



Bill to stop furloughs

Legislation helps Special Fund workers

Even after winning a big court victory that may end furloughs for more than 50,000 members, Local 1000 continues to fight Gov. Schwarzenegger's illegal furloughs in both the Legislature and the courts.

Last week Local 1000 endorsed SBX8 29 – a newly introduced bill sponsored by Senate President pro Tem Steinberg (D- Sacramento) that would exempt non-General Fund employees from the governor's executive order on furloughs.

"Numerous examples show that furloughing non-General Fund employees doesn't make fiscal sense ... furloughing employees in non-General Fund positions doesn't cut the deficit by one dime," Local 1000 President Yvonne Walker wrote in a letter to legislators.

Both Walker and Steinberg cited studies from the Senate Office of Oversight and Outcomes and the UC Berkeley Labor Center that show non-General Fund furloughs are costing California more than \$600 million in tax revenue as well as millions in federal funds at Employment Development Department (EDD) and other agencies.

"The Governor's furlough policy has been bad for our economy, bad for our state budget, and bad for Californians," Steinberg said. "The furloughs for special fund and revenue generating workers need to stop and stop fast."

The legislation over furloughs follows Alameda County Superior Court Judge Frank Roesch's ruling that Schwarzenegger exceeded his authority in furloughing non-General Fund workers.

Roesch has not yet released his final order. Local 1000 attorneys have asked the judge to stop furloughs immediately for all Local 1000 members – even those in General Fund agencies – and to order the state to provide members with back pay. Local 1000 also has five other pending legal actions to stop all member furloughs.

Local 1000 is also fighting the governor's budget proposal that would permanently cut state employee pay checks by 10 percent and divert another 5 percent of pay into retirement.

"The governor is taking his furlough policy that is losing in the courts and dumping it in your laps asking you to make it permanent because he doesn't have the integrity to resolve this issue at the bargaining table," Walker told an Assembly committee on Feb. 10.

Support new bill to keep paying state workers

Local 1000 is supporting a bill, AB 1699, that would ensure state workers continue to receive pay during a budget stalemate in the Legislature.

AB 1699 is the reincarnation of its stalled counterpart, AB 1125, that would provide a continuous appropriation for state employee salaries. AB 1699 is the only way to ensure that state employees get paid in full and on-time in the event of a state budget that is late because of political wrangling in the Capitol.

If there is no state budget in place by the June 30 constitutional deadline, the governor may try to reduce the pay of most state workers to federal minimum wage — \$7.25 an hour.

Schwarzenegger tried to lower state employees' pay to minimum wage last year, but Local 1000 and other unions kept the issue tied up in court until a budget was adopted. Since then the governor has prevailed in this litigation.

Ask your legislators to vote for Assembly Bill 1699. To join us, go to seiu1000.org

Resource Center

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

Website

seiu1000.org

Connect with Local 1000

Facebook

[SEIU Local 1000 fan page](#)

YouTube

youtube.com/seiu1000

Twitter

twitter.com/seiu1000



The following is a list of this week's top issues members are asking the Local 1000 Resource Center.

1. I did not receive my paycheck. Does our contract address this issue?

Yes. Article 11.4 states when permanent full-time employees do not receive their checks, the state will issue a salary advance under departmental policies with some conditions.

2. Can a supervisor request a note for sick leave?

Yes. Article 8.2. section D states an employee may be required to provide a doctor's note but only when the employee has a demonstrable pattern of sick leave abuse and if the supervisor has good reason to believe the absence was for an unauthorized reason.

3. My supervisor does not enforce departmental policies in a consistent manner. Does the contract provide any protections against this?

Yes. Article 4.1 states the employer has the right to make reasonable rules and regulations pertaining to employees consistent with the union contract, provided that any such rule is uniformly applied to all affected employees who are in similar situations.

4. How many work hours are required to qualify for FMLA?

You must have a minimum of 12 months service (it does not have to be 12 consecutive months) and work more than 1,250 hours during the 12-month period preceding the leave.

Know Your Rights

Article 13.1 Personnel and Evaluation Materials

Your union contract contains hundreds of provisions designed to protect your rights. **Article 13.1 – Personnel and Evaluation Materials**, defines the procedures for proper access to, and maintenance of, your official personnel file. Your Local 1000 contract guarantees:

- There will be only one official personnel file and, normally, one supervisory work file.
- Information in the employee's files shall be confidential and available for inspection only to the employee's department head or designee in conjunction with the proper administration of the department's affairs and the supervision of the employee.
- An employee or his/her authorized representative may review the files during regular office hours.
- Material related to the employee's evaluation or conduct, attitude or service shall not be included in his/her official personnel file without being signed and dated by the author, and not before the employee is given an opportunity to review the material, sign and date it.
- The employee shall have the right to insert supplementary material and a written response to any items in the files, which shall remain attached to the material it supplements as long as the material remains in the files.
- Material related to an employee's performance shall be retained in the personnel files for a period specified by each department. Employees may request that materials of a negative nature may be purged after one year or at the time such material is used in a written performance evaluation. When an employee receives written documentation of a negative nature, the supervisor shall note in writing the time frame it will remain in the files.
- The files shall be maintained at a location identified by each department head or designee. Upon request, the State shall identify any supervisory files kept on the employee and the location of each file.

How to take Action

Contact your Local 1000 steward if your rights have been violated. Your steward will work with you and management to determine the best course of action. For more information regarding Article 13.1 – Personnel and Evaluation Material, review your contract by visiting seiu1000.org