

The NorthState Public Employee

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

LOCAL 1

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Stand for Right . . . Pays Off

By Gary Stucky, SYCEA Executive Director

After nearly a year and a half, BCEA Local #1 member Mark Smith will finally receive the market step salary adjustment he was due in January 2007. Actually the County minimized their loss by moving Smith to step 7 in 2008, but Smith will still receive nearly \$3,100 in back wages. The wait has been an uphill battle as BCEA and Smith fought to assert his right to the salary adjustment without management's approval. It took Arbitrator Fred Butler to see the truth not in what the contract stated, but what it did not state.

When BCEA settled the current contract, it included equity salary adjustments to bring salaries to a more competitive level based upon a survey of comparable counties. Butte County claiming they did not have the money to implement the salary adjustments, all at once, insisted on

spreading the increases over several years and required the use of the normal merit step process for implementation of the adjustments.

In January 2007, Smith's management denied his salary adjustment to the new step 7 based upon an erroneous performance evaluation. In addition, the inaccurate performance evaluation infringed on Smith's right to participate in concerted activities without management interference and sought to penalize Smith twice for conduct he had accepted responsibility and a penalty for in 2006.

At mediation, the State Mediator admonished the County regarding their infringement on Smith's concerted activity rights and the offensive language was removed from the performance evaluation. The County though refused to grant Smith the salary adjustment he was entitled to receive and the Mediator had no authority to compel the County to change their position.

During arbitration, BCEA demonstrated that Smith had received a salary adjustment to the new step 6 automatically, and that it was the parties' intent to adjust the salaries of those employees who had obtained the old step 5 automatically to the new step 6 and 7 in the subsequent two years following approval of the contract.

Arbitrator Butler agreed with BCEA's and Smith's position, and based his decision on the fact that the contract language treats employees that were on steps 1 through 4 differently than those that had

obtained step 5. The contract language states, "Employees in steps 1 through 4 will move to subsequent steps in accordance with County rules on their next, and subsequent, merit dates." Arbitrator Butler specifically based his decision on the fact that the language "in accordance with County rules" was not included in the language covering employees who had obtained step 5 and was influenced by the fact that the County had advanced these employees (including Smith) automatically to step 6.

If you were at step 5 when the contract was approved, and you were not advanced automatically to steps 6 and 7 during 2006 and 2007 respectively, you may be entitled to additional compensation. Contact BCEA if you are not sure. **Remember standing up for your rights always pays off, however, sometimes it just takes awhile.**

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Negotiations Update

By Rudy Jenkins

Your negotiation's team met with the County on June 17 for approximately one and a half hours. The Union presented a partial list of its proposals while the County presented what they call "housekeeping" issues in the MOU, which are basically typos and out dated language. Some ground rules were discussed and a future date of July 8 was set for the next negotiation's session.

BCEA DIRECTORY

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 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

Jennifer Honea, President	538-7434
Tiffany Gerbing, Vice President	538-6466
Jim Pulling, Secretary	538-6608
Fran Harding, Treasurer	538-7414
Gary Jenkins, Sergeant-at-Arms	538-7606
Michael Lucas, Director	538-7407
Leslie Roberts, Director	538-7282
Pat Stevens, Director	538-6222
Thil Wilcox, Director	538-7791

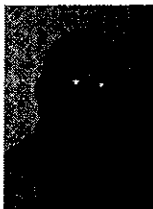
BCEA Stewards

Jim Pulling, Chief Shop Steward	538-6608
Doug Arnold, Public Works	538-7266
Brett Cambra, Gridley Public Works	538-7606
Carrie Erickson, Chico Public Hlth	879-7408
Stephanie Eveatt, Child Sup. Ser.	538-4317
Christine Foreman, Chico DESS	879-3479
Gregory 'Randy' Frieze, Probation	538-7265
Tiffany Gerbing, Public Hlth.	538-6466
Gerry Grandstaff, Chico Assessor	891-2934
Bill Grogan, Facilities Ser.	538-7408
Fran Harding, Child Sup. Ser.	538-7414
Rick Haynes, Behavioral Hlth.	538-7950
Jennifer Honea, Sheriff	538-7434
Gary Jenkins, Public Works	538-7606
Jesse Magana, Chico Public Works	891-2769
Brent McGuire, Chico Beh. Hlth.	891-2997
Michael Lucas, Facilities	538-7407
Les Rodrigues, Behavioral Hlth.	538-2158
Patricia Sanchez, Public Hlth.	532-5696
Pat Stevens, Public Hlth.	538-6222
Tracy Snyder, Public Hlth.	532-5696
Mark Wietersen, Neal Rd. Landfill	345-2326
Thil Wilcox, Child Sup. Ser.	538-7791

THANK YOU!

A big BCEA thank you to all the men and women for their dedication to preserving life and property during the recent fires in Butte County. We appreciate your hard work and contributions in keeping our community and the surrounding areas as safe as can be during this firefighting effort. We would like to extend our sincerest and heartfelt thanks to all of you that are helping rebuild lives that have been affected by the fires, as well as, those who gave donations or volunteered their time.

Two BCEA Board of Directors take on new duties



Jim Pulling



Michael Lucas

Jim Pulling of the Treasurer's office volunteered to be BCEA's Chief Shop Steward this last March. Michael Lucas of Facilities Services has become BCEA's third representative to the last Public Employees Union, Local One Board of Directors. Michael was seated at the last meeting on June 17 in Martinez. Jim Pulling and Fran Harding of Child Support Services continue to serve as BCEA representatives to PEU, Local One BOD. BCEA is proud to have both of these Board Of Directors as part of our team, as well as, the other seven officers of the Board.

Welcome New BCEA Member

Deborah Manduca Assessors

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.

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

Name	Department
Sandi Hopkins	District Attorney

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



Be Our Guest

BCEA, Local 1 Annual Picnic
Saturday, September 6, 2008

Oroville Lake Fore Bay
11:00 am–3:00 pm

BBQ'd Tri-tip, hamburgers, hot dogs,
veggie burgers, chili beans, salads, deserts,
water, sodas, and ice cold beer.

There will be a Bounce House for the
kids and a piñata too.

Raffle prizes for the adults.

(And we are working on getting some live
bluegrass music for the celebration)

Everything is **FREE** (including the parking).

So come spend the afternoon with
friends and family.



BCEA Event

Results of June 22 Baseball Game

I would like to thank everyone for their participation on Sunday, June 22 at the American Legion baseball game held at the Gary Nolan Field in Oroville. The turn out was a little small, however, I enjoyed making new friends. Talking with members and their families in a casual setting was very positive. The food and baseball were an added bonus. Seven members and ten family members showed up for the day in the sun. Some of the extra food was sold with the proceeds going to the Oroville Post 95 baseball team. Again, thank you for your participation.

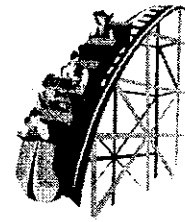
—Les Rodrigues
BCEA Shop Steward

BCEA Event

Results of June 25 Hot Dog Day

On the greens by the Ag building located on 196 Memorial Way in Chico, approximately fifty hot dog lunches were given out free to the BCEA members who had time to drop by. BCEA will be holding more of these member appreciation events in the future.

—Eloise Herman



Amusement Park Tickets for Sale

TICKETS	Member Prices	General Admission
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Tickets available through BCEA office :

<i>Discovery Kingdom</i>	\$ 27.00	\$ 49.99
<i>Great America 7 & up</i>	\$ 34.00	\$ 51.99

Tickets available through www.peu1.org :
(Tickets purchased through PEU website will be mailed out from Martinez, CA. Allow 2 weeks to purchase.)

<i>Disneyland</i>		
<i>2 day, 10-up</i>	\$127.00	\$132.00
<i>2 day, 3-9</i>	\$108.00	\$112.00
<i>Legoland</i>	\$ 43.00	\$ 59.00
<i>Universal Studios</i>	\$ 51.00	\$ 64.00

Sorry, we cannot accept checks.



sun	mon	tue	wed	thr	fri	sat
july 2008		1	2	3	4 Independence Day	5
6	7	8	9	10	11	12
13	14	15 PEU, Local One BOD Mtg 7:30 PM Sacramento	16 BCEA Office Closed 8 AM - 4:30 PM	17	18	19
20	21	22 BCEA, Local 1 BOD Mtg 5:30 PM Oroville	23	24	25	26
27	28	29	30	31		