

File for holiday pay

Grievances pour in over mandatory work on Columbus Day

Thousands of state employees who were ordered to work on their Columbus Day holiday began filing grievances for the holiday premium pay they are now owed.

“State law was broken and our contract was violated when thousands of our members were forced to work on Columbus Day.”

—Yvonne Walker

Local 1000 president.

“Any employee who received a notice from their department or DPA or who were told by their supervisor that they had to work are entitled to holiday pay,” said Paul Harris, Local 1000 chief counsel. “We will seek full compensation for each employee who files a grievance.”

Article 7.1.G of our collective bargaining agreement guarantees employees one and one-half times their normal pay, plus eight hours holiday credit for any holiday they are required to work. Under Government Code 3517.8 that contract is still in effect and supercedes a change in state law passed by the Legislature in February.

“State law was broken and our contract was violated when thousands of our members were forced to work on Columbus Day,” said Yvonne Walker, Local 1000 president. “The governor

STATE OF CALIFORNIA

EMPLOYEE CONTRACT GRIEVANCE
STD 630 (Rev 7/00)

BARGAINING UNIT NAME AND NUMBER (Grievant Bargaining)
All Affected

GRIEVANT'S NAME (Person Affected)
SEIU Local 1000

MAILING ADDRESS (NUMBER/STREET)
1808 14th Street

CITY
Sacramento

ZIP
95811

DEPARTMENT
Employment Development Department

DIVISION OR FACILITY
Unemployment Insurance

SECTION, BRANCH, UNIT ETC.

POSITION CLASSIFICATION

NORMAL WORKING HOURS

Work Number

REPRESENTATION INFORMATION (COMPLETE IF APPLICABLE)

REPRESENTATIVE'S NAME
Brian Caldeira

PHONE
916-554-1334

ORGANIZATION OR AFFILIATION
SEIU Local 1000

TRACKING INFORMATION

DEPARTMENTAL TRACKING NUMBER

DEPARTMENTAL SECOND TRACKING NUMBER

UNION TRACKING NUMBER

*Please Refer to The Bargaining Unit Contract
For Specific Information Regarding Employee
Grievance Procedures and Time Frame Requirements for That Unit.*

GRIEVANCE INFORMATION

DATE OF ACTION CAUSING GRIEVANCE
On-going

DATE OF INFORMAL DISCUSSION WITH IMMEDIATE SUPERVISOR

Date of Informal Response

In order to obtain your holiday premium pay for working on Columbus Day, you must get a grievance form from your steward or union representative, who will help you fill out and file your grievance.

and his managers are not above the law—we will hold them accountable and demand that employees receive the full holiday pay and credit they are guaranteed by our contract.”

Marie Harder passed out grievance forms at lunch to many of her co-workers at the Department of Public Health. “We are all entitled to holiday pay today because our supervisors told us we would be AWOL. I’m not going to let the governor take away our holiday illegally. We all need to fight back,” she said.

Employees must file a grievance in order to receive holiday pay and

credit. Grievance forms and assistance are available from Local 1000 job stewards and union representatives. Check the union bulletin board at your worksite or call the nearest Local 1000 office listed on the back of this newsletter for the name of the steward or union representative for your workplace.

In order to make a stronger case for holiday pay, state employees need to prove that they worked on Columbus Day. Any memos from supervisors ordering employees to come to work that day will be helpful to Local 1000’s legal team.

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

Fighting member layoffs in many departments

So far the state, working with Local 1000, has saved nearly 500 jobs across 30 departments. Layoffs are being avoided through a combination of transfers to other departments, vacant positions, and a small number of resignations, retirements and demotions in-lieu-of-layoff.

Prison teachers bear brunt of cuts

The California Department of Corrections and Rehabilitation (CDCR) has been unwilling to avoid layoffs that will gut inmate education. CDCR plans to reduce rehabilitation programs by \$250 million, which will affect more than 700 teachers and vocational employees with a projected layoff date of Jan. 17. Although prison education is less than two percent of the CDCR budget, nearly 50 percent of CDCR teachers are being targeted for layoff.

Local 1000 has embarked on a statewide effort to educate legislators, the media and the public on the importance of inmate education in reducing crime. Numerous studies have proven that educational programs reduce repeat offenses by parolees by as much as 70 percent and save money in the long run by reducing inmate recidivism.

“By gutting prison education programs, the state will be paroling thousands of inmates every year into our communities with virtually no training or preparation for life outside of prison,” said Cindie Fonseca, chair of Bargaining Unit 3. “Every parolee who does not commit a new crime and go back to prison is saving the state tens of thousands of dollars in law enforcement costs. More importantly inmate education makes California a safer place to live.”

Equalization employees dodge layoffs

During the summer, the governor cut \$40.5 million from Board of Equalization (BOE) because board members refused to furlough employees, triggering the possibility of mass layoffs at this revenue-generating department. Last month, the board submitted a layoff plan to the Department of Personnel Administration (DPA) calling for 1,100 layoffs, which would have caused a \$100 million drop in state revenues. But now, through a joint effort by Local 1000, BOE employees and management, the agency says it can avoid immediate layoffs.

Layoffs then outsourcing state work

At the Council of Developmental Disabilities (CCD) and the Yountville Veterans Home, the state has tried to contract out work of laid off employees. Local 1000 has filed a grievance and challenges at the State Personnel Board to overturn the contracts and return the work to state employees.

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

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