

CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION, INC.

1481 Ullrey Ave., Escalon, Ca. 95320 PH: 1-800-449-2940 FAX : (209) 838-6759

WEEKLY UPDATE

To: Chapter Presidents, PAC and Recruiters
From: Pat Le Sage, Chief Operations & Financial Officer
Date: November 5, 2004

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AND DISTRIBUTE TO
CCSO MEMBERS VIA THEIR
INSTITUTIONAL MAIL BOXES

Today, November 5th, CCSO representatives gathered in the Superior Court of California of Sacramento County where Judge Connelly heard CCSO's parity suit against DPA. Wendy Ross, Attorney for the State and Mike Morguess for CCSO provided evidence toward their case. Judge Connelly specifically wanted discussion to center on Government Code Section 19849.18 (statute). The Judge questioned DPA Attorney Ross on how DPA interpreted the statute. The Judge questioned both Attorneys on the merits of interpretation of the statute regarding accumulating wages and benefits to be generally equivalent to the RO6 contract or separating wages and benefits. DPA Attorney Ross stated State employees work for the State because of the good benefits. CCSO Attorney Morguess stated you cannot mix-up wages and benefits because a benefit, such as a day off, is not part of the wage that can be used to live on. Furthermore, Attorney Morguess requested the Judge to consider the purpose or intent of the statute. CCSO's stance is that a benefit cannot be construed as wages.

Judge Connelly directed DPA to submit the legislation's intent of the statute (parity). The legislative record with the legislative intent of this statute must be given to the court by December 17, 2004. The court will then have 30 days to make a ruling if DPA complied with the statute or not.

Supervisors may have noticed a loss of 5% in their paycheck. The retirement relief for excluded employees ended October 1, 2004. Therefore, supervisors saw the 5% being redirected from their pay into their retirement.

Now, the PLP, which ended July 1, 2004, brought a 5% increase into supervisor's salaries. DPA did this to offset the 5% retirement relief. However, in DPA's wisdom they choose to end the PLP three months early, July 1, 2004, and supervisors saw the 5% increase. With the raise that came to supervisors, the majority saw a 12.5% pay increase (7.5% plus the 5% PLP) and others saw a 10% increase (5% plus the 5% for PLP). Everyone enjoyed it for three months, but now the 5% for the retirement relief is being taken from excluded employee wages. If DPA were smart, they would have given the PLP 5% in the same month the 5% retirement relief was taken. Then excluded employees would not have gotten use to the additional 5% from the PLP for the three months. It would have been a wash.

Welcome to our new members who have joined CCSO this week.

Thought for the week: "Honesty is the best image". – Tom Wilson