

The NorthState Public Employee

Affiliated with Public Employees Union, Local 1
Serving BCEA Members in Butte County

LOCAL 1

Volume 20, Issue 10

November 2009

Local #1 represents public employees, is independent, and is run by the members

Know Your Rights-Sick Leave Use

by Rudy Jenkins

This time of year during the cold and flu season, the BCEA receives many calls from members asking "what are their rights in the use of the sick leave provisions in the MOU." The MOU allows every county employee to accrue one day of sick leave for every month of service and can be accumulated indefinitely. There are also provisions upon retirement for the use of your sick leave accruals for additional service time credit with PERS or to purchase medical insurance for you and your spouse. As you know, this provision is now under attack by the county in our current negotiations.

The biggest question the BCEA receives is that "can my supervisor request me to

call them directly and keep calling in until I get a hold of them?" The answer is "no." The MOU specifically states "in order to receive sick leave compensation while absent, the employee shall notify the appointing authority or designated representative prior to or within four (4) hours after the time set for the beginning of the employee's work shift." This means your supervisor can specify the person to whom you need to notify but you only need to call in **once** within the specified window period to this person.

Another big question that members call in about is "can my supervisor ask why I am sick or ask what my doctors appointment is about?" Again, the answer is an emphatic NO. This information is protected by Federal HIPPA regulations and your supervisor, their supervisor or your department head has no right to that information.

The last big question is "can my supervisor ask for a doctor's note?" This question is not such an easy answer. The MOU states:

11.05 Medical Reports



In cases involving absences of three (3) consecutive work days or more, the employee shall, upon request, file a physician's certificate with the appointing authority stating the absence was medically necessary and the employee's physical ability to return to work on a full or limited duty basis. In general, the employer shall notify employees at the time they are reporting their absence due to illness that a doctor's certificate will be required. Exceptions can be made in

cases of suspected sick leave abuse.

The appointing authority may require an employee to submit such a certificate for absences of less than three days, including absences of less than one day; **provided, the employee has been previously counseled regarding the use of such time and where such counseling is documented.** After six months, the employee may request a review of the requirement of the submission of a certificate.

In general, your supervisor should not ask for a note if you are out for two or three days for a cold or the flu unless you are have been counseled for sick leave abuse. If your supervisor demands that you bring a doctor's note, you should contact BCEA so that we can assess the situation and advise you properly. Common sense by your supervisor should dictate that a note is not required for a simple cold or flu.

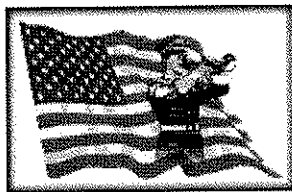
BCEA has broached the county this year over the White House recommendations to relax the doctor's note issue in case of a major outbreak of the H1N1 flu virus, as this could severely impact the health care system. To date, BCEA has not received any response from the county.

Again, if you feel your supervisor is out of line with their request with regards to your right of using sick leave, please contact BCEA or your shop steward immediately to ensure this right is administered fairly.



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Remember our Veterans
November 11, Veterans Day

BCEA DIRECTORY

2210 5th Avenue
 Oroville, CA 95965
 Phone: (530) 533-8003 or (800) 991-2232
 Fax: (530) 533-7983
 E-mail: bcea-gcea@onemain.com
 Website: www.bcealocal1.org
 8:00 a.m. - 1:00 p.m. & 1:30 p.m.- 4:30 p.m.

Staff

Executive Director	Rudy Jenkins
Office Manager	Eloise Herman

BCEA Officers and Directors

Jim Pulling, President	538-6608
Les Rodrigues, Vice President	538-7954
Leslie Roberts, Secretary	538-7282
Gary Jenkins, Sergeant-at-Arms	538-7606
Jennifer Honea, Treasurer	538-7321
Linda Madison, Director	872-6328
Beth Standley, Director	538-5135
Pat Stevens, Director	538-6222

BCEA Stewards

Chief Shop Steward-

Jim Pulling , Treasurer	538-6608
Kelley Albright, Chico Behavioral Hlth	891-2999
Doug Arnold, Public Works	538-7157
Brett Cambra, Gridley Public Works	538-7606
Carrie Erickson, Child Sup. Ser.	538-7088
Stephanie Eveatt, Child Sup. Ser.	538-7414
Christine Foreman, Chico DESS	879-3479
H. Leon Frazier, Behavioral Hlth.	538-5216
Gregory 'Randy' Frieze, Probation	879-3960
Rick Haynes, Behavioral Hlth.	538-6930
Jennifer Honea, Sheriff	538-7321
Gary Jenkins, Public Works	538-7606
Linda Madison, Paradise Beh Hlth	872-6328
Jesse Magana, Chico Public Works	891-2769
Brent McGurie, Chico Beh Hlth	891-2997
Les Rodrigues, Behavioral Hlth.	538-2158
Patricia Sanchez, Public Hlth	532-5696
Beth Standley, DESS	538-5135
Pat Stevens, Public Hlth.	538-6222
Tracy Snyder, Public Hlth	532-5696
Mark Wietersen, Neal Rd. Landfill	345-2326



Welcome New BCEA Members



Jeffery Lewis

Animal Control

Cathleen Williams

District Attorney



If you haven't already received a free BCEA, Local 1 2010 pocket calendar, please contact a Shop Steward or give us a call.

Complementary Notary Services provided by Eloise between the hours of 8:00 a.m. - 4:00 p.m. Monday through Friday. Please call for an appointment at 533-8003.

Contract Negotiations

by Eloise Herman

In contract negotiations with County of Butte, we are dealing with tough public budgets where revenues are falling well short of even the worst expectations. Our negotiation's team knows that when times are tough, not to give too much. The county's unwillingness to negotiate a fair contract has only increased our resolve. Our union thanks the core negotiation team of Executive Director Rudy Jenkins, President Jim Pulling, Secretary Leslie Roberts, Treasurer Jennifer Honea, Sergeant-at-Arms Gary Jenkins, and Director Pat Stevens for their hard work, dedication and perseverance.

Our main office in Martinez recently mailed out ballots for Local 1 and BCEA September elections. Some of them were returned because of an incorrect address. If you have moved, please remember to notify us so that we can make sure everything that we send you arrives on a timely basis.

**BCEA Members in Need of
 Catastrophic Leave Donations at this time:**

Name	Department
Kathy Gillis	Environmental Health
Eric Gowins	Behavioral Health
Karen Jones	Development Services
Jennifer Veilleaux	Public Health

To donate vacation or compensatory time, complete the Catastrophic Leave Donation forms available from the BCEA office, our Directors, Stewards, Site Reps or website. www.bcealocal1.org

About Unions

by Carole Kloss

For my article this month, I am going to tell you about a labor effort that was headquartered here in Oroville in the early 1960's. Gene and I have a friend named Chuck. He and his sweet wife Jan (who has since passed on) were like a beloved Aunt and Uncle to us. We still visit Chuck every Friday for "Happy Hour". He entertains us with his many tales and stories of being a "tunnel stiff". He and his wife travelled from Alaska and all over Northern California following the jobs.

He has spoken quite often of his role in establishing a union to represent the "tunnel stiff" and fighting for recognition for the tunnel and rock workers. Last Friday he was sorting through old papers and found four copies of the "TRWA Liberty" newspapers that were published in March 1961. This gave me a wealth of information to pass on to you. In future newsletters, I will quote excerpts of the newspapers. When I have done all that, at another "Happy Hour" Friday night I will interview Chuck and give you his first hand knowledge of his experience at that time. Here is a small sample of one of the articles I read:

LIBERTY and LABOR

The word "Liberty" is a beautiful word to all God's creatures but it must be used with care. For it can easily be turned by a few to the disadvantage of many

Similarly the word "Labor" provides a distinction that should never be a disgrace to any man. Yet, during the era of great building projects, we find the strange circumstance of men disgracing the word "Labor".

Men have taken that word to cloak their actions and have used that garment to betray their neighbors and their fellow workers. They have sunk their curved and bloody talons into the flesh of the workingman and have made a mockery of his cries for the rights he richly deserves.

Someday from within the ranks of our own organization, there will come men with the will and the fortitude to lead the

workingman into the light of freedom. For we are all born free and should remain free to choose the men whom we wish to set the pace for our journey through life.

Dedicated Shop Stewards

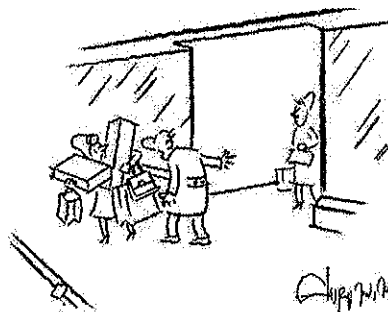
by Eloise Herman

The shop steward Fall two-night training for BCEA, Local 1 was completed November 4, 2009. Congratulations to the graduates: Brett Cambra-Public Works, Jennifer Honea-Sheriff, Linda Madison-Behavioral Health, Jim Pulling-Treasurer, Patty Sanchez-Public Health, Robin Seligman-CSS, and Beth Standley-DESS.

Karen Anthony, our Supervising Business Agent out of the Martinez office focused the training on "who are we and where are we going?" She explained that we cannot continue to run the track the way we have been running all these years and expect the same or better results. She encourages members to think deeper about our issues and how to deal with the internal, as well as, the external forces that push against employees and to be creative in their thinking in an effort to keep as much as we can for now and then start to grow again. Good job Karen. Education is the key to our future success. Thank you to our shop stewards who are guardians of social justice who make a positive difference both in the workplace and the community. Stay strong—be union proud!

Did You Know:

- ◆ 45 percent of adults in the United States who admit they forget directions after asking for them.



"Good heavens, Margaret, the bailout was for wallstreet, not for you."

Brother Awarded Plaque

by Eloise Herman

Bill Grogan was presented an In Appreciation Of Service plaque at the Board of Director's meeting on October 27 and received congratulations from officers and members in attendance. Brother Grogan formerly served as a shop steward and was active in the local. He worked with the County of Butte Department of Facilities Services for ten years and retired August 28, 2009. We thank Bill for his service and devotion to the Brotherhood and wish him a happy retirement.



BCEA President Jim Pulling presenting Bill Grogan his award.



YOU'RE NEEDED!



Answer the call to action . . . come join us and volunteer your time to help with the BCEA, Local 1 float. We are entering a float in the Lighted Christmas

Parade on Saturday, December 12, to be held at 6:00 p.m. in Oroville. The Oroville Downtown Business Association will be judging the event. The theme of this year's festival will be "have a holly jolly Christmas."

For more information, contact Carole Kloss at 589-1832, Les Rodrigues at 538-7954, Jim Pulling at 538-6608 or Pat Stevens at 538-6222. Hope you can make it!!!

Eloise Herman



save
the date to
Celebrate!

we're planning our
Annual Open House
please say you'll be here

Thursday, December 10
The BCEA Office
2210 5th Avenue, Oroville

Getting Into The Holiday Spirit

Regardless of belief or culture, the holiday season brings out the kindness of many people. More than 50 percent of all charitable giving is done between Thanksgiving and Christmas Eve, according to Charity Navigator, an online guide to philanthropic organizations. If you would like to join us at BCEA, we will be having our annual Christmas Canned Food Drive starting Monday, November 30. The donated food will be dropped off to the homeless veterans at the Jerry Knight Transitional Housing Facility on Rio Lindo Avenue in Chico. The collection stations will be: 202 Mira Loma Drive-Public Health; 78 Table Mountain Blvd-DESS; 82 Table Mountain Drive-Public Health; 7 County Center Drive-Public Works; 33 County Center Drive-Sheriff; 1474 Myers Street-Child Support; 2445 Carmichael Drive in Chico-DESS; and 107 Parmac Road in Chico-Behavioral Health. Food barrels will be picked up by Friday, December 18. ***BCEA is going to match your donations!***

sun	mon	tue	wed	thr	fri	sat	
1 Day light Savings Time Ends	2	3 BCEA Bargaining Advisory Mtg 5:30 P.M. Oroville	4 BCEA, Local 1 Shop Stewards Trng 5:30 PM Oroville	5 BCEA Bargaining Advisory Mtg 5:30 P.M. Chico	6	7	
8	9	10	11  Veterans Day	12	13	14	
15	16	17 PEU, Local One BOD Mtg 7:30 PM Martinez	18	19	20	21	
22	23	24 BCEA, Local 1 BOD Mtg 6:00 PM Chico	25	26  Happy Thanksgiving	27 BCEA Office Closed	28	
29	30 BCEA Christmas Canned Food Drive Starts	november 2009				