your union contract contains hundreds of provisions designed to protect your rights. **Article 6 – Grievance and Arbitration** – defines a grievance as a dispute involving the interpretation and enforcement of the terms of the contract, and guarantees your right to fair and timely resolution.

Grievances should be discussed informally with the employee's immediate supervisor who must give a response within seven calendar days.

Step 1: If an informal grievance is not resolved satisfactorily, a formal grievance may be filed in writing no later than twenty-one calendar days after the event being grieved.

- Written grievances must include a description of the alleged violation, the specific act(s) causing the violation, and the specific remedy being sought.
- The department must respond in writing within twenty-one calendar days of receipt of the formal grievance

Step 2: If the grievant is not satisfied with the written response, a written appeal may be filed with the department within twenty-one calendar days after receipt of the written response. The department must respond in writing to the appeal, with a copy sent concurrently to Local 1000 headquarters.

Step 3: If the grievant is not satisfied with the decision rendered at Step 2, an appeal may be filed within 30 days to the Department of Personnel Administration (DPA). A response is due from DPA within 30 days.

Step 4: If the grievance is not resolved at Step 3, Local 1000 has the right to submit the grievance to arbitration. An arbitrator will be mutually selected by DPA and Local 1000.

How to take Action

Contact your Local 1000 steward if you feel your rights have been violated. Your steward will work with you and management to determine the best course of action. Remember – grievances must be filed within twenty-one calendar days from occurrence in order to be considered. For more information regarding **Article 6 – Grievance and Arbitration**, review your contract by visiting www.seiu1000.org

Furlough fight expands

Legal battles joined on many fronts

Local 1000's legal team continues to challenge governor Schwarzenegger's furlough order in the courts and at the Public Employees Relations Board (PERB), amidst widespread confusion about the order's implementation and a chaotic reduction in state services.

"Let there be no mistake, these furloughs are a pay cut, pure and simple," said Yvonne Walker, president of Local 1000. "Any change of our members' pay must be negotiated, according to our contract and well-established laws and regulations."

An appeal has been filed at the 3rd District Court in an attempt to overturn a ruling two weeks ago by Judge Patrick Marlette, who rejected arguments that the governor's furlough plan was unconstitutional. Local 1000 is arguing that the court misapplied the constitution and both state and federal laws in its ruling. The union also asked for the trial court's decision to be placed on hold during the appeal.

"These furloughs are a pay cut, pure and simple ... and must be negotiated."

**—Yvonne Walker
Local 1000 President**

A second Local 1000 filing in Superior Court alleges the governor's executive order ignores the state's Administrative Procedures Act – which mandates the publication of new proposed rules and policies with the opportunity to comment, and prohibits the types of arbitrary rule-making we have seen associated with the furloughs.

Two unfair labor practice charges have been filed at PERB by Local 1000. One alleges that the state participated in "surface bargaining" with no real intent to bring negotiations to a conclusion; another says the state must bargain over any changes to our contract, including wage issues.

FOR MORE INFORMATION, CALL LOCAL 1000 TOLL FREE: **(866) 471-SEIU (7348)** or visit our website: www.seiu1000.org

SACRAMENTO (916) 554-1200 • **OAKLAND** (510) 452-4357 • **SAN DIEGO** (619) 624-0515

LOS ANGELES (323) 525-2970 • **RANCHO CUCAMONGA** (909) 466-5044 • **FRESNO** (559) 226-0756



Watch the Channel 1000 News online 24/7 at seiu1000.org

