

CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION

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“Supervisors Representing Supervisors”

WEEKLY UPDATE FOR SEPTEMBER 12, 2008

CCPOA 3.125% Retro Court Case Lost:

Judge Suzanne Bolanos, Superior Court of California, San Francisco denied the 3.125% retroactive court case brought forward by CCPOA. The court’s statement cited: “the CCPOA interpretation of section 19849.18 is unreasonable, and potentially contrary to public policy” “CCPOA has failed to establish any violation of section 19849.18. CCPOA has presented no evidence in this action to suggest that DPA has maintained an inadequate pay differential, ignored a serious compaction problem, or allowed rank and file employees to receive greater salary or benefits than their correctional supervisors.” “Regarding the CCPOA demand for a retroactive 3.125% salary or benefit increase for correctional supervisors, the court finds that section 19849.18 does not require such an adjustment.”

CCSO Attorney Gary Goyette has advised this office that DPA may make a motion to have the CCSO case dismissed based on this CCPOA trial decision. The CCSO attorneys are optimistic that they can defeat such a motion, and push on with our own litigation as originally planned. Considering: 1) CCSO was much more specific in our pleading than CCPOA, and addressed different specific issues than they did; 2) have not had any opportunity to even engage in discovery in our case; 3) tried to intervene in CCPOA’s case but the court denied our intervention based on differences and stayed our case; 4) and CCSO has not had any opportunity to establish any evidence in their case (an important distinction since the Court specifically bases part of their denial of CCPOA’s claims on CCPOA failing to establish the necessary evidence).

CCSO’s Position On Recall: The CCSO State President Richard Tatum has released this statement to the Governor’s Office:

“CCSO does not support the recall of Governor Schwarzenegger. The Governor has done his job by providing the legislators with at least two proposed budget plans. It is and has been for months in the hands of California legislators, to do their elected job. Legislators must set aside their partisan issues, think of all Californians and compromise in order to pass this budget.”

CCSO Met on September 9th with CDCR Secretary Cate: CCSO met on September 9th, with Secretary Matt Catt to discuss issues that have been discussed at a lower level with the Office of Labor Relations. The issues are Seniority Assignments for Lt.’s and Sgt.’s and proposed updates to change the existing 60/40 to 70/30 plus other enhanced revisions. Secretary Cate requested further information on revising CCSO’s proposals to the SA Policy while researching the elimination of the SA Policy with compensation and RDO and shift by seniority replacing the policy. CCSO’s proposals have been forwarded to both the DAI and the DJJ for review. Once reviewed, Labor Relations will schedule a meeting with CCSO for a follow-up meeting.

CCSO reviewed concerns over the misuse of the Disciplinary Matrix. Labor Relations Officer Carol Wilson informed CCSO that sample cases given by CCSO to CDCR of improper use and peace officer violations were sent to Ms. Debra Ashbrook, CDCR Chief Counsel for consideration. CCSO will contact Ms. Ashbrook and work directly with her to incorporate CCSO proposals.

Secretary Cate updated CCSO on problems working without a State Budget has created. (A) Undersecretary Scott Kernan said that, "Although he is aware that CCSO opposes redirects, supervisors have really stepped up to the plate and I appreciate it." Secretary Cate concurred with Kernan's statements and said that CDCR have a group of men and women who are working and doing a great job in a difficult time. Secretary Cate informed CCSO that there was much work being done by CDCR in preparation of the 3-judge panel, as well as work on the 2009/2010 Budget.

CCSO State Board Members, CCSO Executive Staff, and CDCR Secretary Matt Cate along with CDCR Executive Department Heads attended this meeting. CCSO thanks CDCR for meeting quarterly on an executive level to interact and keep the lines of communication open.

Follow-Up on July 9, 2008 CDCR/CCSO Meeting: The following update from CDCR Chief of Labor Relations Officer Margie McCune is in reference to some agenda items that CCSO brought forward to CDCR at a July 9, 2008 meeting.

"Informal Grievance Process

Your organization has expressed concerns that the local adult institutions are not utilizing the informal grievance process or are not utilizing the process to attempt resolution of the grievance issue at the lowest level possible. We forwarded these concerns to the Division of Adult Institutions, along with the supporting historical departmental memorandums provided by your organization relative to the value of the informal grievance process. Once the review is completed, the OLR will arrange for an appropriate forum in which to discuss this matter.

Prison Canteen Manager II Job Specifications

The CCSO has requested that the Prison Canteen Manager II job specifications be revised by the Department of Personnel Administration with classification salary brought up to the Warehouse Manager II level. We forwarded your request to the Office of Personnel Services (OPS) for a review of the classification specifications. The OPS is currently working on classification and pay projects assigned for the 2008/2009 fiscal year (FY). The Prison Canteen Manager II project will require a salary comparison survey, in addition to a job audit at several locations. The OPS has indicated that this request will be included in their 2009/2010 FY classification and pay projects.

Medal of Valor Ceremony

Your organization's concern regarding the location of the annual Medal of Valor Ceremony and related weather conditions was forwarded to Mr. George Kostyrko, Chief, Office of Public and Employee Communications. Mr. Kostyrko indicated that the next Medal of Valor Ceremony is scheduled to remain on the West steps of the Capitol; however, provisions will be made to ensure that attending family members of the honorees are protected from the weather elements and are provided drinking water. Mr. Kostyrko expressed interest in discussing this matter further with you."



In Memory of Sgt. Matthew Lutes

It is with sadness that CCSO informs our members that Sgt. Matt Lutes, 32 years old, of SVSP passed away last week. Services will be held next week where CCSO Chapter President Lt. Joseph Celaya will represent CCSO and bid Sgt. Lutes a final farewell. Rest in Peace Sgt. Matthew Lutes.



Islamic extremists belonging to al-Qaeda made suicide attacks in New York on September 11, 2001
Killing 2974 Americans

**Let Us Remember Our Fellow Americans Who Lost Their Lives that Day
“God Bless America”**

Take Care—Be Safe