

MARCH 3, 2010

UNION UPDATE



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Judge: Back pay for furloughed workers

Ruling affects more than 50,000 non-General Fund employees

An Alameda County judge ordered back pay and an immediate end to furloughs for about 53,000 Local 1000-represented workers whose salaries are drawn from sources outside the state's General Fund.

In his Feb 25 order Judge Frank Roesch told the state to "immediately pay all employees of respondent departments and agencies their full salary without any reductions ... and cease and desist the furlough of such employees."

"Local 1000 attorneys are asking the court to apply the decision immediately and block any stay, in part because of the hardship furloughs have caused to our members and their families," said Local 1000 President Yvonne Walker. Gov. Schwarzenegger's attorneys are expected to appeal the decision and seek a stay.

"The judge's decision has validated our longtime position that unilaterally imposed furloughs are illegal," Walker said Thursday. "If the governor had done what he should have done, and ratified our contract this could have all been avoided."

Local 1000 has four other lawsuits at various stages of litigation; three of these ask the court to end furloughs for all state employees, including those in General Fund departments and agencies. The fourth case has already resulted in an end to furloughs and back pay for more than 6,000

local 1000-represented employees of the State Compensation Insurance Fund.

Judge Roesch's decision affects workers in 68 state departments, including those not represented by Local 1000. See back page for a list of affected departments.

"We will continue to press aggressively in the courts until illegal furloughs are stopped..."

—Yvonne Walker
Local 1000 president

On Dec. 31, Roesch issued a preliminary ruling that the furloughs were illegal for employees of non-General Fund agencies. Local 1000 attorneys asked Roesch to expand the ruling to include General Fund workers represented by Local 1000 as well.

Roesch conceded that the "logic" also leads to the conclusion that "furloughs are likewise unlawful at agencies funded by General Fund funds." But the judge declined to include additional agencies and departments in his judgment.

"We will continue to press aggressively in the courts until illegal furloughs are stopped for all the workers we represent," Walker said. "We have won a big victory but the fight is far from over."

See back for a list of affected departments.

UNION INFORMATION

Resource Center

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

Website

seiu1000.org

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Full pay ordered in the following departments

Air Resources Board

Arts Council

Attorney General's Office

Business, Transportation and Housing Agency

Coastal Conservancy

Conservation Corps; Utilities Commission

Controller's Office

Debt Investment Advisory Commission

Debt Limit Allocation Committee

Department of Real Estate

Department of Aging

Department of Alcohol and Drug Programs

Department of Alcoholic Beverage Control

Department of Boating and Waterways

Department of Community Services and Development

Department of Conservation

Department of Consumer Affairs

Department of Corporations

Department of Financial Institutions

Department of Fish and Game

Department of General Services

Department of Health Care Services

Department of Housing and Community Development

Department of Industrial Relations

Department of Managed Health Care

Department of Motor Vehicles

Department of Parks and Recreation

Department of Personnel Administration

Department of Pesticide Regulation

Department of Public Health

Department of Rehabilitation

Department of Social Services

Department of Toxic Substances Control

Department of Transportation

Department of Water Resources

Developmental Disabilities Council

Earthquake Authority

Employment Development Department

Energy Commission

Gambling Control Commission

Governor's Office of Planning and Research

Health Facilities Financing Authority

Highway Patrol

Horse Racing Board

Housing Finance Agency

Insurance Commissioner's Office

Integrated Waste Management Board

Labor and Workforce Development Agency

Lottery Commission

Managed Risk Medical Insurance Board

Office of Administrative Hearings

Pilot Commissioners Board

Postsecondary Education Commission

Public Employees' Retirement System

Real Estate Appraiser's Office

Santa Monica Mountains Conservancy

School Finance Authority

Tahoe Conservancy

Tax Credit Allocation Committee

Teacher Credentialing Commission

Teachers' Retirement System

Transportation Commission

Unemployment Insurance Appeals Board

Victim Compensation and Government Claims Board

Water Resources Control Board

Wildlife Conservation Board

Workers Compensation Division

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