

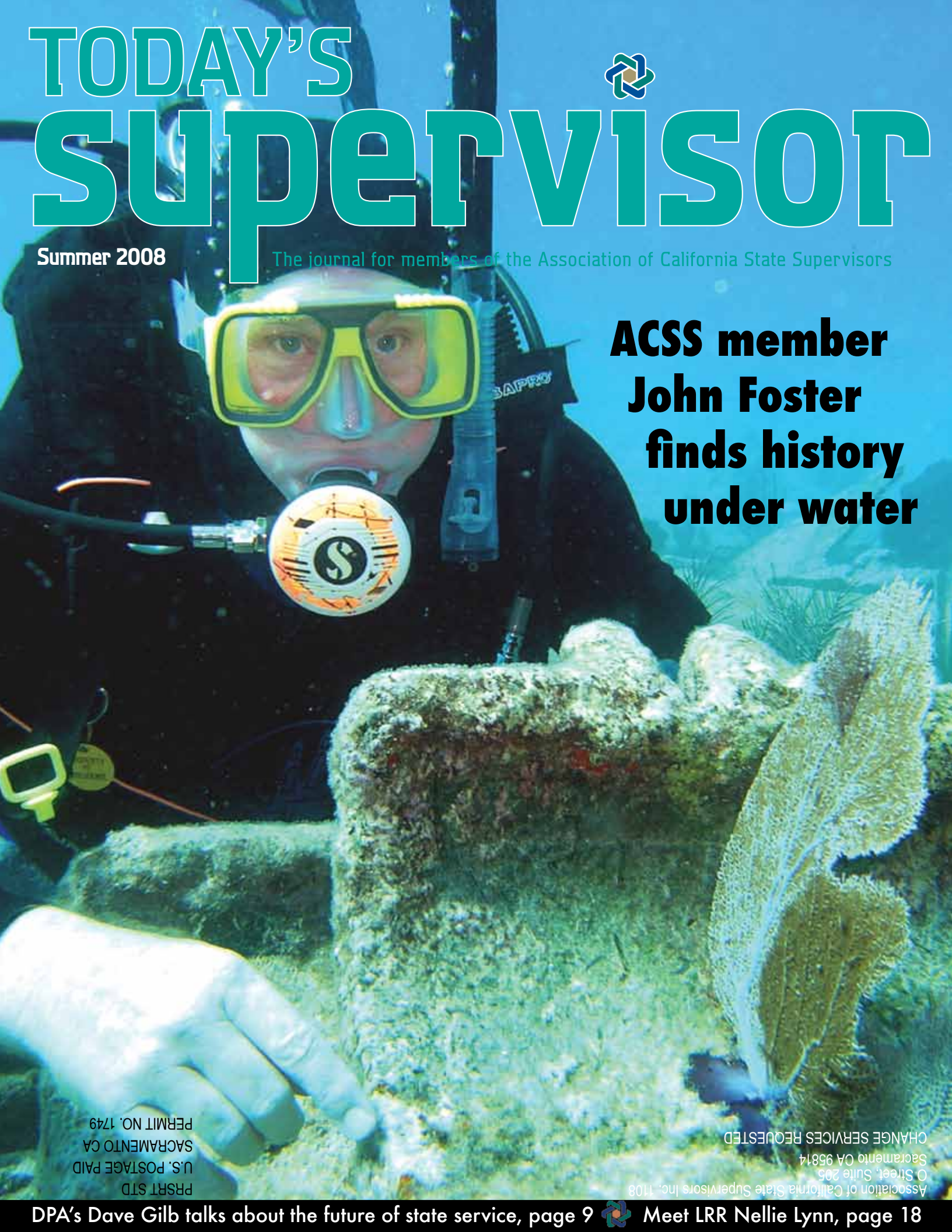
TODAY'S SUPERVISOR



Summer 2008

The journal for members of the Association of California State Supervisors

**ACSS member
John Foster
finds history
under water**



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DPA's Dave Gilb talks about the future of state service, page 9  Meet LRR Nellie Lynn, page 18

Today's Supervisor

Summer 2008

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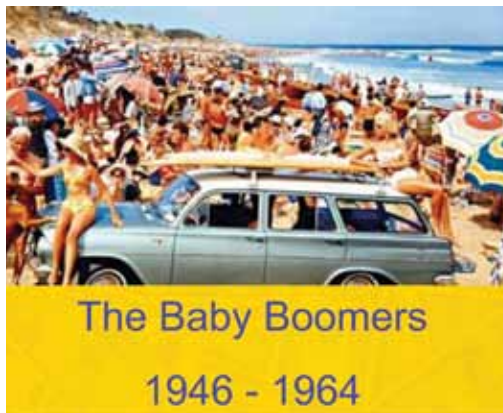
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The Baby Boomers

1946 - 1964

Where are the Baby Boomers now? Retiring. In five years, the state could lose 75 percent of its top management to retirement. DPA's Dave Gilb talks about some changes we can expect, beginning on page 12.

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Photo: Charles Beeker, Indiana University

On the cover

All in a day's work: State Archaeologist and ACSS member John Foster examines shipwrecks and other artifacts buried under California's waters. Read about his unusual job on page 12.

A new day

Welcome to your new "Today's Supervisor." Let us know how we can serve you. **From Linda Holderness**

After more than a year, ACSS is publishing "Today's Supervisor" magazine again. For the near future, you can expect a new issue each quarter.

Our primary goal, as it has always been, is to provide you with the information you want and need as a state manager or supervisor. We will keep you informed of our efforts on your behalf with the Legislature and the governor, of state issues that concern you and of events you might benefit from attending or knowing about.

We are going down a few new roads, too, spotlighting members and adding features that can make doing your job easier or even more fun.

This month, we have something of everything.

Even if you're not a math person, you'll grasp the numbers DPA Director Dave Gilb presented at the April board meeting: Nearly half of the state's supervisory staff could retire in the next five years. Filling those positions with qualified workers will mean changing the way the state recruits and hires. We think you'll find Dave's vision as compelling as we did. See the story on page 9.

Have you heard a rumor that state jobs are boring? Meet John Foster. This ACSS member is not only California's state archaeologist – he's also the state's sole *underwater* archaeologist. And if you're

wondering, as I was, why the state employs an archaeologist who dives, you'll be intrigued by his story, on page 12.


I'm not sure I'd ever met a real hero until I interviewed DMV supervisor Nate Williams. Nate risked his life last year to save a young man from a burning car. The medal he received from Gov. Schwarzenegger was well-deserved. Nate's story, on page 7, will warm your heart.

Labor Relations Rep Nellie Lynn may not be quite a hero, but many of her clients could think of her as a savior. After 19 years with CSEA and ACSS, Nellie is still committed to helping members resolve their concerns. Meet her on page 18.

Also not to be missed: attorney Rocco Paternoster's discussion of how to deal medicinal marijuana in your workplace and a column of surprisingly useful remedies for making your work life more satisfying.

But don't you do all the reading. We want to read, too – your letters and emails telling us what you think and what you'd like to see in future issues.

Share with us your ideas. Introduce us to people we should spotlight. Let us know how we can improve.

We're your magazine. 



ACSS meets and confers with the DPA

Seven ACSS board and staff members, led by Vice President Olin King and Executive Officer Mitch Semer, met on May 30 with DPA Director Dave Gilb, Deputy Director for Labor Relations Julie Chapman and Labor Relations Officer Randy Fisher to make the case for more money and better opportunities for excluded employees.

“Pretty grim,” is how Gilb immediately characterized this year’s budget outlook. The state is facing a \$17 billion deficit, he said.

“It doesn’t look like there’s going to be much in the way of pay raises,” he said. “It’s going to be a long, hard summer. ... I don’t have any money.”

Nevertheless, the ACSS team, including Senior Labor Relations Rep Bonnie Morris, pressed for improvements for excluded employees and elicited concessions and concerns.

The dialog encompassed the following points:

♦ **Rank-and-file bargaining:** Nineteen of the 21 state bargaining units will negotiate this year. Morris insisted that excluded employees be given the same salary adjust-



Olin King

ments as rank-and-file, plus a little more.

“There’s always some money for raises,” she said.

♦ **Health insurance:** The CalPERS board worked successfully to keep PPO health insurance rates flat this year. In June, CalPERS and the DPA will negotiate with HMOs, such as Kaiser. ACSS representatives urged those rates also remain unchanged. Gilb assured the group he was working to achieve that.

(To ask your representatives not to raise HMO rates, use the new Legislative Action Center on our Web site, www.ACSSonline.org.)

♦ **Retiree health benefits:** There is no plan to change current retiree health benefits, Gilb said, but there is “a strong interest” in containing the costs. Currently, there is



Mitch Semer

a \$48 billion unfunded liability for retiree health benefits that needs to be “paid down.” ACSS will participate in retiree health benefits meetings.

♦ **Compaction:** After hearing ACSS’ concerns that supervisors earn little more and, in some cases, less than their staffs, Gilb said his plan is to try to restore the 10 percent salary differential in 2.5 percent increments. Funding the first increment this year would cost the state \$14 million, he said.

♦ **Departmental funding of raises:** By law, departments can no longer allocate raises from their own budgets. All money for salaries must be earmarked for that in the governor’s budget.

♦ **Training:** Gilb said he is committed to offering training as a means of improving supervisors’



Bonnie Morris

and manager’s skills and pay levels. Gilb’s long-term plan proposes that pay increases be automatic and incremental when an employee completes certain approved courses.

♦ **Vacation buy-back:** ACSS reminded DPA that many supervisors and managers are interested in participating in the vacation buy-back program and are hopeful that all departments will choose to participate in that program, if it is approved.

Gilb also said he supports flexible work schedules so employees can save commuting time and costs and agrees that geographic differentials in pay rates should exist for areas, such as San Francisco, that are so expensive state agencies have difficulty recruiting.

ACSS will keep members informed as budget negotiations progress.

Saving a life: 'Doing what you should do'

Looking back, he says, "it was crazy." With hindsight, he knows it was what he was supposed to do.

Nathaniel "Nate" Williams, an ACSS member who lives in Stockton and works at the Department of Motor Vehicles in Sacramento, is one of 31 state employees to receive a Gold Medal of Valor for 2007 from Gov. Schwarzenegger. The honor, the highest California bestows on its public servants, is awarded to employees who risk their own lives to save someone else's.

Williams' story is like a scene scripted from a TV show that leaves you holding your breath.

On Feb. 8 last year, Williams was driving on March Lane in Stockton when a car jumped the median and hit a van and a pickup truck, barely missing Williams'



He was praying and thinking he might have to give up when a woman with a small fire extinguisher temporarily quelled the flames. He was then able to grab the man and pull him away from the vehicle.

Seconds later, the car blew up.

"We got out just in time," he said.

Williams made sure the occupants of the van were OK, then he

vehicle.

Though 9-foot flames engulfed the driver's car, Williams ran to try to get him out.

"I wasn't thinking about the flames," he said. "I just had to get that man out of there."

The driver was lodged under the steering wheel, and through the fire Williams couldn't get hold of him.

went home.

His identity may never have been known, except someone had taken a photo, a newspaper published it and a reader recognized him in it. Since then, he's received several honors and certificates, including one from the Red Cross.

The real reward was that the 30-year-old driver survived.

"People keep saying I'm a hero," Williams said, "but I just think of it as doing what you should do. God puts you in places where he wants you to be, and at that time it was fortunate for me and him that I was there."

Though the modest Williams didn't mention it, this is his second governor's medal. In 2003, he received an Employee Safety Award for saving a fellow DMV employee from choking.

Recently, Williams took a job-related class that included a test to identify personality types. His result: "protector."

"That's a person that gets involved," Williams said. "That's what I'm like."

Nominate your own hero for a Medal of Valor

Has someone you know performed a heroic act of valor? The DPA is seeking nominations for the Medal of Valor awards program for special acts or services that occur by June 30 this year.

The nominee must be a state employee and have performed an act "above and beyond the call of duty" to save another person's life while putting his or her own life in jeopardy. Gold medals are awarded for

such acts as pulling someone from a burning car or stopping someone from committing suicide. Silver medals are awarded for efforts to save lives or state property.

The nominations are due to the DPA by Sept. 1. You can download the form (DPA 012) at the DPA Web site, www.dpa.ca.gov/benefits/merit/valormain.shtm. For information, call (916) 324-0522.

The next generation

More than a third of the state's workforce could retire in the next five years. DPA Director Dave Gilb is making plans to meet the challenge.

A milestone occurred last October. The first-born baby boomer filed for Social Security, a few weeks shy of turning 62. The media noted the event as a curiosity, but to the Department of Personnel Administration, it sounded a siren: The baby boomers, the generation that was never going to grow old, are leaving the workforce.

The numbers are staggering: According to the Social Security Administration, over the next two decades nationwide, nearly 80 million baby boomers – 10,000 per day – will become eligible for Social Security.

In California state service, a comparable exodus could happen much sooner. More than a third of state workers – 80,000 people – could retire within five years. Among this group are nearly half of the state's supervisors and managers and three-quarters of its top leadership.

DPA Director Dave Gilb, as the keynote speaker at the April board meeting in Reno, brought the reality to ACSS members with a simple exercise.

"Everybody stand up," Gilb instructed the 60 or so members in

Continue on page 12



The state's workforce will undergo "the most radical restructuring that we have seen in a long time."

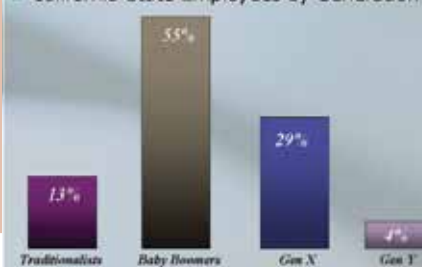
Dave Gilb, DPA Director

Generations in the Workplace

- Traditionalists 1900-1945, 31 million
- Baby Boomers 1946-1964, 77 million
- Generation X 1965-1980, 46 million
- Generation Y 1981-1999, 78 million

What does our current workforce look like?

California State Employees by Generation



Who's eligible to leave in the next 5 years?

- **35%** of our current workforce, or roughly 80,000 employees
- **49%** of our managers and supervisors
- **75%** of our top leadership

(DPA slides)

attendance. Everyone did.

“Now, everyone who is eligible to retire in five years sit down,” he said.

Two people were left standing.

The message: The times are changing – and soon.

The state’s workforce, Gilb said, will undergo “the most radical restructuring that we have seen in a long time.”

State government, with 235,000 employees, is the largest employer in California and one of the largest in the country. To serve its residents – with energy, parks, public safety, highways, health services – the state must compete globally to attract top-notch workers.

That isn’t easy – yet. The state’s hiring system, Gilb said, is unwieldy and “messy.” And its retention outlook is uncertain.

Gilb made these points: Finding a state job shouldn’t be difficult. State service must be more rewarding. And, as the younger generations move in and



DPA Director Dave Gilb, with Julie Chapman, deputy director for labor relations, right, and Julie Lee, workforce planning manager, talk to ACSS members at the April board meeting.

up, state leadership must adapt to new working styles – ones that are ultra-high-tech and fun.

Gilb classifies state workers into four “generations”: traditionalists, baby boomers, Gen-Xers and Gen-Yers.

Traditionalists, born in 1945 or earlier, make up 13 percent of the state workforce. Baby boomers, born between 1946 and 1964, are a whopping 55 percent. This is the “me” generation, the group that valued the perks of money and status.

Gen-Xers, born between

1965 and 1980, make up 29 percent. This group, in their 20s to 40s, want a balanced, flexible lifestyle. And Gen-Yers, born after 1980, 4 percent of the state workforce, have lived their whole lives immersed in a digital world. “Computers to them aren’t technology,” Gilb said.

The coming shift brings challenges to DPA and the State Personnel Board: How to fill 80,000 jobs with the most qualified people? How to encourage and make it easier for people to apply for state jobs? How to

adapt the workplace to the spirit and demands of the new generation?

As a start, DPA and SPB last year inaugurated a Human Resources Modernization project. Rollout is expected in 2009 to 2014.

ACSS is working closely with the DPA and SPB to help implement this project.

The underlying goal is to move the state from a “duties-based” system to a “competencies-based” one.

In other words, the hiring process will focus on the applicant’s skills rather than the job’s duties.

Here are some basics:

♦ **Simplify the job classification system.** The state has 4,200 individual job classifications, many of them overlapping. For example, there are 300 categories of scientists and 34 classes of attorneys.

If you want a state job, you must comb through each department’s position titles – and they all might be different – to find positions that match your skills. Then you apply

Traditionalists (63+)

- Value Logic and Discipline
- Don't Like Change
- Want to Build a Legacy

Source: When Generations Collide, Lancaster and Blithman

Baby Boomers (44-62)

- “Me” Generation
- Money, Title, Recognition
- Want to Build A Stellar Career

Source: When Generations Collide, Lancaster and Blithman

Generation X (27-43)

- Possibly Most Misunderstood Generation
- Need a balance between work and life - Freedom
- Flexible and Motivated
- Want to Build a Portable Career

Source: When Generations Collide, Lancaster and Blithman

A scientist's viewpoint

By Nirmal Saini

In the scientific classifications, the problem of unfair compensation has multiplied exponentially. In many cases a branch manager of a scientific laboratory is earning less than rank-and-file in another department. DPA needs to address this situation quickly before some of the baby boomers in management retire. Otherwise, the state would lose not only experienced managers but the corporate knowledge these individuals possess.

Dave Gilb has undertaken a daunting task. Scientists are the first group to be addressed under this plan.

Would you consider a chemist less a scientist than an engineer? Then why is there such a difference between the salaries of engineers and the rest of the scientists? DPA's HR modernization project should address these differences.

Nirmal Saini is a chemist and branch manager with the state Department of Food and Agriculture. Read his full letter at www.ACS-Sonline.org.

separately for each job.

Gilb would reverse that. Under his proposal, you would plug in your experience and skills online and be matched to all the state jobs you qualify for.

DPA has begun working on this step, with graduate students surveying, combining and simplifying categories and titles.

♦ **Shorten the hiring process.** Gilb estimates it can take a year or longer to complete testing and hiring for one job title. By then, he says, the applicant is working somewhere else.

Though Gilb would make it easier to enter state service, he would make the probation, evaluation and training processes longer and more thorough.

One component of that goal is to train employees. Though this effort is still being planned, the premise is to offer courses and certifications that would enable employees to earn additional income and promotional credits.

ACSS has taken a lead

role in working with the state to offer approved training for supervisors and managers.

♦ **Reformulate the compensation structure.**

In many cases, state jobs do not pay comparable wages to similar jobs with other large employers. In other cases, comparable jobs within the state pay varying salaries.

Scientists' salaries, Gilb said, will be the first to be addressed. Though state scientists are experts in many fields, they often are paid less than counterparts elsewhere, and there is no process to allow additional compensation for extra performance.

What about the changes we'll see in the future workplace?

The younger generations – "techno-literate and very, very savvy" – will add a fresh and innovative aspect to state service, Gilb says.

First, technology is second-nature to them. They multi-task and solve problems faster than baby

boomers do. They want to be flexible. They don't expect to be tied down to a desk: With today's technology, work may be done from anywhere, any time.

To these employees, communication is second-nature – not only with their supervisors but with the world.

One of the most noticeable changes will be the character of the workplace. The young generations will make work more sociable and fun.

As you gaze into the crystal ball, don't be too quick to second-guess baby boomers. That this unpredictable generation is nearing retirement age doesn't mean they will go.

As a generation proud of their youthfulness, they may stay a few extra years in state service, or try a new career, imparting wisdom and experience even as they glom onto the latest techno-toy and plan next week's office bash. 🌐

For more information on HR Modification, see www.DPA.ca.gov.

Generation Y/Millennials

- Value Diversity/ Change
- Been Involved Entire Life
- Want Work to be Meaningful

Podcasts

- 1 Use of Facemasks and Respirators During an Influenza Pandemic
- 2 Climate Change: Science, Health and the Environment
- 3 STD Treatment Guidelines, 2005
- 4 MMWR - Safe Drinking Water
- 5 Healthy Places
- 6 Working with Stress
- 7 History of Bioterrorism
- 8 Cervical Cancer
- 9 Coping with Traumatic Events

Sunken treasures

There are no 'pieces of eight' at the bottom of the Sacramento River – or are there? ACSS member John Foster hunts the riches that lie buried in California's waters

Oh, the tales the Sacramento River could tell. Native Americans thrived on it, steamships plied it, gold seekers chased their dreams across it.

Today's river seems ordinary by comparison.

But still waters run deep.

Hidden beneath this river, and other California waters, are troves of historic treasures. State Archaeologist and ACSS member John Foster finds these artifacts and coaxes out their history. He unearths not the bones of animals but the bones of our culture and helps us understand them.

Foster, a supervisor for cultural resource programs, has worked for California State Parks since 1975. He knew as a boy that he would be an archaeologist, but he didn't expect his work would make him a diver.

Someone has to do it. The state owns the land under all of California's rivers and streams and the coastline out to three miles. The underwater parks program be-



gan in 1968, but there was no underwater archaeologist until the state sent Foster for training in 1979. He still is the state's only underwater archaeologist.

"It's been a great career," he says. "I love my job, love my department. I feel lucky to have found the perfect job for me."

The state operates 19 underwater parks with facilities and exhibits for both divers and non-divers. They include Emerald Bay, Crystal Cove, Fort Ross, Mono Lake, Point Lobos.

Photos: On vacations, State Archaeologist John Foster leads students on dives for artifacts in Key West and the Caribbean, where he is searching for one of Captain Kidd's pirate ships. At right, Foster checks out sites on the Sacramento River in May. No Gold Rush ships are visible, but this World War I hull lies near Old Sacramento.



On joining ACSS

John Foster joined ACSS the day he became a supervisor: "I think it's important to have an organization that represents you and looks out for your interests as an employee. ACSS has a valuable role to play in finding ways to make government work as efficiently as it can and for the benefit of the most people."

The parks are popular with divers and underwater photographers for their marine resources, but many also hide remnants of history, such as hulls of sunken ships and ancient native California settlements. Finding, protecting and interpreting these sites is part of Foster's job.

On a warm day in May, Foster took a spin in his State Parks boat to check out sites along the Sacramento riverfront. His finds there have yielded information about the maritime history of the Gold Rush and of local native cultures thousands of years ago.

At least four Gold Rush-era vessels lie buried near Sacramento. Most gold seekers arrived by ship. Usually, it was a one-way journey. The passengers disembarked, salvaged everything they could, including rigging and lumber, and headed for the hills. For this reason, few day-to-day items, such as utensils and toys, are found.

In the 1850s, there were as many as 100 sailing ships tied up on the Sacramento waterfront. One was the city jail until it sank in 1859.

One of Foster's goals is to bring up a piece of a Gold Rush hull, preserve it and put it on display to add to the public's awareness of the maritime history of the Gold Rush. The project will be a challenge with only 6 inches of visibility under water.

An Olmsted award

In May, John Foster received State Parks' Olmsted award for leadership and vision. He was honored, out of 5,000 nominees, for his lifetime commitment to State Parks. for helping protect and preserve the state's resources and for bringing the excitement of discovery to the public. As California's only underwater archaeologist, he has brought a unique dimension to the archaeology profession. The award was especially meaningful, Foster said, because it came from his peers.

Another is to develop an underwater museum trail highlighting coastal shipwrecks. This trail would allow divers and snorkelers to touch California history and would interpret for nondivers the spots where the maritime events occurred.


The Gold Rush ships may seem old at 150 years, but the native settlements Foster has discovered date back 8,000 to 9,000 years. Buried by sediments over the millennia, the sites, under Foster's direction, are now revealing the state's earliest history.

The abundance of California's food resources – including the salmon in the Sacramento River – enabled the native peoples to live in settled villages without agriculture. As a result, the cultures were remarkably diverse – with more than 100 languages, traditions and histories.

"No place else in North America had that diversity," Foster says.

These early people didn't farm, but they managed and preserved their natural resources so effectively that we are now able to have "this huge, wonderful state park system here," Foster says.

"A healthy park system is not a luxury," he says. "It is crucial to a society to have places where people can connect with nature and their own history. By interpreting your past, you learn what your roots are."

Even if you're finding them under water. 

Medicinal marijuana

State laws allow medicinal use of marijuana. Does that mean employees can smoke pot? No – but the rules are complex. **By Rocco R. Paternoster**

There has been a lot of talk recently about medical marijuana and what rights state employees have and, more important, do not have related to using marijuana for medical purposes.

This subject also is confusing to state supervisors and managers, who often don't know how this issue relates to their supervisory duties of a current employee or the effect it may have on the hiring of a prospective employee.

In 1996, Proposition 215, the Compassionate Use Act, was enacted. This initiative exempted patients or their primary caregivers from criminal liability for possession or cultivation of marijuana for personal medical purposes as long as the use was on the recommendation or approval of a physician.

In 2003, the Legislature enacted the Medical Marijuana Program Act to further define and clarify the law regarding medical marijuana.

Neither the Compassionate Use Act nor the Medical Marijuana Program Act allowed for the medical use of marijuana at the work site or during the hours of employment. More specifically, the acts did not require the employer to reasonably accommodate the use of medical marijuana



even if the underlying affliction for which the marijuana was prescribed qualified for reasonable accommodation under the Americans With Disabilities Act.

What the two marijuana acts did not specifically address was various drug-testing scenarios where evidence of marijuana use is present long after the actual use of marijuana occurred.

The issue of medical marijuana use and drug testing in the work place was addressed in a recent California Supreme Court decision, *Ross v. RagingWire Telecomm, Inc.* (2008) 49 Cal. 4th 920.

This case involved an employee, Ross, who was hired by RagingWire subject to

The court found that the Compassionate Use Act merely provided a “safe harbor” from criminal liability and did not otherwise legalize marijuana.

his passing of a drug test.

When the employee's preemployment drug test came back positive for marijuana, he was terminated.

Ross, who had a doctor's recommendation to use medical marijuana, sued RagingWire, claiming the employer had a duty to accommodate his disability and waive drug-testing requirements. The legal basis for Ross' claim was that his termination by RagingWire for failing a preemployment drug test amounted to disability discrimination under the California Fair Employment and Housing Act.

The Supreme Court ruled against Ross and upheld the employer's right to terminate Ross based on the preemployment drug test.

In this case, the court found that the Compassionate Use Act merely provided a "safe harbor" from criminal liability and did not otherwise legalize marijuana. Marijuana remains an illegal controlled substance and, "under California law, an employer may require preemployment drug tests and take illegal drug use into consideration in making employment decisions."

Additionally, because marijuana is an illegal controlled substance, the Fair Employment and Housing Act does not require employers to accommodate the use of illegal drugs as it does for prescription drugs.

Since the RagingWire decision, Assembly Member Mark Leno (D-San Francisco) authored Assembly Bill 2279 (coauthors Berg, Hancock and Saldana). AB 2279, with certain exceptions, would bar employers from terminating employees based on failed (marijuana) drug tests if the drug use was in accordance with the Medical Marijuana Program Act.

This bill is currently before the California Senate and was read for the first time and referred to the Rules Committee on May 29.


Similarly, a voter-generated ballot initiative relating to marijuana use was drafted in late 2007. This initiative sought to some extent to decriminalize marijuana, and it also sought to prohibit drug testing for marijuana in employment. On May 12, this initiative failed to qualify for the November 2008 ballot.

As it relates to the duties and obligations of California state supervisors, the law in the area of medical marijuana in the workplace is ever changing. The California Supreme Court has ruled that a preemployment drug test that is positive for marijuana can be used as a basis for refusing to hire or for terminating a newly hired employee.

The possibility that AB 2279 will pass and the nature of the specific requirements applicable to state employees make a definitive outcome in this arena difficult to ascertain.

Currently, the state allows employers to test employees for drug use under circumstances that give the employer a reasonable belief the employee is using drugs or alcohol. However, this reasonable-suspicion testing in state employment, while similar, is not the same situation as the preemployment testing in RagingWire.

What remains unanswered after the RagingWire decision is a situation where a state employee fails a reasonable-suspicion drug test because of approved medical marijuana use. It is possible that the employee may have a cause of action for discrimination for the employer's failure to accommodate the worker's disability by refusing to waive drug-testing requirements.

These are unanswered questions that may be resolved only through future legislative or judicial action. 

Rocco R. Paternoster is the chief counsel for CSEA.

New phone laws July 1

After July 1, you may no longer use a hand-held phone while you drive.

Two new laws restrict the use of phones while driving. One applies to all motorists; the second tightens restrictions on drivers under 18.

The first law prohibits all drivers from using handheld phones except for calls to emergency service providers, such as police and fire departments and doctors.

Adults may use hands-free phones so long as one ear is uncovered. Curiously, the law does not prohibit adults from text-messaging or dialing while driving.

The second law applies only to motorists under 18. Minors may not use any communications devices while driving, including hands-free phones, pagers and laptops. The one exception is for an emergency call.

Drivers may be pulled over and fined for violations, but they do not accrue DMV points. The laws do not apply to passengers.

MEET NELLIE LYNN

Nineteen years ago, Nellie Lynn changed her college and her major to work with CSEA. Now, as an ACSS labor rep, she's still doing what she loves – helping people.

Editor's note: Every ACSS chapter is assigned one of six professional labor relations representatives. Today's Supervisor plans to profile all of them. This month, meet Nellie Lynn.

The value of ACSS – and her job – to state supervisors and managers became crystal clear to Nellie Lynn recently.

Lynn, an ACSS labor relations representative in the Los Angeles-Orange County area, contrasts two experiences she had with a supervisor who is now a grateful and happy ACSS member.

The woman didn't belong to ACSS a year ago when she first called Lynn for help,

"I couldn't help her," Lynn recalled, "because she wasn't a member. So she handled that issue on her own."

And promptly joined ACSS.

Recently, the woman called Lynn again. She'd been terminated because of a circumstance that wasn't her fault. She had applied for a license renewal, as required for her job, but, through a glitch, the renewal hadn't been completed.

The member had flown to Sacramento to shepherd the process in person, but when she got back to her

job, renewal in hand, she was told she still couldn't go to work.

The woman called Lynn. This time, as a member, she was entitled to ACSS representation.

Lynn investigated and discovered the employer had not followed policy. She made phone calls and wrote a letter, and a day or two later, the woman was back at work.

"I was able to fix the situation quickly," Lynn said. "They worked it out."

The woman called Lynn to thank her. The first time she'd had a problem, she said, it had felt as if she had nobody. This time she was grateful Lynn could help her.

"I could really hear it in her voice, how happy she was," Lynn said. "That's the part I enjoy – when I think I'm making a difference or I'm able to help someone."

"Little win or big win, it doesn't matter."

Being able to help people is what brought Lynn to her ACSS job 10 years ago and what keeps her dedicated to it.

Lynn has spent her entire career as part of CSEA. She started as a secretary in 1989 on a summer break from college. She liked the work so much she transferred from Clare-



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mont McKenna College to California State University, Fullerton, in her home town, to stay with CSEA. She graduated from Fullerton with a degree in economics and has taken additional business and paralegal classes and earned a certification in human resources.

Lynn transferred to ACSS after working several years representing rank and file.

Her experience in those other positions, Lynn said, enabled her to learn the “ins and outs of the organization.”

“Even when I was a secretary, I knew who the contacts were. And I was never afraid to research and take on more work.”

As an ACSS labor rep, Lynn works at home, maintaining her own office and files. She is “extremely organized and detail-oriented.”

“You have to be with the case load,” she said.

Every case is challenging, and, even after so many years, she frequently encounters new situations.

Advising clients doesn’t necessarily mean telling them what to do, Lynn said. More often, she explains the options and what to expect with each one. Then the clients must think them through and make their own choice.

If Lynn had one piece of advice to offer members, it would be: “communicate.”

“That’s pretty basic,” Lynn said. “But you would be surprised how many people call with an issue they want us to help with and they haven’t even brought it up to the person who has the power to fix it.”


For example, employees may ask Lynn for help after they’ve been

asked to work on a weekend when they cannot, yet they haven’t talked to their supervisor.

In one case, a member being transferred said her old department owed her money. When Lynn queried, the member told her she hadn’t asked for the money. Taking Lynn’s advice, she did ask, and the money was paid quickly and without incident.

“Sometimes just talking and putting on a positive spin helps,” Lynn said.

For more complex issues, or more personal ones, the guidance and support of a LRR can help protect an employee’s career.

“Sometimes you can’t talk with your coworkers and you need a resource outside your organization,” Lynn said. “We can help because we don’t have relationships with the people you’re dealing with.” 

Do you know what’s in your files ... and what should be in them?

Labor Relations Rep Jim Franco has a question for you: When did you last look at your personnel file? If it’s been more than a year, it’s too long.

You have the right to look at your files any time (by appointment). Franco recommends at least once a year (he suggests your anniversary date). You need to know what’s in them and what you can take out as well as what you might want to add.

You should have at least two personnel files:

- your official personnel file (OPF), maintained by your department’s human resources office, with your hiring documents, adverse

actions, probation reports, performance appraisals, and the like;

- your supervisor’s working file, or drop file, with some of the same items plus additional ones such as records of corrective actions, training plans, letters of commendation or complaint, informal notes on discussions. You should keep these files on your staff as well.

Some offices also keep informal personnel files (IPF) in their units.

You should be made aware of all items that are put into your files, especially your OPF, but that doesn’t always happen.

“I don’t care if you’re a choir singer,” Franco says. “There are many things

that can find their way into your files.”

What should stay and what can go? Here’s a brief rundown:

- Documents on disciplinary actions remain in your file for three years – *not* forever. After three years, ask that they be removed. A reprimand is the lowest disciplinary action.

- Non-disciplinary documents are kept for only one year. These include memos of record and warning letters. Some items may be removed sooner than a year.

- Positive notes and reports may be left in indefinitely, at your request. You also may add items to your file, such as awards and courses you’ve completed.