

# **California Correctional Supervisors Organization, Inc.**

## **"Supervisors Representing Supervisors"**

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**Friday, September 16, 2005**  
**Weekly Update**

### ***Lose of Harry Gosline, SRN II, San Quentin:***

CCSO has lost a member from San Quentin. Harry Gosline, was an SRN II, and died the first week in September. Mr. Gosline had a heart attack while working and was rushed to the hospital, where he died during the operation. Harry Gosline leaves behind his wife, Romana who resides in Vallejo, California. Mr. Gosline was 62 years of age. At the request of Romana Gosline, who requested CCSO's help, we have asked San Quentin CCSO Chapter President Frank Cerecedes to ensure she receives all benefits provided by CalPERS and CDCR. Our prayers and thoughts are with her during this most sorrowful period.

### ***HDSP Chapter President Peery Activated:***

Chapter President of HDSP Rob Peery has been activated for training in the Army National Guard for the next 6-9 months. The interim Chapter President will be Lt. Becky Ingwerson. Everyone at CCSO will keep Rob in our thoughts for a safe 6-8 months and welcome his return. We thank Becky Ingwerson for accepting the interim Chapter President position.

### ***Meet & Confer - Reduction of Contributions to the Peace Officer/Fire Fighter (POFF) II Retirement:***

DPA noticed CCSO that effective October 1, 2005 the State of California intends to reduce its contributions to the Peace Officer/Fire Fighter (POFF) II retirement program for supervisors. DPA is basing this reduction on the parity law, Government Code §19849.18 that provides supervisors of employees in Bargaining Unit 6 the general equivalent of salary and benefit changes to employees in the unit. DPA on July 1, 2005 reduced the RO6 POFF II retirement to partially fund the 5.1% pay raise. This was a contractual agreement at the bargaining table. SO6 Supervisors on July 1, 2005 received the 5.1% pay raise with no reduction to their POFF II retirement program. Of course, in the eyes of DPA that small benefit could not be permitted for its supervisors and they have now chosen to reduce the supervisory POFF II retirement State contribution.

It is amazing how CCSO had to take DPA to court on behalf of the SO6 supervisors utilizing the Government Code §19849.18 because DPA did not willingly want to move benefits and wage increases over to SO6 supervisors; yet, they are quick to utilize the Government Code to reduce supervisory benefits.

CCSO State Board Member Chris Gold, Attorney Paul Goyette, Administrative Field Representatives Braden and Canutt, and Chief Operations & Financial Officer Le Sage met and conferred over this issue, Thursday September 15<sup>th</sup> with DPA and CDCR representatives. Jackie Cervantes, CDCR Labor Relations stated that alternatives are being considered to avoid reducing the contribution. Frank Marr, DPA Labor Relations stated that DPA is open for suggestions to find money to continue this State contribution; however, currently there simply is no money to continue the contribution. CCSO Attorney Paul Goyette asked, "Where has the State been getting the money this past quarter to pay the 2% POFF II contribution for supervisors?" Mr. Marr did not know. Le Sage informed Mr. Marr that this was a small benefit supervisors had over rank and file and reductions should come in another area if money was needed by the State. Attorney Goyette requested that DPA "maintain the status quo for another quarter until all avenues had been considered and researched by DPA, CDCR, and CCSO to allow for continuance of this state contribution." Frank Marr stated he would move our requests to DPA Director Navarro.

***Meet & Confer - CYA Supervising Nurses Update:***

CCSO Administrative Field Services Representative Braden has been working to move a pay raise given to CDC supervising nurses over to CYA supervising nurses. Brigid Hanson, the Assistant Secretary, Adult Operations CDCR this week, informed Chief Operations & Financial Officer Le Sage that supervising nurses received this monetary increase under the Plata lawsuit, which did not impact the juvenile supervising nurses (CYA).

CCSO believes the outcome of this lawsuit has made the playing field for supervising nurses muddy. DPA needs to correct this inequity, especially now that both adult and juvenile supervising nurses are under CDCR. The State, as an employer simply cannot have two different salaries for the same position: adult and juvenile supervising nurses are now under one agency. This is an issue ripe for litigation.

On Sept. 15<sup>th</sup>, CCSO met and conferred with DPA and CDCR over this issue and were advised that the 10 supervising nurses working in the juvenile facilities do have the same base pay as supervising nurses working in the adult facilities, but the additional pay difference is due to the level of care. Frank Marr, DPA Labor Relations Officer brought in two representatives from classifications and they informed CCSO that supervising nurses working in juvenile facilities do not have the same complex health issues as supervising nurses in adult facilities. The adult facilities have an aging population, which presents additional, complex health treatment versus young wards. Administrative Field Services Braden argued the points that it does not make a difference the level of care being administered if this position is classified as supervising nurse working under the same agency (CDCR). Braden will research the possibility of revising the specifications for supervising nurses working in juvenile facilities to that of supervising nurses working in adult facilities. CCSO believes with the merging of CYA and CDC into CDCR that there should be no difference in benefits or pay enhancements for supervising nurses.

***Meeting with CDCR and DPA over M06 Salary and Retirement:***

CCSO met, on Thursday September 15<sup>th</sup> with CDCR and DPA representatives over the issue of MO6 managers not receiving a pay raise on July 1, 2005, as did their subordinates. Frank Marr, DPA Labor Relations Officer stated the State has no money and has a large deficit. Therefore, the R06 received their raise because of their contract, and the SO6 supervisors received their raise because of the government code (parity) and CCSO's vigilant watch that the parity bill is followed. However, the MO6 managers legally did not have a contract or government code to secure them a raise in a tight budget year. Marr cited that DPA made a conscientious decision not to extend the 5.1% pay raise to the MO6 managers because legally they did not have to give a raise to them. CCSO argued using various points, but primarily emphasized the need to provide a raise because of the wage compaction and morale factors. Our arguments appeared to fall on an unwavering DPA and CDCR audience. We were informed that DPA will revisit the MO6 wages this Fall – Marr would not give a date in the Fall that the decision will be made.

The issue of 3.0 at 50 years being given to MO6 and SO6 was raised by CCSO. DPA needs to provide inclusion in writing to CalPers before managers or supervisors can be rolled into the new retirement formula. There was discussion that the SO6 have the government code, but the MO6 do not have the government code (parity) regarding this issue by DPA. However, Frank Marr informed us, that **no** decision by DPA had been made at this time regarding either M06 or SO6 but would be forthcoming this Fall. Again, no date would be given by DPA on when the decision would be made.

Chief Operations & Financial Officer Le Sage pointed out that a memorandum by DPA should go out to affected employees informing them that DPA will revisit MO6 wages in the Fall and the decision regarding the retirement formula would also be made in the Fall. Marr stated a memorandum would only confuse people and make the MO6 managers believe they were going to get a raise. Hum – What does that mean? A CCSO Attorney has been contacted for consultation and preparation regarding DPA's decisions this Fall. We hope there is no need to utilize an attorney and DPA makes the right decisions.

***Meet & Greet:***

A meet and greet meeting with CDCR Secretary Hickman and his executive staff on September 16<sup>th</sup> will include State Board Member Chris Gold, State Board Member Art Gonzales, Jr. (Juvenile Division), Administrative Field Services Representative Canutt and myself, Chief Operations & Financial Officer Le Sage. An overview of this meeting will be given in the next weekly update.

***Prison Population at Record High:***

California's prison population this week reached 165,760, which is a record high. Terry Thornton, CDCR spokeswoman cited, "We're in desperate need of beds right now. We have more inmates than we've ever had – it's an all-time high." CDCR is exploring the opening of two new private prisons to house 1,000 inmates next month. In 2003 three private prisons were closed because inmate population was expected to fall. I guess the criminals did not read the manual that cited crime would decline.

***Six Flags Marine World Fright Fest:***

Now is the time to receive a discounted admission for only \$19.99, regularly priced at \$47.99, and one FREE wristband for unlimited use of one-of-a-kind Fright Fest haunted houses. Normally a \$10 add-on! Included with your \$19.99 admission are shows and attractions at NO additional charge like Zombie Zone, Hypnotist Show and the Trick or Treat Trail! Plus rides, shows and attractions. Available Fridays, Saturdays, and Sundays, from September 30 – October 30, 2005. Visit [sixflags.com](http://sixflags.com) for specific park hours.

***Welcome New Members:***

On behalf of the CCSO State Board and staff, I want to welcome the new members who have joined CCSO this week.

***Thought for the Week:***

"The Universal brotherhood of man is our most precious possession, what there is of it." – Mark Twain