

RIVERSIDE COUNTY-SEIU LABOR-MANAGEMENT COMMITTEE

Thursday, July 14, 2005
11:00 a.m.
1115 Spruce Street, Room 11
Riverside, California 92507

MINUTES

COMMITTEE MEMBERS PRESENT: (*Chair)

Carol Keating, Human Resources
Linda Love, SEIU
Stephen Butler, SEIU
Tanya Arnaiz, SEIU

*Rebecca Miller, SEIU
William Berkley, SEIU
Anne Morettini, SEIU
Vi Le, SEIU

COMMITTEE MEMBERS ABSENT:

Ron Komers, Human Resources
Barbara Olivier, Human Resources

Marward Sullivan-Taylor, SEIU
Gary Snyder, SEIU
Eric Russell, SEIU

IN ATTENDANCE:

Chrissy Barrett, Human Resources
Allan Anderson, Human Resources
John Mooney, Human Resources
Michael Fields, Human Resources
Tiffany Mendez, Human Resources
Peter Morelli, Human Resources
Debbie Clemons, Human Resources
Kris Sloman, Human Resources
Vicky Currier, Human Resources
Veronica Veal, Human Resources
Patti Polly, DPSS, Administration

Cathy Ray, Human Resources
Tiffany Mendez, Human Resources
Cathy Ray, Human Resources
Andi Huey, Human Resources
Jasmin Loi, Human Resources
Terrie Stevens, Human Resources
Michael Fields, Human Resources
Sayori Baldwin, Human Resources
Jeremy Holforthy, Human Resources
Roger Uminski, Community Health Agency
John Steele, Child Support Svcs

I. INTRODUCTIONS

Introductions were made by all who were present.

II. REVIEW OF MINUTES

Old Business:

Rebecca Miller asked about the CalPERS historical information that had been requested at the last meeting (Responsibility: Barbara Olivier). *John Mooney stated it was still outstanding.*

For the record Rebecca Miller stated that in regards to the CSS potential layoffs, things are not moving forward; *SEIU will follow-up with Veronica Veal on this matter.*

The minutes of May 12, 2005 were reviewed and approved.

III. NEW BUSINESS

1. Electronic Pay Stubs

Rebecca Miller: Received a call from Cathy Sanders regarding the move toward making pay stubs available electronically. SEIU expressed various concerns including: knowing the parameters, the timetable, and issues of security (what will be posted and who has access). Additionally: not all employees have computer access so how will that be addressed, and how can employees opt out? Also, assuming the goal is to eliminate all paper--that is a concern--and is it possible for employees to receive paper if wanted.

Carol Keating: this idea comes from the Auditor-Controller's Office, so she was unable to speak on their behalf, but believes that with the People Soft system there is the ability to do more things on line which results in economizing (both printing & postage costs times 16-18,000 employees times 26 times per year is a considerable savings); and "on-line" is the wave of the future. Most people probably never look at their pay stubs, and often lose them, but would always have access to them on-line where they could print a hard copy. The Auditor's Office is also very concerned about security and is working with the Oasis group on this. On a similar note last year's open enrollment was handled on-line w/good results; the process required a complex 8-digit password (letters & numbers) that also has to be changed every 90 days. For employees who don't have computers, they would probably obtain it from the HR representatives, and Carol understands that approval has to be obtained from the employee in order to do this (on-line). The intent in mentioning this issue was to give the union a heads-up; all the details have not yet been worked out; timeframe is currently unknown; and before implementation, it is expected that another opportunity to discuss in detail would occur. Cathy Sanders will be notified.

Rebecca Miller: officially requested that this opportunity, indeed, be given, and was concerned about the unions opportunity to agree to the implementation. SEIU's major concern is still security. Also the question was raised as to if there was a federal law requiring that a check stub must be provided to the employee. **Carol Keating** indicated that an electronic copy is legal and the "access" is provided via electronic form; exceptions include employees receiving an actual check vs. electronic deposit. Cathy Sanders is better able to address these issues.

2. Community Program Specialist

Due to the absence of Tom Prescott, this topic was tabled for later.

However, **Rebecca Miller** asked HR if they can address these kinds of issues in the future due to similar situations that may be going on in other departments.

Background: when the Community Program Specialist was changed from a Staff Analyst, there was a mistake made in stating their FLSA rate for comp time (this was reviewed by Tom & Rebecca and was acknowledged: comp time should have been accrued at 1-1/2). Subsequently, everything was taken care. However, an audit wasn't done for other persons in this class, and as a result, five other occurrences of this same problem have been handled on an individual, piecemeal, basis.

New issue expressed by SEIU: Now the issue of comp time is stigmatized. Departments aren't using comp/overtime, but asking staff to flex their time resulting in a confusing complication. Comp time/overtime was intended as catch up time when there is too much work. But when it is substituted with flex time, the time has to occur in the same pay period so the underlying problem of needing more time to do more work is lost and the underlying problem still exists—the work keeps getting pushed forward. Employees are being asked to come in later in the day so that they are working later at night in order to participate in community activities. Given employees' personal schedules it is unfair to ask them to do this consistently; it is not an ad hoc form of employment. The issue is that you can't continue to change a schedule by flexing it. Permanently change the schedule (set times on set days), but don't change it from week to week. This wasn't happening until the comp time rate went from 1 to 1-1/2; this was the triggering event.

Tanya Arnaiz (Community Action) had conversations with Tammi Turner trying to resolve this problem. But it is difficult getting employees to make written statements due to retaliation that occurred after the 1-1/2 time issue. Written statements are needed in order to have someone look at timesheets to figure out what is going on. SEIU is very concerned about this.

John Mooney believes an investigation can be opened without a statement; however, the employee probably does need to be heard from in terms of what they are being asked to do. John will speak with Tom Prescott about and look into this. John will follow up with Rebecca Miller or Vi Le.

3. County Budget Review and Analysis

Tabled until Ron Komers can attend.

4. **DPSS Working File Policy**

Rebecca Miller: requested clarification on access to a supervisor's working file as opposed to an employee personnel record, and asked for the policy (regarding the life of the supervisor's file from evaluation to evaluation). **Kris Sloman:** the differences are in the employee's right to view the file. Official files are kept at Kidd Street location and an employee can make an appointment to view the file; the supervisor's file is not accessible by the employee (per Tom Prescott & legal counsel). This includes comments, compliments or complaints, and other performance issues that are used to produce an evaluation. Supervisors are advised to summarize these items in an evaluation, and then destroy the notes afterward. **John Mooney:** There is no policy because there is no requirement that working files be kept, only that supervisor's do evaluations; how notes are kept is up to the supervisor. If items are not in an evaluation, it's not appropriate to keep them in the file.

Rebecca Miller & other SEIU: The union would appreciate a policy or greater understanding of this because there have been Skelly hearings, etc. where an employee had not, previously, been made aware of a situation or problem only to have it appear without having had an opportunity to clarify a misperception or correct a problem. Also, files left behind by departing supervisors are found by incoming supervisors who might use the old information. Supervisors who collect statements to be used later is bad supervision/management; they should be more forthcoming, otherwise, it affects employee morale. SEIU would like to facilitate a better relationship between everyone and make the evaluation process more productive. **Sayori Baldwin:** On rare occasions it does happen; but believes it is an exception to the rule.

Carol Keating: Notes in the supervisor's file is general policy that has been place for years, but not in writing. **William Berkley:** in theory it is a great concept and should work that way, but in reality, it doesn't. Often, documentation has been tossed in a member's face years down the road when there is some form of discipline proposed. It is used as a building block to enforce the discipline that is trying to be obtained at that point. The notes should have a shelf life. **Rebecca Miller & Ann Morettini:** appreciate something in writing so that we are clear and there is no confusion, and that managers throughout the County be informed of this.

John Mooney: we can do a better job of not letting that information being included in later disciplinary action. HR could review material to assure that only info from within the evaluation period be addressed in disciplinary proceedings. *A written policy can be generated; will need to determine the best way to address it.*

5. **Administrative Investigation Notification Process**

Rebecca Miller & Tanya Arnaiz: A few months to a year ago there was a conversation about this process; it was agreed to that once the investigation was completed and conclusion was determined, that everyone (who was a subject of the investigation) would be notified. But that's not happening. It's not just one or two occurrences. In one case, the employee was told that the case had been closed 1-1/2 months prior. **John Mooney:** *will follow up on this.*

6. **Code compliance (TLMA)**

Rebecca Miller: She and Peter discussed this earlier today and will be taking this off today's agenda. Hopefully, they will have good news in August.

7. Changes in Supervising Office Support

Rebecca Miller, Tanya Arnaiz: There have been no discussions about these changes with either the union or the supervisors—who are very concerned that they are out of the loop—as well as, employees who are not a part of the process. Some office support supervisors have this in writing, others don't. So it's in the process of going through the grapevine. And there is concern that it will be implemented without their input.

Kris Sloman & Carol Keating & John Mooney: The Class & Comp Division is working on a clerical support study that has stayed at the executive level; information has not been given to anybody—not even managers. It is not yet been determined if anything will be done. Information that is out there is a result of preparation work for discussions that are occurring. It would be fact-finding research work for study purposes; part of a long process which started a year or two ago with supervisors completing a PDQ (indicating what they do). Information being circulated are documents going between departments and Class & Comp, discussion of findings in the study, and any problematic areas with options to resolve. At the end of any study like this our classification unit will sit down with the union and review the recommendations.

Rebecca Miller: The problem—please notify Ron & Barbara-- is we don't have time to weigh in before it becomes a Form 11, and aren't able to give our input nor resolve issues in a more formal way. So, we are put in a position of objecting before the Board on the day of the meeting, or filing a complaint with the Board based on meet and confer—neither of which we want to do—nor do we need to do—if we can be involved in the process on the front end.

John Mooney: *This will be taken to Ron/Barbara.* Time frame--I doubt that we will be ready for going to the Board in September. **Rebecca Miller:** It will take two weeks lead time to get a meeting between everyone, considering schedules and vacations.

8. Grand Jury Report – TAP

Rebecca Miller: There have been a number of Grand Jury reports including hospital, HR promotions and resumax, hospital SARS, and we are wanting an updated about what is going on. **Tiffany Mendez:** basically, the report says that in some cases management will forego an open recruitment process and fill a promotional position by transitioning a TAP employee into a regular position. This results in lower morale. It has always been in TAP's procedures that we do not want to transition anybody into a promotional position and negate the open recruitment process. TAP is for entry level fills, they can transition somebody after initial 90 days of employment, but what is entry level for one department may not be the same in all departments: and OAIII may be a senior level, whereas, it might be entry level in another department. We don't pretend to know what is entry level in each department. In the past, departments have processed paperwork to transition a person without notifying TAP—we get paperwork after it happens. So, every week in staff meetings we have been trying to review every job order. If the department is filling, what I consider to be a higher level position, I will challenge that—“why put someone into that position?” We have implemented a new process where any time we receive an ETF 2 from Employee Services they automatically notify myself and the service manager, and must get written approval before they can key it in. If it is a “difficult to recruit” position, the department must demonstrate that they have been diligent in trying to recruiting for that position and have done everything to recruit; the burden is on the department.

Rebecca Miller: then, my understanding is that TAP should not be taking regular allocated positions unless as temps or difficult to recruit situations and in those circumstances they remain TAP. If they convert to regular employees how does that work?

Tiffany Mendez & John Mooney: They remain TAP employees for 6 months and under certain circumstances they could receive an extension up to 90 days, such as: if it's a grant-funded position which has a limited time and you don't want to put a regular person there....and only with Ron Komer's approval can the time be extended beyond the six months. They either have to stop working, be assigned to a different assignment, or be placed on a regular recruitment list; or transition into an entry

level or difficult to recruit position. This process is working well. There may also be situations where departments with a difficult to recruit position has arranged to have a TAP person be added to the regular recruitment list. Sometimes it could look like a transition, but has been filled from a list. The only way to see the transition is thru coding which shows they are being hired from a list.

Ann Morettini: Some temp positions at hospital have been going for years or better. Are their TAP positions approved by Ron or Bagley? **Tiffany Mendez & other HR staff:** under tap procedure (& Ordinance 440) all extensions are with Ron's approval. Many of the hospital positions are TAP employees on different assignments or per Diem.

Tiffany Mendez: Regarding the morale issue, does this come from the report or feedback you've received? **Rebecca Miller:** Feedback. Staffing is a huge problem for the whole county in almost every department. Vacancies that are funded don't get filled so workload falls upon co-workers. This has been a chronic problem for some time, and the TAP issue is on top of that because it's not clear as to when people come and go. The desire is to hire permanent people who will be there for long haul.

Rebecca Miller: Also, I think there is a problem with the resumax system. Often there are employees that don't appear on list....and, when questioned, it is not known why they aren't on the list. The system of matching resumes to jobs needs a lot of work. And, employees receive calls for positions earning less pay (\$1,000/mo.) than position they currently fill. It seems that the resumax system isn't really being worked. It is demoralizing especially for people looking for promotions. It is a combination of all these recruitment/TAP problems that affect morale, and employees don't understand why there is so much confusion. We've been raising these same issues at the Grand Jury; problems seems much more chronic, not just one case here or there.

William Berkley: Often people are screened based on minimum qualifications then sent for an interview, but when interviewed the dept. has very specific qualifications. Some of the qualifications are so job specific that unless an individual has had an opportunity to do that job they will never meet the qualifications—it's very frustrating. You may be able to fill from current employees if departments had a commitment to push back to the minimum qualifications, interview qualified candidates, and provide on-the-job-training (where most of us learn how to do our jobs--even those with degrees), along with some mentoring that occurs. The probation period is where you really learn how to do your job.

9. Workers' Comp

Table it and come back next month

Rebecca Miller: For Your Information: 1—we will start negotiating our new contract very soon--next couple of weeks so send any proposals to me. 2---we have collected thousands of signatures to invite the Board of Supervisors to "work a day in their shoes" to see how it is to work in various county depts. We're not interested in blind siding management and doing anything other than showing the Board how hard employees are working and the challenges of working in the county under tremendous pressures. We'll be working directly with the departments. Not all jobs, such as IT positions, lend themselves to an informative tour. Social Worker positions at CCS would be more likely.

10. Steward Program Evaluation

Rebecca Miller: They haven't received any feedback--any observations, concerns, or opinions? **John:** seems it got off to a rocky start; haven't heard anything recently--no news is good news.

Rebecca Miller: When we have one steward for a whole dept, it's a real challenge; geographically the numbers don't work: 1,300 members from here to Blythe and only 2 stewards for the area. Normally, a steward system is more localized and not much time is required just for travel. Some stewards have gone thru the training only to find out it isn't what they thought it would be, or their personal circumstances change (school, baby, etc) and the end up leaving. We're doing a lot of training and want to give them various experiences,

including doing AI's. We want to build a better relationship. If we don't get feedback we think everything is ok—if there are any problems we want to know about it.

Our representatives are good at judging their work priorities within departments and know when they can afford to take the release time. The problem is the short time frame to get things done, example: a notice was sent and by the time it got to the Sheriff's office, a week had passed. HR has been accommodating most of time; however, we could be coordinating schedules better especially if you know five days before it gets out there. Otherwise it may take 2 days to get to employee and 2 days to get to us plus response time of 12-24 hours to do a callback. With 1,600-17 members often we can't get into a Skelly or AI in just a couple of days...and if we're training stewards who we want involved, I need a 48 hour release time and 24 hours to release the steward.

John Mooney: our philosophy is that an employee is entitled to representation if they want it, but it's not our place to tell them or get involved in that process. It's difficult for us to coordinate with you if they haven't told us they want the union involved.

Rebecca Miller: This is something we'll have to deal with in negotiations. In every other jurisdiction where I have worked all discipline has to include notices. If representation is requested then the process is delayed to coordinate schedules, and to allow time for stewards to be released.

Kris Sloman: HR is required to complete the investigation within 45 days. If there is a larger number of individuals to be interviewed and the process is going to get delayed with union representation notification, the delay will be even greater. Then there is also lots of pressure from departments regarding the ER process taking too long, as well as recruitments. We need to work together to be sensitive to these issues as well.

Kris Sloman: This first year will probably be the most difficult until stewards can function without union representatives: until we have a group of 30-50 we can call upon to be there for members for AI's and Skelly's and minor discipline.

Adjournment: occurred at 12:50

NEXT MEETING DATE: August 11, 2005

FOLLOW-UP From SEIU Labor-Management Meeting -- July 14, 2005

Topic	Responsibility
CalPERS historical information requested May 12, 2005	John Mooney
CSS Potential Layoffs—follow-up w/Veronica Veal	SEIU
Notify Cathy Sanders RE: Opportunity for Input (Electronic Pay Stubs) Before Implementation (formally requested by SEIU)	Carol Keating
Community Program Specialist	Tabled (due to Tom Prescott's absence)
Follow-up w/Rebecca Miller or Vi Le after discussion with Tom Prescott RE: Investigation on use of Flex Time as substitution for Overtime/Comp Time	John Mooney
Written Policy – Determine Best Way to Address Issue of Retention of Supervisor's Working File & Contents	John Mooney
Changes to Supervising Office Support Classification -- Notify Ron/Barbara that SEIU Requests Time for Input before it becomes a Form 11	John Mooney