



CALIFORNIA DEPARTMENT OF HUMAN RESOURCES

Office of the Director
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Governor Edmund G. Brown Jr.
Secretary, Government Operations Agency Marybel Batjer
Acting Director Richard Gillihan
Acting Chief Deputy Director Pam Manwiller

June 18, 2014

The Honorable Mark Leno
Chair, Joint Legislative Budget Committee
Legislative Office Building
1020 N Street, Room 553
Sacramento, CA 95818

Re: Addenda to Service Employee International Union (SEIU), Local 1000, Bargaining Units (BU) 15 - Allied Services, BU 17 - Registered Nurses, and BU 20 - Medical and Social Services employees Memoranda of Understanding (MOU) - California Health Care Facility (CHCF), DeWitt Facility "E" Activation

This is to inform you of several new agreements reached between the state and SEIU Local 1000 BUs 15, 17, and 20. These agreements are the result of impact negotiations conducted to bargain the effect of the activation of the new Facility "E" within the CHCF, DeWitt Nelson facility in Stockton. These agreements specifically address post and bid changes to the respective MOU.

Post and bid occurs under the current MOU in a specifically prescribed yearly cycle; however, because this facility is being activated outside of the agreed to post and bid cycles, these agreements are necessary to incorporate the DeWitt positions into the post and bid provisions of the MOU.

The agreement specific to the overall CHCF makes reference to a previous agreement dated August 9, 2013, which is also attached for the Committee's information. After review, it appears that this agreement was not submitted to the Joint Legislative Budget Committee (JLBC). It is unclear why proper notification procedures were not followed for this agreement. We regret this omission occurred and remain committed to timely and proper notification of addenda to the JLBC. As a result of this issue, we will provide additional direction to labor relations staff both internally and externally regarding the requirements of and process for JLBC notifications.

The agreements attached are temporary and will not become a permanent part of the MOU. Once the new facility is fully staffed, employees will return to the originally agreed upon post and bid cycles. There are no costs associated with these agreements. CalHR is providing these addenda for the Committee's information according to Government Code §3517.63(b).

If you have any questions or concerns please contact Jodi LeFebre, Legislative Coordinator at (916) 327-2348.

Sincerely,

Richard Gillihan, Acting Director
California Department of Human Resources

Attachments

cc: Members, Joint Legislative Budget Committee

Peggy Collins, Principal Consultant
Joint Legislative Budget Committee

Camille Wagner, Chief Deputy Legislative Affairs Secretary
Office of Governor Edmund G. Brown Jr.

Mac Taylor, Legislative Analyst
Office of the Legislative Analyst

Nancy Farias, Deputy Secretary for Legislation
Government Operations Agency

ecc:

Marianne O'Malley, Director Gen. Government
Office of the Legislative Analyst

Christian Griffith, Chief Consultant
Assembly Budget Committee

Nick Schroeder, Fiscal and Policy Analyst
Office of the Legislative Analyst

Mark Martin, Consultant
Assembly Budget Committee

Erika Li, Asst. Program Budget Manager
Department of Finance

Mark McKenzie, Staff Director
Senate Appropriations Committee

Craig Cornett, Chief Fiscal Policy Advisor
Office of the Pro Tem

Maureen Ortiz, Consultant
Senate Appropriations Committee

Charles Wright, Chief Consultant
Office of the Pro Tem

Geoff Long, Chief Consultant
Assembly Appropriations Committee

Chris Woods, Budget Director
Office of the Speaker

Joel Tashjian, Consultant
Assembly Appropriations Committee

Greg Campbell, Chief of Staff
Office of the Speaker

Pamela Schneider, Chief Consultant
Senate PE&R Committee

Nick Hardeman, Chief Consultant
Office of the Speaker

Karon Green, Chief Consultant
Assembly PER&SS Committee

Seren Taylor, Staff Director
Senate Republican Fiscal Office

Gary Link, Consultant
Senate Republican Caucus

Chantele Denny, Consultant
Senate Republican Fiscal Office

Terry Mast, Consultant
Assembly Republican Caucus

Anthony Archie, Consultant
Assembly Republican Fiscal Office

Shawn Ramirez, Labor Relations Officer
Labor Relations, CalHR

Eric Swanson, Staff Director
Assembly Republican Fiscal Office

Stephen Booth, Labor Relations Officer
Labor Relations, CalHR

Mark Ibele, Staff Director
Senate Budget Committee

Pam Manwiller, Acting Chief Deputy Director
CalHR

Joe Stephenshaw, Consultant
Senate Budget Committee

Alene Shimazu, Chief
Financial Management, CalHR

California Health Care Facility Addendum

LETTER OF AGREEMENT
BETWEEN
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1000 AND THE STATE OF CALIFORNIA
Concerning the
Activation Post and Bid at the California Health Care Facility
Date: March 21, 2014

This side letter represents the full and complete understanding reached by the State of California and the Service Employees International Union (SEIU), Local 1000, relating to the Impacts from the Activation Post and Bid at California Health Care Facility (CHCF).

This Activation Post and Bid was a result of the State and the Union's desire to afford a larger group of employees the opportunity to participate by revising the previous agreement, dated August 9, 2013.

THE PARTIES AGREE AS FOLLOWS:

The California Health Care Facility shall conduct a Post and Bid in accordance with the Bargaining Unit 17 and 20 Memorandum of Understandings (MOU) using the process as outlined below.

- Seniority shall be posted on March 14, 2014. All challenges to seniority must be made by March 28, 2014. Any seniority ties shall be broken by lot with the union present.
- CHCF management shall provide the current Master Assignment Roster one week prior to meeting with the Union locally the week of April 21, 2014 to discuss the bid ratios.
- All positions shall be posted by April 28, 2014 and remain posted until the conclusion of the post and bid. Post orders and duty statements shall be available for employees to review.
- Employees shall send in all request for management positions between April 28, 2014 and May 2, 2014. Management positions shall be awarded by May 5, 2014.
- CHCF shall conduct a walk up bid by seniority through an assigned appointment process. The walk up appointments may begin on May 12, 2014 and must conclude no later than May 30, 2014.
- A copy of the appointment schedule will be provided to the Union to ensure that a Union representative is present during the walk-up bid process.
- Employees shall assume their bid position on June 16, 2014.
- Employees on probation shall be eligible to bid in the CHCF activation Post and Bid. The awarded positions are considered locked with the probationary employee and are not subject to the interim bidding process. Upon completion of a successful probationary period, the positions awarded shall become a permanent bid position.
- All employees (permanent and probationary) on staff as of March 15, 2014 are eligible to post and bid for an assignment. Once a permanent employee is awarded a bid assignment the employee will not be eligible to bid for twelve (12) months in accordance with the MOU.
- Once a probationary employee is awarded a bid assignment the employee will not be eligible to bid for twelve (12) months.
- New employees on probation hired after March 15th will be placed into vacant positions at management's discretion.

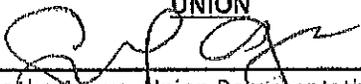
- Lateral transfers from within the Department will be eligible for interim bid into vacant positions consistent with the MOU.
- Employees who are out of the facility on approved leave shall be notified by certified mail of management positions and the dates of the walk up bid. Employee must be able to assume the position within sixty (60) calendar days in accordance with the MOU.
- Following the CHCF Activation Post and Bid the Department shall follow the respective MOU. Therefore, the regular bid process shall resume for the next bid cycle in October 2015, upon which this agreement shall be expired.

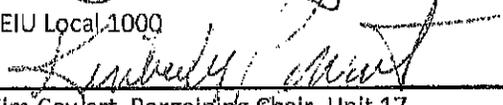
THE PARTIES FURTHER AGREE:

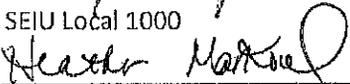
This agreement may be signed by facsimile and in parts, which, when all necessary signatures are obtained, shall have the same force and effect as though all signatures were executed on one document.

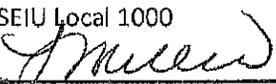
EXPIRATION OF AGREEMENT: October 1, 2015

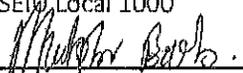
UNION

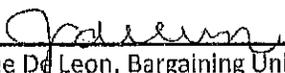

Samantha Anaya, Union Representative
SEIU Local 1000

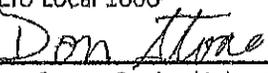

Kim Cowart, Bargaining Chair, Unit 17
SEIU Local 1000


Heather Markovich, Unit 20 DBUR
SEIU Local 1000

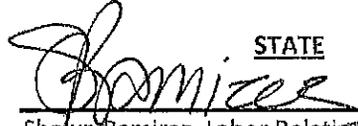

Linda Miller, Bargaining Unit 17 Steward
SEIU Local 1000


Bob Mutebi, Bargaining Unit 20 Member
SEIU Local 1000

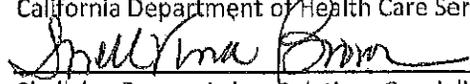

Jerilee De Leon, Bargaining Unit 17 Member
SEIU Local 1000


Don Stone, Senior Union Representative
SEIU Local 1000

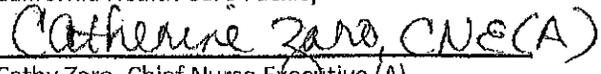
STATE


Shawn Ramirez, Labor Relations Officer
CalHR


Mary Ann Monahan, Labor Relations Manager
California Department of Health Care Services


Shellvina Brown, Labor Relations Specialist
California Department of Health Care Services


Lisa Morabito, Labor Relations Analyst
California Health Care Facility


Cathy Zaro, Chief Nurse Executive (A)
California Health Care Facility

**California Health Care Facility Addendum
Specific to BU 17 & 20, DeWitt Facility “E”**

LETTER OF AGREEMENT
BETWEEN
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1000 AND THE STATE OF CALIFORNIA
Concerning the
Activation of Dewitt Nelson Correctional Annex at California Health Care Facility
Date: March 21, 2014

This side letter represents the full and complete understanding reached by the State of California and the Service Employees International Union (SEIU), Local 1000, relating to the Impacts from the Activation of Dewitt Nelson Correctional Annex at California Health Care Facility (CHCF).

THE PARTIES AGREE AS FOLLOWS:

Post and Bid

The California Health Care Facility (CHCF), Dewitt Nelson Correctional Annex Bargaining Unit 17, Registered Nurse and Bargaining Unit 20, Licensed Vocational Nurse positions shall be included in the CHCF Post and Bid agreement dated March 21, 2014.

Activation Meetings

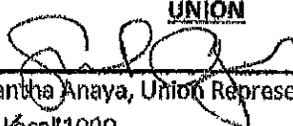
Dewitt Nelson Correctional Annex's activation shall be incorporated in to the CHCF monthly activation meetings. Expiration of CHCF activation meetings shall be extended to October 31, 2014.

THE PARTIES FURTHER AGREE:

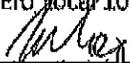
This agreement may be signed by facsimile and in parts, which, when all necessary signatures are obtained, shall have the same force and effect as though all signatures were executed on one document.

EXPERATION OF AGREEMENT: October 31, 2014

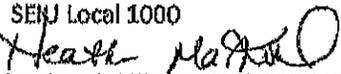
UNION



 Samantha Anaya, Union Representative
 SEIU Local 1000



 Mary Naïdoo, DBUR Unit 17
 SEIU Local 1000

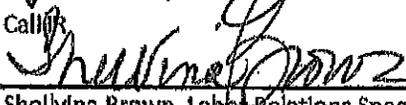


 Heather Markovich, Unit 20 DBUR
 SEIU Local 1000

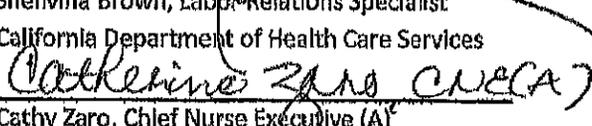
STATE

 3/21/14

 Shawn Ramirez, Labor Relations Officer
 Calif.



 Shellvina Brown, Labor Relations Specialist
 California Department of Health Care Services



 Catherine Zaro, Chief Nurse Executive (A)
 California Health Care Facility

**California Health Care Facility Addendum
Specific to BU 15, DeWitt Facility “E”**



Department of Corrections and Rehabilitation: California Health Care Facility (CHCF) Facility E Activation

Activation Post and Bid

Date _____

Time _____

The California Health Care Facility (CHCF) shall conduct a one-time Post and Bid in accordance with the Bargaining Unit 15 Memorandum of Understanding (MOU) between the State of California and Service Employees International Union, Local 1000 using the timeline outlined below.

- Seniority will be posted on April 21, 2014.
- The final post assignments will be posted by the Correctional Food Manager on May 12, 2014 and become effective May 26, 2014.

Following the one-time post and bid CHCF will follow Article 20.4.15 C of the MOU for Post and Bid for Bargaining Unit 15. with the exception that the next full bid will be conducted starting in August 2015.

STATE:

TA 3:17 PM 4/7/2014

J. B. ...

Jana ...

R. ...

A. ...

Amy ...

[Signature]

Murabito

UNION:

@ TA 3:14 PM 4/7/2014

[Signature]

[Signature]

Karen McNeil

J. ...

Heather ...

Pamela ...

2:41 4/7/14 2:41 4/7/14

RAED 2:06 PM 4/16/2014

RAED 2:04 PM 4/7/2014

California Health Care Facility Addendum
August 9, 2013

THE FOLLOWING CONSTITUTES AN AGREEMENT
BETWEEN THE CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES AND
THE SERVICE EMPLOYEES INTERNATIONAL UNION
REGARDING THE

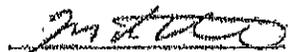
ACTIVATION OF THE CALIFORNIA HEALTH CARE FACILITY STOCKTON (CHCF)

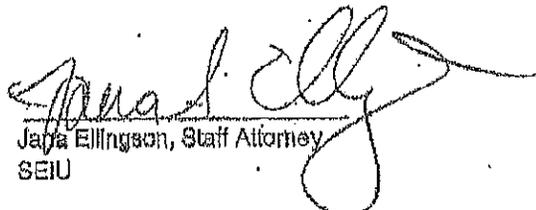
WHEREAS, the CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES (CCHCS) provided the Service Employees International Union (SEIU) with notice and SEIU requested to meet and confer regarding the activation of the CHCF-Stockton Facility;

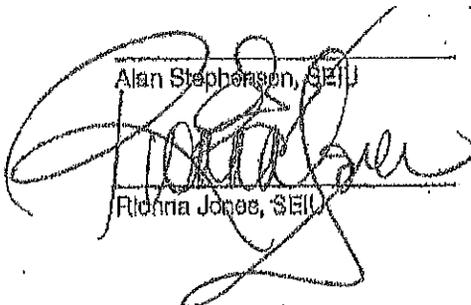
WHEREAS, CCHCS and SEIU have arrived at the following agreement.

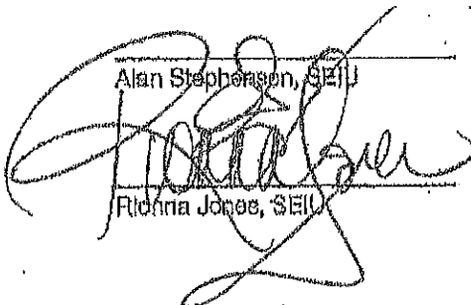
1. If the training is available, SEIU ^{represented by} Laboratory Assistants and Nurse Practitioners shall be provided acculturation training that includes two days of TSI, at CHCF.
2. Once the activation of all housing units at the CHCF is completed, Management will conduct Post and Bid for those eligible employees in Bargaining Unit 17 and Bargaining Unit 20, in accordance with the MOU. The Post and Bid time frames for this activation will begin January 8, 2014, and employees will take their positions April 14, 2014. The regular bid process shall resume for the next bid cycle in October 2015.
3. Upon request, SEIU shall be granted a monthly meeting with CHCF leadership regarding the issues their members identify. Five days prior to the requested meeting, SEIU will provide a written agenda with a listing of all issues to be discussed. SEIU shall be provided up to (3) members on release time. Additional members may be requested depending on the agenda items under discussion.

DATED: August 9, 2013


Mark Viale,
Labor Relations Representative
Labor Relations Unit
CCHCS


Jaya Ellingson, Staff Attorney
SEIU


Alan Stephenson, SEIU


Rhonda Jones, SEIU

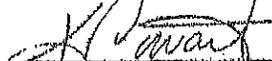
Dolores Slaton,
Labor Relations Manager
CAL-HF

Ann Hutson, SEIU



Jeanette Jennings,
Labor Relations Representative
Labor Relations Unit
COHCS

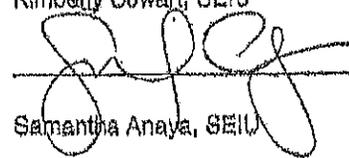
Pam Handel, SEIU



Kimberly Cowart, SEIU



Jan Sale,
Labor Relations Manager
COHCS



Samantha Anaya, SEIU



Allan Jennings,
Chief Nurse Executive
CHCF

Drane Larson, SEIU



Stephanie Peterson,
Correctional Healthcare Services
Administrator
CHCF

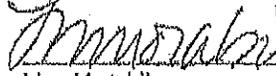
Mary Naidoo, SEIU



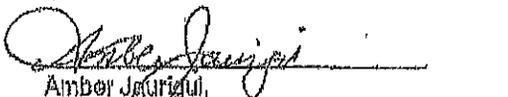
Karen Devoll, SEIU



Freda Baham,
Health Records Technicians
CHCF



Lea Morabito,
Labor Relations Analyst
CHCF



Amber Jaurigui,
Labor Relations Representative (Note taker)
COHCS