

CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION

-January 29, 2009 Weekly Update-

Tentative Court Ruling Supports Governor's Furlough Order:

Thursday, January 29th Sacramento Superior Court Judge Patrick Marlette issued a tentative ruling ordering State Controller John Chiang to implement the Governor's plan to furlough state workers two days a month and cut their pay 10 percent. Judge Marlette issued this tentative ruling, thus, rejecting arguments by several state workers' union that the Governor's plan to save \$1.3 billion with unpaid time off was illegal and unconstitutional. Judge Marlette ruled that the state's current budget crises represented an emergency and the Governor's order was "reasonable and necessary under the circumstances." ~ **Note: This is a tentative ruling.** CCSO will update its members once the final ruling is given.

Arnold Schwarzenegger, Jerry Brown will ask U.S. to end oversight of California Prisons: Governor Schwarzenegger and Attorney General Jerry Brown asked a federal judge on January 28th to end court oversight of healthcare in California prisons and return the inmate medical system to the state's control. CDCR Secretary, Matthew Cate, said the Receivership has already met many of its initial goals by filling vacancies for doctors and nurses, improving the skill level of the providers and ensuring better access to care. If he were to take control from Kelso, Cate said, he would analyze the Receiver's construction proposals and other factors before deciding if any new medical facilities are needed. "We certainly wouldn't do it in the way he has currently proposed," Cate said. "The Receiver's plans obviously have a lot of good aspects to them, but they're definitely not cheap."

CCSO is "Political Hero":

John Lovell, the CCSO Legislative Advocate, presented CCSO a plaque of appreciation from the Law Enforcement Alliance who stood together against Proposition 5 which if passed would have given preferred parole to drug dealers a "get out of jail free card" because they could claim to have a "drug problem" no matter how heinous the crime they committed. The powerful supporter of this legislation was George Soros, and it is the first time he lost a California election, and only the second time he has been defeated nationwide. Proposition 5 came out and the early polls showed it would pass, and no one wanted to put money down to fight it. However, CCSO was the first law enforcement organization that came forward to pay for a poll that went out to law enforcement groups. The polled showed that this Proposition could be beat. That poll was the turning point that brought the coalition of law enforcement agencies together to fight the passage of Prop. 5. Lovell said that **in the eyes of the law enforcement family, CCSO is a political hero.** CCSO proudly displays this plaque at the main office. As John Lovell said in an article in the California Peace Officer, "There is an important lesson here, and it's this: when law enforcement pulls together in one direction, makes it a team effort, and does not get diverted by petty jealousies and private agendas, we can win; and we can win against powerful opponents."

January 23rd State Board Meeting:

The Board reviewed the 2008 calendar year end report that was compiled by the CCSO Chief Operations & Financial Officer Pat Le Sage. Legal expenditures remain high and continue to increase as adverse actions increase. Administrative Liaison Ford Canutt reviewed the five pieces of legislation that CCSO will bring to the legislature this year. Legislation proposed: Amend govt. code 19574 which would allow an employee their due process rights before the penalty is enacted. Penalties from adverse action would not be imposed upon the employee until the SPB hearing was completed and an Admin. Law Judge sustained the charges, with the exception of dismissal of an employee; amending govt. code 18671.1 giving termination cases priority over all other cases less than 4 months old; amend govt. code 3533 whereby managers or organization(s) representing managers could meet and confer; amend govt. code 3529(a) which would eliminate the supervisory exception thus stopping the practice of a supervisor, who is an excluded employee, to hold office in a rank & file (nonexcluded employee) organization; and the Deferred Retirement Option Program (DROP) which would provide an incentive for experienced managers and supervisors to stay on up to an additional 5 years before retiring. The retired employee in Units 5, 6, 7, and 8 could work without contributing to their retirement; yet, still earn their normal wage. The Board agreed to move forward on all legislation with the exception of the DROP. They agreed that CCSO headquarters would contact Chapter Presidents to obtain a consensus on moving forward with it or not proposing it to the legislature. Lt. Vice President Alves stated this DROP legislation, if passed, could hamper the promotional opportunities for supervisors and managers if employees choose

to stay another 5 years in the DROP. Arguments for and against the DROP legislation have been mailed to Chapter Presidents for an opinion poll.

Lt. Vice President John Alves brought to the state board's attention that the 2009 wall calendar did not have photos promoting CCSO. He said he personally had taken calls from members complaining about this fact. He also brought to the state board's attention that the 2009 time books had designated his position as the Lt. Vice President incorrectly because it was below the Sgt. Vice President. He discussed his opinion of the ranking order of Board Members.

President Tatum informed him that indeed there was an error in the time books and next year when the entire staff reviews the time book, as was done this year, prior to publication, he will ensure that the order of the Lt. Vice President position is above the Sgt. Vice President's position. The CCSO Administrative Liaison Ford Canutt noted that CCSO does not rank their State Board of Directors like CDCR. Members are equal and the Lt. V.P. versus the Sgt. V.P. merely indicates whom these board members represent. Canutt believed that was one reason why when reviewed by staff no one noticed the mistake in the ranking order of the Board on the time books.

President Tatum also informed Lt. Vice President Alves that the initial CD sent to the publisher had photos of the conference, medal of valor ceremony, various meetings, and state board members etc. but that the publisher could not use the photos because of some technical problem. Therefore, photos that were planned to be used became unusable. Some photos were even taken from the walls of the CCSO office, as well as photos provided by the publisher to complete the calendar. Le Sage acknowledged that this first time endeavor was a nightmare due to photo problems. However, the publisher had provided her exactly what was needed to print photos clearly for a wall calendar next year. Le Sage said, hopefully, each year will be an improvement over the prior. Le Sage said the office receives many calls in a day regarding serious labor issues, but had not received any negative calls, on the calendar and actually the office had received many calls that were complimentary towards the first time endeavor of customizing the CCSO wall calendar.

Board Member Chris Gold redirected the conversation to the news he had received from a second meeting he had with the Governor's Liaison Tom Sawyer over the mandated 2-day furlough. Gold said that Sawyer informed him that cuts were inevitable and that CCSO needed to bring to Secretary Matt Cate's office alternatives for reductions. Vice President, for non peace officers, Richard Ortiz inquired on the monetary effects on CCSO if IOU's were given to state employees. Le Sage answered that CCSO would have to discuss delaying legal fees with attorneys, and reduce expenditures during that period, as CCSO may not receive union member dues. However, the Organization was solvent enough to operate for a few months without ill effects on CCSO or its membership. Gold resurfaced the matter of furlough issues and pending reductions; however, the board did not move forward with further discussion.

Lt. Vice President Alves discussed the 2009 Board Assignments and requested more communication in relaying information to the Board. After the Board Meeting, Lt. Chris Gold, CCSO Board Member contacted the main office and informed headquarters that he had spoken with the former CDCR Secretary Jim Tilton, and would be meeting with him to discuss alternatives to present to CDCR Secretary Cate regarding cut backs that would not affect wages. Updates on this meeting will be provided.

BIS Meeting: Lt. Jeff Keefer from CTF, President Tatum, and Chief Operations & Financial Officer Le Sage met with CDCR Labor Relations Officer Ron Green and individuals of the BIS team on Tuesday, January 27th. This was an informal meeting on the early stages of rolling out the Business Information System (BIS). There is a pilot program scheduled in the spring at CSP-SAC. Training on BIS will be given to any employee given a license (8500 licenses went out). Not all employees will be trained but only people designated by their role not position. The BIS was not designed to reduce or create positions but rather is a "project" designed to standardize, automate, and integrate business processes tied to accounting, budget, financial, procurement, contracts and human resource management. Once completed CDCR will have one system, will use the same SAP functions (as appropriate to job functions), the same coding and accounting, and will use the system in the same way. Ron Green said there will be DOM changes and CCSO will be noticed once those changes are under review. CCSO thanks Lt. Keefer for his expertise in this area and willingness to attend this and future BIS meetings.

Take Care and As Always Be Safe!