

California Correctional Supervisors Organization, Inc.

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“Supervisors Representing Supervisors”

WEEKLY UPDATE -FRIDAY, FEBRUARY 24, 2006

By: Pat Le Sage, Chief Operations & Financial Officer

DPA/CCSO Meet and Confer:

CCSO State Board and Executive Staff met and conferred with DPA Labor Relations Officer Frank Marr and CDCR Labor Relations Officer Marion Monahan on Thursday, February 23rd regarding the following agenda items:

- Uniform Allowance Increase for S06 as there has not been an increase since 1991 – Marr stated he would contact DPA Director Navarro, obtain the position of CDCR and consider in May Revise Budget.
- Fire Chief Education stipend, as the Fire Chiefs were never given the education stipend when S06 supervisors received it a few years ago – Marr is sympathetic to this oversight and will move it to DPA Director Navarro, obtain the position of CDCR and consider in May Revise Budget or possible look into their own General Budget.
- Weekend & pay differential for Supervising Cooks and the lack of a pay increase for this classification in the last few years – Marr stated he would look into the rate of S02 and Food Managers and take the recommendation of a flat rate per hour increase the same as the CO's to DPA Navarro for consideration in the May Revise Budget.
- Salary compaction between OSS and OT positions. - Frank Marr informed CCSO that the OSSI must supervise 5 or more people and not just be lead people in order to receive the additional pay. CCSO informed Marr that complaints from OSSI who are supervising 5 or more people are currently not receiving the additional pay. Marr advised these individuals to take it up to their personnel officer and then if no action is taken to grieve it. CCSO will contact the affected OSSI and advise them of this new information.
- Change the longevity pay for S06 from 7% to 8% which is what R06 receive – Marr informed CCSO that the courts have made their decision on this issue and DPA believes they have proven they gave the S06 a general equivalent to this. CCSO has this court decision currently in appeal.
- Change S06 education pay from \$100 per month to same percentage of R06 – Marr informed CCSO that the courts have made their decision on this issue and DPA believes they have proven they gave the S06 a general equivalent to this. CCSO has this court decision currently in appeal.
- 15% pay differential between top step R06 officer and first step S06 supervisor – Marr said this would not be considered by DPA. Currently only inverted wages or classifications where supervisors are making less than rank and file are under consideration.
- Why are S06 supervisors being randomly drug tested when R06 officers are not? – CDCR Labor Relations Officer Marion Monahan stated that they were being randomly drug tested. CCSO responded by informing her that only new R06 employees are being drug tested. Marr believed that there is debate at the rank and file negotiating table over this issue, as to language referencing either all or new rank and file to be randomly tested. CCSO Lobbyist Curry recommended that until this could be clarified at the bargaining table, that S06 supervisors should not be randomly tested. M. Monahan will get back to CCSO by Monday, Feb. 27th on this issue. New information will be put in next weeks update.

- Funding for additional vest covers for supervisors in southern institutions because of the health problems arising from only have two vest covers during hot weather. Supervisors being ordered to work back-to-back shifts do not have time to wash vest covers. – Marr informed CCSO that CDCR would need to review this issue. CCSO has taken it to CDCR and CDCR informed CCSO that DPA would need to review. Are we in a vicious circle or what???
- 3.0 at 50 years retirement funding for S06 – Marr informed CCSO that the legislative proposal is their general equivalent and if the legislation is not passed DPA will need to consider other options. Secretary Hickman, Undersecretary Woodford, Assistant Secretary of Labor Relations Hanson are all working with DPA Director Navarro and the Governor's Office regarding this issue. This according to Marr is top priority.

CCSO countered by informing Marr that as of January 1, 2006 they were violating the law. Our concerns and heated debate over receiving exactly what the R06 received (retroactive to January 1, 2006) and not accepting options ensued. Marr could not provide a date when DPA would release the retirement benefit that will be given to S06 supervisors. This subject ended without resolution. CCSO lobbyists, lawyers, and State Board representatives will continue to aggressively pursue this issue.

- ◆ Clarification on the Compensation Program for Excluded Employees, dated January 12, 2006, that cites DPA will “not be announcing a general compensation program for excluded employees for Fiscal Year 2005-06 **does not apply to S06 supervisors.**
- ◆ S06 supervisors are tied through the parity law to the rank and file unit 6 contract. **Therefore, a general salary increase, of .9% for Unit 6 related supervisory classifications would become effective June 30, 2006 (S06).**

Managerial issues were not addressed at this meet and confer, as DPA refused to discuss these issues because managers have no meet and confer rights. Marr advised CCSO to schedule a separate meeting that would be considered a general and informal meeting versus the formal supervisory meet and confer to discuss managerial issues related to retirement, raises and longevity pay. CCSO will schedule a general meeting to discuss managerial issues. The CCSO Lobbyist Paul Curry was invited to this meet and confer to see first hand what he will be lobbying for on behalf of managers. CCSO is pushing to obtain meet and confer rights for managers.

In Remembrance of CHP Officer Earl Scott:

Last week, CHP Officer Earl Scott was shot to death during a vehicle stop. Prior to becoming a CHP Officer, Earl Scott worked as a Correctional Officer at SCC. He is remembered as a man who “was always on the job with a smile.” Earl Scott will be missed and our thoughts and prayers are with his family during their loss. May Earl Scott rest in peace.

Good News for Sierra Conservation Center:

CDCR Labor Relations Manager Jackie Cervantes called CCSO last week to inform us that Sierra Conservation Center (SCC) will get back the ISU Lieutenant position that was taken and reassigned to OIA to help with an overburdened workload. As SCC is already short Lieutenant's, CCSO recommended taking a Lieutenant from an institution that could afford to give up a Lieutenant. The SCC Lieutenant position will be given back immediately. A Lieutenant from California Correctional Center (CCC) will be reassigned to help in the OIA. We thank SCC Chapter President Jim Russell for articulating the problem successfully at the January 27th meet and confer over this issue.

Ratification of Bylaws Amendment:

The ratification of two CCSO Bylaw revisions, made by the State Board, on January 20th, have both been ratified by the Chapter Presidents. The first bylaw revision that will become permanent language to the bylaws is the replacement of the word supervisor(s) with the word excluded employee(s). As CCSO represents excluded employees in all unit classifications, it was necessary to revise the CCSO bylaws to reflect that representation. Seventeen Chapter Presidents voted with 1 vote not to ratify and 16 votes to ratify.

The second bylaw revision that was ratified by the Chapter Presidents adds a second paragraph to Article IV, Section 5. The new paragraph will read:

Any person who has a member of their immediate family currently holding a seat on a Chapter Board position shall not be permitted to hold a Chapter position with CCSO. Any person who has a member of their immediate family currently holding a seat on a State Board position shall not be permitted to hold a State Board position with CCSO. Immediate family is defined as husband, wife, father, mother, sister, brother, child, aunt, uncle, nephew, niece, grandmother or grandfather. It is the position of the California Correctional Supervisors Organization that relatives on a Chapter and/or State Board is not ethical and a detriment to the organization.

Eighteen Chapter Presidents voted, with 5 votes not to ratify and 13 votes to ratify. Thank you to the Chapter Presidents who took the time to review, comment and vote on these two bylaw changes. Once again, thank you to the following Chapter Presidents: SCC Chapter 1, James Russell; DVI Chapter 2, Harold Hughes; CSP-Solano Chapter 8, Jose Montalban; CCI Chapter 9, Bill Nelson, NKSP Chapter 11 Mark Skaggs; VSPW Chapter 13, John Anderson; CIW Chapter 15, Mike Krinock, Folsom Chapter 16, Bob Trujillo; WASCO Chapter 19, Bruce Carter; Retired Chapter 24, John Alves; SVSP Chapter 25, Bruce Rankin Jr.; CMF Chapter 26, Gary Riddle; CCWF Chapter 27, Joseph White; CTF Chapter 29, Patrick Santiago; SQ Chapter 31, Frank Cerecedes; CHAD Chapter 32, Ross Moore; CMC Chapter 34, David Ivie and KVSP Chapter 36 William Mathews.

Coalition of Excluded Employee Organizations (CEEEO):

CCSO hosted the Coalition of Excluded Employee Organizations (CEEEO) meeting on Tuesday, February 21st in the conference room of our CCSO lobbyists in Sacramento. Discussion included bringing AB 1186 off of suspense and to join together to support this legislation. AB 1186, if passed, would create a salary setting commission for Excluded Employees. Assemblyman Horton attended the CEEEO meeting and briefly reviewed the AB 1186 status and acknowledged the plight of State Excluded Employees. There was a consensus that legislators as well as the Governor need to be educated on the differences between State employees represented by collective bargaining contracts versus unrepresented State employees without collective bargaining (excluded employees).

Apology to New California Substance Abuse Treatment Facility Chapter President:

Last week's update neglected to welcome aboard California Substance Abuse Treatment Facility (CSATF) #23 Chapter President Carla Sekula. Sgt. Sekula accepted the position as Chapter President when CSATF Chapter President Pamela Dorsey was not able to accept her re-election because she will separate from CDCR effective March 1st. Sgt. Sekula has been the Sgt. Vice President and we thank her for assuming her new role as the Chapter President for CSATF.

County Jails Want to Cancel Contract:

After more than two weeks of unrest at Los Angeles County Jails, the Board of Supervisors voted unanimously to cancel a \$27 million contract to hold state prisoners in County cells. There are currently 3,000 state inmates in the county system. CDCR Spokesman Slosek stated that

State officials had not yet been contacted by the County to discuss canceling the contract. Slosek stated that the “question of how best to house prisoners when State and local facilities are crowded is a significant issue that must be addressed.”

San Quentin Execution Delayed:

A legal debate over the medical ethics of lethal injection for executions in California delayed the scheduled execution of Michael Morales. The delay could set back the execution until early May. It is very rare for a death sentence to be stayed in the last few hours of the scheduled time. U.S. District Judge Fogel declared that California’s three-stage drug of a sedative, paralytic drug and heart-stopping chemical may mask, rather than eliminate an inmate’s pain.

Morales was convicted in 1983 of torturing, raping and murdering Terri Winchell who was 17 years old at the time of her murder. Terri’s 78-year-old father said the decision Tuesday, February 21st was a horrible blow.

Welcome New Members:

The State Board and staff, welcome the new members who have joined CCSO this week.

Thought for the Week:

“Freedom is not free, but the U.S. Marine Corps will pay most of your share.” – Ned Dolan