

Local 1000 fights the state on overtime

Members continue to receive conflicting information from management about overtime. State managers are claiming employees have to be physically at work to compute overtime and that vacation, CTO, holidays or any leave time cannot be counted toward the 40 hours per week threshold for overtime pay.

Many state workers received a March 16 memo stating that, as of March 1, overtime will be calculated differently and any use of leave cannot be counted toward overtime. The memo refers to a February 14 legislative bill that says no leaves can be counted toward overtime calculations.

“Throughout the bargaining process, Local 1000 made it clear that only sick leave would be excluded from overtime calculations. It’s a shame that it will take an arbitrator to force the state to keep its word.”

—Felix DeLaTorre
Local 1000 Attorney

Local 1000’s new contract with the state says only sick leave is exempt and that all other leaves are still counted in toward the 40 hour per week threshold for an employee to qualify for overtime pay. The union’s contract overrides the new legislation because Local 1000 leaders were able to obtain an exemption, in the new overtime legislation, for

any new contract reached after Feb. 1 which includes the new Local 1000 contract.

Local 1000’s Union Resource Center and the legal department are taking up this fight. If your overtime has been calculated excluding vacation, holidays or leaves other than sick leave, contact your Local 1000 steward to file a grievance or contact your URC representative by going to seiu1000.org and clicking on Union Resource Center in the upper left corner.

KNOW YOUR RIGHTS: OVERTIME

All leaves, except for sick leave, are counted in toward the 40 hour per week threshold for an employee to qualify for overtime pay.

Overtime eligible:	Yes	No
<i>Sick Leave</i>		X
<i>Vacation</i>	X	
<i>CTO</i>	X	
<i>Holidays</i>	X	
<i>Personal Leave</i>	X	
<i>Bereavement Leave</i>	X	
<i>Parental Leave</i>	X	
<i>Jury Duty</i>	X	
Release time for:		
<i>Civil Service Exams</i>	X	
<i>Court Appearances</i>	X	
<i>SPB Hearings</i>	X	
<i>Blood Donations</i>	X	
<i>Precinct Election Work</i>	X	

DMV filing thousands of overtime grievances

DMV workers are filing grievances in offices throughout the state to fight the state’s directive that all leaves be excluded from overtime calculations.

“We won’t let the state take advantage of us, said Rhonda Wagner, chief steward DMV worker in Sacramento. “We will fight them

for our overtime pay because that’s what we negotiated and that’s what they agreed to.”

Informal meetings are being held statewide this week to discuss the grievances. Local 1000 is expected to file more than 3,000 grievances on behalf of DMV workers.

For more information on the

DMV grievances, contact Ted Burnett at tburnett@seiu1000.org

For all other departments, contact your Local 1000 steward to file your own overtime grievance or contact your URC representative by going to seiu1000.org and clicking on Union Resource Center in the upper left corner.

DDSD workers turn up the heat in response to workload increase

Maintaining the momentum gained from a congressional hearing sponsored by Local 1000 and Congressman Bob Filner (D-San Diego), Disability Determination Service Division (DDSD) workers in the Roseville and Los Angeles branches have held job actions over the last two weeks.

The Roseville office has held two solidarity breaks. They are the workers' response to the recent six and forty-six percent increase in their normal caseloads. More than 80 percent of the Roseville office participated in the solidarity break. Many DDSD physicians, who are not represented by Local 1000 but who were also impacted by the increase in workload, also attended.

"I'm hearing from people that usually aren't involved in these types of activities that are just fed up," said LaRae Bustamante, disability evaluations analyst III. "They've had enough...they're being crammed with cases and expected to produce the same level of work for less pay and in less time."

In Los Angeles, on March 26, DDSD workers acted within minutes of hearing that DDSD Deputy Director Joe Carlin was in town to attend an awards ceremony in one of the three branches located Los Angeles. Dozens of workers from



DDSD workers taking a solidarity break in Roseville to protest their increased workloads.

smaller sites, walked to join their co-workers to protest in front of the larger DDSD building, where the ceremony was being held. The activists were heard chanting, "What is [Joe Carlin] afraid of?" when he didn't show up at the ceremony.

As management continues to increase work for analysts and support staff in the federally funded disability program, more actions are expected statewide. For more information, please contact Faith Santilla, union representative, at fsantilla@seiu1000.org

KNOW YOUR NEW CONTRACT

Frequently asked questions about furloughs

Many of you still have questions about the governor's executive order on furloughs and our recently ratified contract. Below you will find some of the most frequently asked questions and answers.

1. When can I use the Mandatory Personal Furlough Leave Program (MPFLP)?

Now that Local 1000 has ratified the contract, your personnel office will be responsible for applying the appropriate leave credits after the contract is ratified by the

Legislature and signed into law by the governor.

2. If I use MPFLP during a given regular workweek, will those MPFLP hours count towards accumulation of overtime (i.e., if my work week is an 8/40 M-F schedule, I use MPFLP to take Tuesday off and then get called in for eight hours of work on Saturday, will my eight hours on Saturday be OT)?

Yes. MPFLP hours will count towards overtime accumulation; under terms of

the tentative agreement, only sick leave is exempt from OT calculations.

3. My department's budget does not come from the state's general fund, so why reduce my salary and cut funding for my department if it does nothing to solve the budget deficit?

Governor Schwarzenegger's executive order affects ALL state employees – including those whose salaries are paid out of the general fund. The governor has it set

in his mind that across the board furloughs will save the state money. He also argues that he has the authority to make these cuts and so far, two courts have agreed with him. He has indicated that if he cannot furlough all state workers, he will lay off thousands of us. Local 1000's new contract includes historic lay-off protections for the workers we represent.

Go to seiu1000.org for more furlough questions and answers.

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

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Read our new agreement & frequently asked questions at seiu1000.org or local1000ratification.org