

## State feels impact of unlawful holiday declaration

Sending a strong message to the governor, thousands of workers stayed home on Columbus Day, forcing a one-day closure of a number of offices and throwing many more into chaos.

“The state ignored our contract and the hard-earned rights of our members ... and those same members responded forcefully to say ‘enough,’” said Yvonne Walker, Local 1000 president.

Forty-five Department of Motor Vehicles (DMV) offices up and down the state were unable to open at 8:00 a.m. ; nine of those offices remained closed the entire day. Many of those that opened were operating with a skeleton crew of two to seven workers as management scrambled to compensate for employees who stayed home – in some cases, 50

percent or more of scheduled staff did not work the holiday.

The Office of State Printing was unable to meet the constitutional deadline to print more than 350 bills signed into law because of members who honored the holiday.

At one prison, the warden was so frustrated by absent workers he sent prison guards to the homes of those who did not come to work.

“Our members stood strong – despite threats and intimidation from the Department of Personnel Administration,” said Walker. “And now we are using the grievance process and protecting our members from any adverse action.”

### State Workers Stand Strong

- 45 DMV offices could not open at 8:00 a.m.
- 9 DMV offices closed for the entire day
- Many DMV offices operated with a skeleton crew
- Up to 50% out at DMV call centers
- 173 workers out at SCIF/Glendale
- 70 workers out at SCIF/Burbank
- DDSD: significant absences at four facilities
- More than 4,000 grievances filed on Oct. 12 and 13 alone
- Office of State Printing missed constitutional deadline on 350+ bills

## Angry workers continue filing grievances

### All employees can file a grievance

Thousands of members across the state continue to file grievances to claim holiday pay as Local 1000’s fight against the state’s unlawful cancellation of the Columbus Day holiday intensifies.

All state workers represented by Local 1000 should file a grievance – whether they worked on the Columbus Day holiday under threat of reprisals by management or if they chose not to work last Monday.

“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 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.”

### You must file a grievance to get holiday pay

Those employees who came to work are entitled to one and one-half times their normal pay, plus eight hours holiday credit. Employees who did not work are entitled to be paid for the day at their normal rate.

In addition, any employee who receives an adverse action as a result of not coming to work should file a grievance to reverse that action.

### File your grievance now

Easy-to-complete grievance forms are available from your Local 1000 job steward or union representative. For more information and updates on the grievance process, log on to [seiu1000.org](http://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](http://www.seiu1000.org)

## New reports show furloughs cost state money

Two independent reports released separately last week show that Gov. Schwarzenegger's illegal furlough scheme actually costs the state more money than it saves.

A report issued on Oct. 14 by the Senate Office of Oversight & Outcomes said "the furlough policy simply pushes labor costs to future years – while adding potentially significant costs" for providing health care to prison inmates, people with serious developmental disabilities or the mentally ill. The state loses money when prison nurses and other health care workers are forced to take a furlough day because administrators fill those shifts by paying overtime or hiring costly private contractors.

The second report—issued on Oct. 15 by the UC Berkeley Center for Research and Education—shows that three furlough days per month will only realize about 10 percent of Schwarzenegger's projected savings of \$2.1 billion. It estimates that if furloughs were limited to one day per month, the state would actually save \$20 million more than it would under the current scheme. Local 1000 signed a contract with the state that would limit furloughs to one day per month, but our agreement was never ratified by the Legislature after Schwarzenegger worked with Republican legislators to block its passage.

**Both reports can be downloaded at [seiu1000.org](http://seiu1000.org)**

## Gov. vetoes two outsourcing bills

Gov. Schwarzenegger vetoed two Local 1000-sponsored bills that would limit the state's dependence on costly private contractors.

AB 756 would have created an online database allowing anyone to search through the thousands of private vendor contracts for state work to see if taxpayer money is being wasted.

"The governor promised transparency and accountability in government as part of his administration and Local 1000 delivered a bill that would have fulfilled his promise to Californians," said Margarita Maldonado, chair of Unit 1. "This veto makes one thing transparent: this governor has no intention of keeping any of his promises to Californians."

AB 755 would have closed loopholes that allow the state to outsource Department of Education work to so-called "visiting educators." These contractors receive more pay, for less work than Unit 21 education consultants who perform the same tasks.

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

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