

# CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION

## February 27, 2009 - Weekly Update

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**Two Furlough Days:** There are still two furlough days for state employees. The Governor made an error at last week's press conference when he said there would only be one. CCSO is lobbying to exempt CDCR from the furlough days.

*Furlough Day – Overtime:*

Excluded employees, including those employees in unit 6, must physically work 40 hours a week to become eligible for overtime. **Anything over 40 hours physically worked will be paid at time and a half.**

*Category III staff:*

Overtime calculation remains as is, until such time the employee utilizes the furlough day. Since category III banks their furlough days, it is not counted against their overtime-weekly calculation until it is used.

*Examples:*

Employee works Monday, Tuesday, Wednesday, and Thursday and takes Friday as a Furlough Day. He/She has worked 32 hours (8 hrs. @ 4 days Monday-Thursday). The employee works Saturday at straight time, which equates to 40 hours. The employee works Sunday at overtime rate because that equates to 48 hours.

You must physically work over 40 hours to get the overtime pay.

*Note: Category III employees:*

Category III employee is docked 2 furlough days, but works an entire month without taking the furlough days off. Any time during that month that the employee works over 40 hours in a week will be paid at time and a half (overtime pay). The **overtime calculation only comes into play when the employee takes the furlough day(s) off.**

**Furlough Exemption Changes – All Category 3:** A memorandum dated February 26<sup>th</sup> authored by Director Suzan Hubbard cites that DPA approved the conversion of all institutional staff (excluding mental/dental/medical and the Prison Industry Authority) to Category 3, or “banked furlough.” The conversion of all staff that had been designated Category 1 or 2 are, therefore, now designated as Category 3 effective March 1, 2009. The furlough days will be banked for a period not to exceed 24 months from the end of the furlough program.

**New Budget Affects Overtime:** The new Budget that was passed on February 20, 2009 will affect overtime. Once implemented it will affect the calculation of overtime. Any paid or unpaid leave does not count as time worked for purposes of computing overtime. CCSO did not support this legislation, but unfortunately it passed as a trailer bill. There has been no date given to CCSO, when CDCR personnel will commence with the new overtime calculation.

*Example:*

Excluded employees, including those employees in unit 6, must work 40 hours to become eligible for overtime. Sick, vacation or holiday pay (any paid or unpaid leave) within a furlough week does not count as time worked for calculating overtime. Therefore, during a furlough week, if you use 8 hours of sick, vacation or holiday, you will only have physically worked 24 hours. Friday is not counted as a paid day because it is a furlough day. The Saturday worked would then be at straight time, and the Sunday if worked would be paid at straight time. (Depending the start and stop of your workweek).

## **Employee Compensation from Revised Final 2009 Budget Summary:**

(Cited directly from Budget Summary)

### **Employee Compensation**

- Achieves approximately \$1.2 billion in GF employee compensation savings over 18 months in the following manner:
  - Assumes a two-day-per-month furlough of all state employees in the Executive branch (beginning February 1, 2009), effectively reducing state employee salaries by 9.2 percent, and resulting in an estimated savings of \$658 million (\$375.8 million GF) in fiscal year 2008-09 and \$1.6 billion (\$901.8 million GF) in fiscal year 2009-10.
  - Assumes elimination of two state holidays and holiday premium pay for an estimated savings of \$76.6 million (\$74.5 million GF) in 2009-10.
  - Assumes overtime calculations based on actual time worked for an estimated savings of \$12.8 million (\$10 million GF) in 2008-09 and \$56.5 million (\$48 Million GF) in 2009-10.
- Rejects the Governor's proposed layoff of current state employees to achieve \$150 million in GF savings.
- Rejects the Governor's proposal to reduce state contributions to employee and retiree health plans by shifting their management from CalPERS to the Administration, who would negotiate increased co-payments, deductibles, or other "cost-shifting" in order to achieve \$132 million in GF savings.

**Clarification on Budget Highlights:** Two Furlough days will continue for state workers, (SEIU is negotiating one day for their non-peace officer members, but their membership still needs to ratify).

Two paid holidays have been eliminated for state workers; they are Lincoln's Birthday and Columbus Day. (SEIU is negotiating two personal days off in exchange for the lost 2 holidays - needs to be ratified by members).

### **CCSO is Lobbying Governor/DPA for CDCR Excluded Employees:**

1. Exemption of Furlough days
2. Giving two personal floating days in lieu of the 2 lost paid holidays
3. Exemption of CDCR excluded employees in unit 6, from the new Budget provision regarding overtime when order-overs are involved.

This is a rough time for everyone, but rest assured that CCSO is working very hard on your behalf in Sacramento.

**Take Care and As Always Be Safe**