



ACSSQUARTERLY

Q1 2015

*When navigating
through the maze of
career issues, ACSS'
REPRESENTATION PROGRAM
will help you find
the right path.*



MEMBER REPRESENTATION

As a state worker, you have worked hard to become a manager or supervisor. But what if you encounter bumps in the road and your career is facing some difficult situations? Sometimes the road is not always smooth. What would you do if you felt your rights on the job were violated? One member shares his story of experiencing unforeseen obstacles in the workplace and how ACSS represented him, stood up for his rights, and helped him navigate through this difficult situation in his career.

I worked as a manager for 20 years in the Corrections Department. I take great pride in my work and have worked hard to become a manager within my department. I have had nothing but outstanding evaluations from my supervisors and I am well-liked by all my co-workers. I enjoy my job immensely and I'm the kind of employee that gets excited to get up and go to work every day. However, I started to dread coming in to work. Ever since that one supervisor, Ms. Miller, began harassing me. Some of her behavior included yelling at me during a conference call so loudly that other staff could hear through the walls and co-workers expressed concern. She reprimanded me for taking Jury Duty leave, and she became visibly enraged when I filled out my timesheet correctly, but just not according to her unreasonable specifications. I felt unfairly bullied in the workplace by Ms. Miller and her treatment of me continued to worsen. One day, I stepped into work and Ms. Miller, without notice, informed that me I had been involuntarily transferred to a different department. In addition, she served me with a Notice of Adverse Action. And on top of that, I she told me that I would receive a 5% salary reduction! I was shocked, angry, and confused and I needed help figuring out how to handle this infuriating situation. These allegations were unfair and unwarranted! I did not want these Adverse Actions to be permanently tied to my file. I also did not want to be relocated at my own expense for poorly supported, and in some cases, false, reasons. Luckily, I am a member of ACSS and I called my local Labor Relations Representative (LRR) right away for advice.*

I could not have resolved the situation without representation from ACSS. Once ACSS's LRRs and attorneys got involved, I felt comfort knowing that someone would stand up for me and help me fight to get my job back, fight to have the allegations removed or reduced and fight to rescind the salary reduction. For the next 2 years, ACSS worked closely with me, standing by me with utmost diligence. They helped me process a grievance against Ms. Miller, citing her for interference of promotional opportunities, hostile work environment, retaliation, and discrimination. ACSS even filed a lawsuit in court on my behalf. Eventually, ACSS found 7 other managers that had been victim to Ms. Miller's abuse and they helped support the case against her. Over the course of this case, ACSS LRRs were able to remove Ms. Miller as my supervisor. They managed to get the Adverse Actions reduced to Letters of Reprimand, which can be removed from my personnel file after a year. And, most importantly, they overturned the 5% salary reduction. I was reinstated and the involuntary transfer was retracted. It was a long road out of the maze, but ACSS helped me through every step of the process and now I finally feel complete relief. ACSS stood by me and fought back to help me through this difficult and personal time in my career as a state manager.

As supervisors, managers and confidential state employees, navigating complex career issues alone, on top of your daily workload, can be overwhelming. ACSS' Labor Relations Representatives (LRRs) and attorneys are experts in the field of labor representation across all departments in the State of California and are extremely knowledgeable about the details. They are your guide and your voice that stand by you and stand up for you in your time of need. You are not alone. Here are some specific examples where ACSS LRRs and attorneys made a difference for these state workers: A member asked for the help of an LRR to assist with an adverse action and non-punitive demotion on his record. ACSS helped to fight back and he eventually won reinstatement. In another case, a member was adamant about not settling in a case where his employer charged him with various negative actions. ACSS intervened and was able to get the State to remove the allegations of discourteous treatment from his record and get the state to give most of the money they took out of his check back to him. ACSS Labor Representatives also prevailed in a case where a CalTrans member won a grievance he filed for violence in the workplace. In all of these cases, ACSS LRR's and attorneys worked hard between members and state departments to enforce fairness, stand up for worker's rights, and to promote a more harmonious workplace for excluded employees.

ACSS' LRR's and attorneys are on your side protecting you, sometimes even before you notice an issue. For example, our Representation team, as part of our statewide work on salary compaction, identified a salary discrepancy as a result of the transition process within the Department of Health Care Services (DHCS). Some of the employees that transferred to DHCS from other state departments experienced lower salary ranges for positions/classifications that had comparable range of duties and responsibilities. DHCS was not aware of the disparity. ACSS worked with DHCS to identify the positions, salary ranges, and affected members. ACSS tirelessly fought for the benefit of the members on this issue and not only did we win on the salary parity issue, the members were also awarded 9 months of back-pay for the pay discrepancy. It was a critical and well-deserved accomplishment for ACSS and its thankful members.

In addition to individual representation, ACSS also represents you if there is an issue that affects more than just an individual and appears to affect a group of employees. In these cases, ACSS has a right to "Meet and Confer" with the state on your behalf. ACSS often represents members and "Meets and Confers" with the Governor's office, CalHR, and individual departments and agencies. In the meeting, ACSS presents the state with a position on application of state policy or a specific course of action in regards to a specific issue. In many cases, ACSS has convinced the state that they have acted incorrectly.

One of ACSS' most important and successful Meet and Confer achievements recently was when an entire department of the State




NELLIE LYNN
ASST. DIRECTOR OF REPRESENTATION



of California had planned to dismantle, potentially eliminating hundreds of positions. ACSS' Labor Relations team worked with the department and our members to illustrate to legislators the dire consequences that would result from the elimination of this department. As a result of ACSS' efforts and input, the department was spared and continues to operate solely through some budgetary changes. ACSS also successfully negotiated a mass lay-off reduction plan for affected members in one department that offered the opportunity of voluntary position transfers. Without the representation of ACSS Representation Program, those members would have lost their jobs completely.

Nellie Lynn is ACSS's Assistant Director of Representation. She has worked for ACSS for 25 years and her entire career has encompassed labor representation in the State of California. From her perspective she explains, "It's a lot easier for ACSS to be the voice for supervisors who are facing difficult career issues as opposed to individual members personally addressing their situations because they don't have to face the possibility of negative ramifications by being the one to bring the difficult issue forward. We are the largest organization representing State excluded employees, which allows us to have a bigger impact on some of the issues. Some of our smaller competitors don't have that advantage. And we are able to do it where our dues are lower than our competitors."

2015 marks the 25th anniversary of the passage of the ACSS-supported statutory scheme called the "Bill of Rights for State Excluded Employees". The Bill states the purpose of codifying statutory protections for excluded employees is to inspire dedicated service, to recognize their important and fundamental roles in the management of state government, and to promote harmonious personnel relations among those representing state management in the conduct of state affairs. ACSS' Representation Program, with its skilled team of experienced Labor Relations Representatives and attorneys, have achieved many inspiring successes and accomplishments for the benefit of our members over the past 25 years. Take comfort in knowing you are rightfully represented. 

"Most of our members contact us when they are going through something very difficult in their career. It's personal. When their career is on the line, being able to help them through that maze is what makes me love doing my job. It's nice to know that I can help them through that."

- Nellie Lynn, Assistant Director of Representation

CONTACT YOUR LABOR RELATIONS REPRESENTATIVE:

YVETTE PIACSEK - ypiacsek@acss.org
Greater Bay Area, Chapters 504 and 505

KAY DEGEEST - kdegeest@acss.org
Central Valley, Chapters 507, 508 and 509

STEVEN BAREFOOT - sbarefoot@acss.org
Coastal, Chapters 508, 509 and 512

HOPE FARMBY - hfarmby@acss.org
Los Angeles Area, Chapters 511 and 513

PAULA NEGLEY - pnegley@acss.org
Southern California, Chapters 513 and 514

For Chapter 503 (Sacramento area) and 502 (Northern CA) region. Email acss@ACSS.org or call (800) 624-2137 and one of our team of Labor Relations Representatives (LRR) will respond to your issue in a timely manner. Visit www.ACSS.org for a full map of LRR territories and Chapter regions.

IMPORTANT DATES:

March 10-11 Lobby Day

July 17-19 ACSS Delegate Assembly

For more details, click on the events calendar at www.ACSS.org

PRESIDENT'S TERM IN REVIEW

ACSS President Arlene Espinoza looks back and shares the major achievements in her last six years as president.


2014 was a banner year for ACSS and its efforts advocating on behalf of ACSS members. This year looks to build on these recent successes and accomplishments ACSS members have enjoyed.

In 2009 ACSS members adopted a strategic business plan. This planning process resulted in a set of priorities and goals that were of the greatest value to ACSS members. These goals included strengthening the organization to better serve member needs; increase visibility of ACSS statewide and build ACSS political power and influence.

With these goals in mind, over the past six years ACSS has analyzed and audited its programs, business models, staffing and infrastructures. The result was a complete re-visioning and rebuilding of ACSS as a business based advocacy and service organization solely dedicated to the needs and goals of its members.

As you have read in this Newsletter, ACSS has made great improvements in its representation of members both individually and on department or statewide issues. We have completely retooled our IT infrastructure, improved staffing and staff structuring which includes in-house attorneys as well as outside counsel. Similarly, ACSS' political program is now one of the largest and most visible in the state. Our continuing efforts to resolve compaction, including sponsoring bills like SB 216, have proven fruitful and, as a direct result of those efforts, a Governor, for the first time, has publicly directed his administration, including CalHR, to work with ACSS on efforts to resolve compaction.

In addition to representation and political program successes, ACSS has developed a new Member Outreach program. This program brings ACSS to the workplace for informational meeting with members and potential members. If you want one of our member outreach coordinators to come talk to you and your coworkers about ACSS, just let us know, and we will come to you.

All of these internal changes and aggressive advocacy efforts have placed ACSS in a position to lead into the future in the efforts to better the position of excluded employees in the workplace, in fair compensation and in pension protection. Simply put, this isn't the ACSS you may have known in the past. 

-By Arlene Espinoza, ACSS President

Arlene S Espinoza

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**Q1
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First Name Last Name

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Address 2

City, State ZIP

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- Pet Insurance
- Discount Prescription Card
- Hearing Care Plan
- Final Expenses

acss@ACSS.org

CSEA Foundation Scholarship

The CSEA Foundation funds scholarships to CSEA affiliate members, dependents and spouses.

Applications are due by **April 1, 2015.**

Learn more at www.calcsea.org/home/foundation

