

# RIVERSIDE COUNTY/SEIU LABOR-MANAGEMENT COMMITTEE MEETING

Thursday, May 12, 2005  
SEIU Office  
4336 Market Street  
Riverside, CA 92501-3518

## MINUTES

### COMMITTEE MEMBERS PRESENT: (\*Chair)

\*Ron Komers, Human Resources  
Barbara Olivier, Human Resources  
Carol Keating, Human Resources

Rebecca Miller, SEIU  
Linda Love, SEIU  
William Berkley, SEIU  
Stephen Butler, SEIU  
Marward Sullivan-Taylor, SEIU

### COMMITTEE MEMBERS ABSENT:

Gary Snyder, SEIU

Eric Russell, SEIU

### IN ATTENDANCE:

Tom Prescott, Human Resources  
Roger Uminski, Community Health Agency  
Brande Schaefer, Human Resources  
Jim Berger, Human Resources  
Allan Anderson, Human Resources  
John Mooney, Human Resources  
Michael Fields, Human Resources  
Candi Collins, Human Resources  
Peter Morelli, Human Resources  
Marilyn Barker, Human Resources

Kris Sloman, Human Resources  
Kevin Cooney, Human Resources  
Mark Carleson, Human Resources  
Chrissy Barrett, Human Resources  
Tiffany Mendez, Human Resources  
Cathy Ray, Human Resources  
Terry Wade, Human Resources  
Jasmin Loi, Human Resources  
Terrie Stevens, Human Resources

## **I. INTRODUCTIONS**

Guests and members introduced themselves.

## **II. MINUTES**

The minutes of April 14, 2005 were reviewed and approved.

## **III. NEW BUSINESS**

Ron Komers reviewed follow-up matters from the April 14, 2005 meeting.

### **C. Department of Child Support Services**

Rebecca Miller said there are two problems for the Department of Child Support Services (DCSS). First is the overall funding problem from the State. This is compounded by the fact that the countywide Starkids Program is being transitioned to a statewide program, which is impacting IT personnel in DCSS. The news about the elimination of the Starkids program has become widely known to employees. Rebecca said SEIU representatives held a meeting at

DCSS with 40 employees as well as union and management representatives. In that meeting it was clear that under any scenario employees would have to be moved out of that department in order to remain a County employee. Rebecca said SEIU would like to work proactively with County management before staff reductions become necessary. Management in DCSS reported that County Human Resources must allow SEIU staff to review the seniority list before further action can take place. Rebecca said she is very interested in reviewing this seniority list. Though the collective bargaining agreement provides for 14-day notice in advance of layoffs, SEIU staff would like to begin working with the department. Terry Wade said Veronica Veal anticipates receiving the layoff list during the week of May 16, 2005.

Ron Komers explained that it has been found from previous experience that when a seniority list is compiled, there are always problems with that list. Ron said there needs to be one list, and it needs to be a validated list reviewed by Human Resources. The official layoff list must be approved by Human Resources to ensure there is one official version of the facts. When a seniority list is prepared, each person's job history is evaluated to ensure accuracy. Issues such as leaves of absence or departments changing overtime practices must be factored in.

Rebecca Miller said we need to deal with employees' anxiety in an appropriate way to avoid a mass departure of employees. If employees are aware that management is attempting to find other positions for them, they may not be as likely to terminate employment quickly. Ron Komers said Human Resources would work with SEIU staff to the extent possible. Management also wants to avoid loss of employment and disruption of the workplace as much as possible.

Rebecca Miller requested to move to the fourth item on the agenda at this time.

**D. Respect for and Right of Union Participation**

Rebecca Miller said there is a strong sentiment among many members that if they associate themselves with the union and/or file a grievance or become a steward, etc., that there are consequences to that. The consequences, from their point of view, include retaliation and better or worse assignments. Employees feel they are stigmatized because of their union participation. They also feel they will not be considered for promotion. On the other hand, a very small percentage of employees who have work problems come to the union for assistance.

Union staff does their best to explain to employees that their careers will not be negatively impacted, but in some cases this is difficult to explain. For example, the union received a letter from a member who was denied a vacation day because she said she was going to Sacramento to lobby for the union. A letter was given to the employee denying the vacation day for union business. Secondly, a social worker resigned yesterday because she was sent out to a dangerous situation. The report she received did not mention the presence of a methamphetamine lab. She was quite shaken, and when she returned to the office her concerns were dismissed. The employee would testify that she had never called the union in the past because it was apparent to her that there would be retaliation.

Ron Komers said part of Human Resources' job is to educate managers and supervisors that unions are a part of the fabric of public employment, and they need to have a respectful relationship with the union. Ron gave credit to managers from some departments who participate in the labor-management process, because they recognize the importance of the union and the fact that unions should not be viewed as an enemy but a partner. Hopefully through the grievance resolution process we can try to work more as partners to resolve issues. Ron said the County needs to do more to allay employees' fears. This typically occurs with first-line supervisors who are attempting to accomplish a certain task, and they are dealing with issues that are difficult in the collective bargaining environment. Ron said partnership begins with respect for employees, which translates to respect for their right to be affiliated with a larger organization such as a union. We do have agency shop where everyone pays into the union; therefore, union involvement is reasonable.

Rebecca Miller said that SEIU staff and stewards are trained about not being obstructionists to work. Part of the issue for SEIU is the question of whether or not to bring a union representative into meetings to discuss performance issues. The union could be helpful in resolution of problems.

Bill Berkley said he received a call from the social worker referred to above. The employee actually resigned on April 29, the day of the incident. The member is especially upset about the fact that she has been employed with the County for ten years; she is a social worker in good standing, and has always been a hard worker. When she presented this to her supervisor, the response was almost flippant. The employee felt she was not respected or supported.

There was also another employee in the same office who was accosted in the lobby by a client, and that employee also resigned because of the lack of support.

Ron Komers asked Kris Sloman to follow up on this situation and report back to him. Kris said she was not aware of this matter prior to today's meeting. Stephen Butler said it would cost the County a considerable amount of money to replace these employees, considering training costs.

Brande Schaefer said she was contacted by the employee who was denied a vacation day, and the letter did appear to be a denial based on union business. However, that was not the intention of the supervisor, manager and Brande. It had actually been worked out prior to the issuance of the letter that the employee was going to take the day off, and she had made arrangements to make up the lost time. Brande said she spoke to the supervisor about the content of the letter.

Bill Berkley said Rebecca Miller had asked whether it would be possible to work with Human Resources to draft a mutual agreement letter that could be sent to supervisors and new employees that would state union participation in an appropriate way is sanctioned. Ron Komers said we could make an effort to develop a communication about respecting employees' rights to union participation as well as respect for management's obligations to get the job done. We need to avoid adversarial feelings. Ron added that he would consult with Larry Parrish about the mutual agreement letter.

Bill Berkley said we could do a better job of articulating the work accomplished in labor-management meetings. Actions and discussions take place that overall benefit members and employees, but this is not communicated to employees. Ron Komers said we could consider labor-management newsletters. Human Resources staff is currently working on a new employee handbook, and we could add some language about labor-management cooperation.

Barbara Olivier said we have had good participation from time to time from department managers. We should develop a way to include various department managers on a regular basis. Barbara noted that Roger Uminski, Administrative Director for the Community Health Agency, attends labor-management on a regular basis. Roger said he represents three different departments, and he has very good relationships with Human Resources. Roger said he finds it very helpful to take information back from the meetings. In terms of communication, it might be helpful and less cumbersome as solutions are developed to make sure the information is disseminated to all staff, even if it is just a short memo about resolution of issues. Ron also asked Marilyn Barker to arrange to place minutes from labor-management meetings on [workforceexchange.net](http://workforceexchange.net). Michael Fields introduced Dana Lofton, Assistant Director of Community Action. Ron Komers welcomed Dana to today's meeting.

**A. Physician Assistants and Nurse Practitioners**

Linda Love said she received phone calls from employees in various Community Health Agency (CHA) clinics saying physician assistants and nurse practitioners are being replaced with physicians. Linda Love asked for further information. Roger Uminski said he has been told that the perception is that not only is CHA replacing nurse practitioners and physician assistants, but that the new medical director, Dr. Neuman, is replacing those people with physicians that she has had special relationships with, specifically former Kaiser employees. Roger said the full answer is that CHA is replacing physician assistants and nurse practitioners with physicians, and this has been going on for years as the need arises and when it makes sense, even long before Dr. Neuman was hired. Roger explained there are business reasons for doing this: One reason is because the agency receives a higher reimbursement from Federally Qualified Health Centers (FQHC), through which CHA clinics are certified, when patients are seen by a physician rather than a physician assistant. Another business reason is that there is greater flexibility with physicians. Typically nurse practitioners and physician assistants are qualified and certified trained for specific areas. A physician can provide a full spectrum of services versus just family clients, as an example. Overall it makes more sense for the agency as the opportunity arises.

As to the perception that Dr. Neuman is hiring people from Kaiser, there may have been one or two physicians hired from Kaiser, but of the last two that have been hired one doctor came from RCRMC, and the other just finished training at USC. The last two physicians hired have also been bilingual, which is helpful. It was suggested that management explain the situation to staff.

**B. CalPERS Pension**

Bill Berkley said he is requesting a 20-year history of Riverside's CalPERS participation from a perspective of actuarial costs per year, the amounts actually paid to CalPERS over the years, billings to departments and payroll figures in order to get an idea of what CalPERS has been doing over the past 20 years,

and what the County has had to pay. The County of Riverside is now at a higher contribution rate than we had in the past. For many years there was a zero contribution. The question is, how did that benefit the County and its employees? Barbara Olivier said Human Resources is developing a number of data sets for analysis of pension issues. Last year Carol Keating prepared a report that went backwards in history to research what the County's payment levels have been over the years. What is missing from that are the payroll amounts over those years, which would show what the County actually contributed. We do have data that is more developed for the last five years, which we can share, but the information is provided in a different format from what Bill is seeking.

Ron Komers said there are two things Human Resources could do to help address this issue: First, we can provide the information that we have, but there is also some summary information from CalPERS that addresses issues, such as, 80% of the "payments" for benefits over time have been generated by CalPERS' earnings. Over time, CalPERS has earned a great deal more than they expected. That reduced the County's contribution substantially so that when you look back, 80% of the costs of pensions has been covered by earnings on contributions from employees and the County. The result is that the County has not paid as much as they would have paid had CalPERS not invested and earned so much money. Since the County paid zero contributions for the past seven to nine years, it came as a shock when the rates went up.

Ron Komers went on to explain that CalPERS has adopted a new methodology of rate smoothing which will prevent tremendous spikes in the rates, but it will also prevent tremendous reductions in the rate. Ron said we have two studies by CalPERS that address these issues, and one addresses rate fluctuations which might provide the type of information that is sought. Ron said Barbara Olivier could provide the information that is readily available, and we can also provide a PowerPoint presentation on rate fluctuation.

Bill Berkley said he is hopeful this information answers his questions. Bill said he is troubled by what amounts to a 1600% increase, and this message is not really conveyed. It seems that the free years are not taken into consideration. Another aspect is that a zero contribution rate represents savings since the County continued to bill departments for the cost of pensions during this time.

Ron Komers said related to this is the fact that Riverside County employees gave up 18 months of a pay increase to have a higher pension level. This also represents savings over time. It is important for all of the facts to be articulated. Bill said we are seeing a political move to attack pensions in general, and there are greater ramifications than just pensions. Ron Komers said it seems that business is happy to see pensions going away. Fewer and fewer companies are offering defined benefit pensions.

Ron Komers added that the next issue will be that as pensions go away, and as the work force ages and more individuals become disabled, the cost of disability insurance will skyrocket. That will become the next pension that employers will say they are unable to afford. So there are macro changes occurring in the entire working world.

Ron Komers said Human Resources conducted staff meetings to discuss pension reform and the related issues. It may be helpful to have a special information meeting of union stewards, members and representatives to disseminate the facts. Human Resources would be happy to assist with this.

Marward Sullivan-Taylor referred to previous discussions about vacation leave reports that were to be made available to managers. Evidently there was a problem for managers at a particular site who attempted to access the report. Barbara Olivier said this probably relates to a security lock that the hospital has placed on its outside Internet. Carol Keating asked Marward to provide her with a contact person, and OASIS staff could work with that person to verify the reports that are available to them. Ron Komers said the goal should be to enable employees to log onto PeopleSoft and see their personal leave balances, and not depend on reports. Barbara Olivier suggested that we determine what the problem is and then have someone attend a nurse managers' meeting and demonstrate to all managers the method for accessing reports.

Marward Sullivan-Taylor was pleased to have the information available for managers, because it enabled her manager to plan for upcoming vacations with an awareness of employees who were nearing the maximum accrual amount. These employees were given preference for vacation time requests.

V. **ADJOURNMENT**

The SEIU Labor-Management Committee will meet again on Thursday, July 14, 2005, at 11:00 a.m. at 1115 Spruce Street, Room 11, Riverside, California.

Respectfully submitted,

*Marilyn Barker*

**FOLLOW-UP FROM SEIU LABOR-MANAGEMENT**

**May 12, 2005**

**TOPIC**

**RESPONSIBILITY**

CalPERS historical information, evaluation reports and  
PowerPoint presentation (requested by Bill Berkley)

Barbara Olivier