

TODAY'S SUPERVISOR



Winter 2010

The journal for members of the Association of California State Supervisors

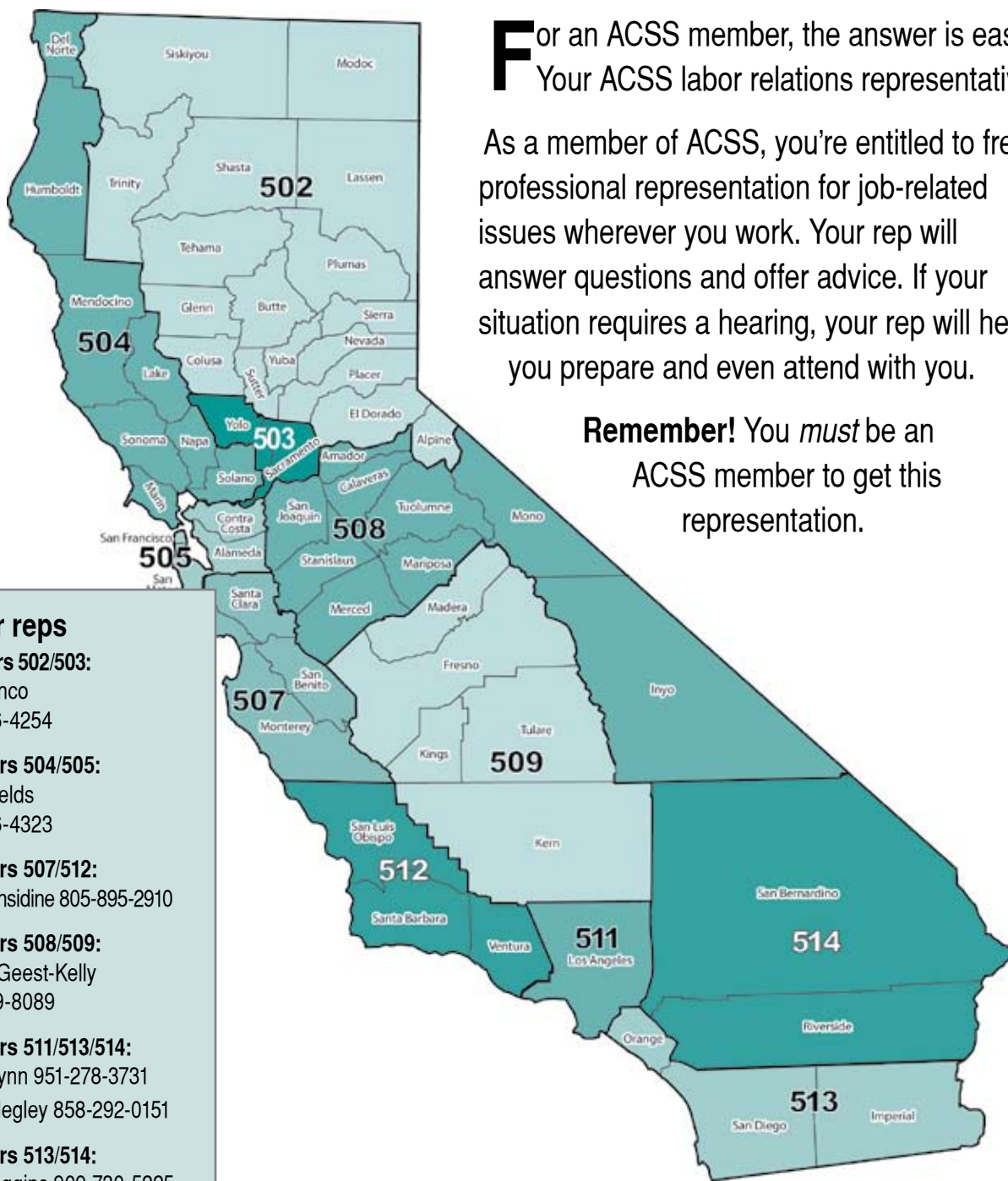
**Prison industries:
Building lives for
a safer California**

I need help with a job-related problem. Whom do I call?

For an ACSS member, the answer is easy:
Your ACSS labor relations representative.

As a member of ACSS, you're entitled to free professional representation for job-related issues wherever you work. Your rep will answer questions and offer advice. If your situation requires a hearing, your rep will help you prepare and even attend with you.

Remember! You *must* be an ACSS member to get this representation.



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Chapters 502/503:

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916-326-4254

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Chapters 507/512:

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Today's Supervisor

Winter 2010

Published since December 1987

The journal of the Association of California State Supervisors

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Chapter 505	Jonathan Tom
Chapter 507	Reynold Roth
Chapter 508	Theodis Lee
Chapter 509	Lou Flores
Chapter 511	Maria Suarez
Chapter 512	John Fixler
Chapter 513	Arlene Ryan
Chapter 514	Raquel Rios



A CSS MAN saves the day! That was the scenario, anyway, as Executive Officer Mitch Semer played the fantasy role to save beleaguered state supervisors and managers from languishing without representation. Semer's skit was one of several staff and officers presented at ACSS' strategic planning workshop in October. See the story on [page 10](#).

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On the cover

Carlos Chavez, ACSS alternate director-at-large, is top administrator for the Prison Industry Authority's operations at the two Folsom prisons. Here, he oversees the license plate factory. See [page 14](#) for the story.

ACSS Mission Statement

The Association of California State Supervisors is a volunteer organization dedicated to improving working conditions, salaries and benefits for the state's management team through political advocacy, professional representation, career guidance and education.

A year to forget

As the economy sank, state workers bore an unfair share of the burden. But all is not lost. **From Linda Holderness**

No question: We have just come off one of the most dismal years for state workers in California's history. You have borne an unfair burden as the governor and the Legislature attempted, clumsily, to resolve a budget crisis of their own making.

With threats of continued, or even additional, furloughs, it's not easy to look forward to 2010 with hope. However, with our ACSS membership, we can work to help ourselves and bring about the changes we need.

We head into 2010 under new leadership. In July, the members elected its first woman president, Arlene Espinoza. With her new board, an ideal mix of experienced and fresh points of view, Arlene has already begun the process of moving ACSS into a new decade of activism.

On pages 4 and 10 of this Today's Supervisor, you can read about ACSS' strategic planning program, an effort the board has undertaken to focus our leadership on the activities and goals that will yield beneficial results. The bottom line: We must increase not only our membership but the level of our participation if we are to generate the influence we need to make real change.

Despite the preoccupations of 2009, we have demonstrated that we can succeed. For example, the board took a strong stand to ensure that excluded employees at the State Compensation

Insurance Fund were included in a ruling that ended the furloughs there, and we were successful. We also played a major role in procuring the appointment of a former ACSS member, Jerome Horton, to the state Board of Equalization.

In a significantly bright sign of the coming times, ACSS welcomes the reactivation of a chapter that had been without leadership for a few years. The new officers of Chapter 502 have eagerly begun participating in ACSS activities, and our organization is much stronger with their energy. Read the related story on page 7.

As we head into a new year – and a new decade – under threats of layoffs and even more furlough days, ACSS will continue to fight for your rights. One way you can help is to stay active and informed. We at ACSS are working to make that easier and more efficient through new media opportunities that are improving every day, it seems.

Plan to join us this coming year at our major events: Speak out, offer your ideas and network with your colleagues. We talk with legislators face to face on our Lobby Day at the Capitol March 17. Our board meetings this year are Jan. 15-17 in Burlingame; April 16-18 in Las Vegas; July 16-18 in Monterey; and October 15-17 in Palm Springs. We hope to see you there. 



Change we can believe in

ACSS' new president invokes another new president as she envisions the future of ACSS. **From Arlene Espinoza**

At the July Delegate Assembly, in Sacramento, ACSS held officer and board elections. I was elected president of the Association of California State Supervisors. It is a great honor and it is a great responsibility. I believe an effective president must be a responsive president.

I have tried to keep this in mind. Like many of you reading this, I am furloughed three days a month. Also like many of you, my husband works for the state of California and he is furloughed, too. It is difficult to meet one's financial responsibilities with such a pay hit.

As if this were not enough, the governor, legislators, and the public now want us to take reductions in our pensions as well.

Because of these momentous problems, one of the first things I did as president was to work with the board and a consultant to develop a Strategic Business Plan. This plan will provide ACSS with a road map to positive growth.

We started this process at CSEA General Council in Los Angeles in September. Like many ACSS members I am excited about the possibilities.


This is just one step in being a responsive president. Others I have begun include writing articles for our Web site to keep members up to date on what is

happening at ACSS. If you are aware of information that will interest all ACSS members, email me at aespinoza@calcsea.org so we may pass the information on to the members.

In the upcoming weeks, our ACSS chapters will hold work-site meetings to meet with members we may infrequently see and to introduce our organization to your work colleagues. It is time that ACSS had more work-site visibility.

If you have a location at your work site that ACSS can use to set up a recruiting and information meeting, please let your local chapter president or labor relations representative know.

I plan on attending as many of these meetings as my work schedule allows. My aim in attending these meetings is to learn what our members are concerned about.

I am excited about the coming months, but I am realistic, too. Change and growth do not happen overnight, but in the words of our nation's president: "Yes We Can!" 



'What are you doing for us?'

ACSS doesn't have bargaining rights, so where does our power come from? Answer: The support and activism of our members

One of our members asked recently if ACSS was filing a grievance on behalf of excluded employees who worked on Columbus Day. The writer noted that SEIU Local 1000 was taking this stand for its members.

Our president, Arlene Espinoza, answered the writer and we posted that answer on our Web blog. In a nutshell, we responded that SEIU has a contract setting out its working conditions, and SEIU lawyers have interpreted the contract language as allowing the Columbus Day holiday for its members. As excluded employees, ACSS members have no contract and, therefore, no escape from the governor's order taking away two holidays. The Legislature voted this order into law in early 2009.

The reasons for the discrepancy are rooted in history. When the Ralph C. Dills act, allowing state workers to form unions, became law in 1977, it excluded most supervisors and managers as well as confidentials and exempts. As a result, our members have no bargaining rights.

The rights we do have are defined in the 1990 Bill of Rights for State Excluded Employees, a measure we sponsored. These rights are not as protective as those in most union contracts and ACSS is continually working to strengthen them. But this document does set forth some important tenets, the most basic being that "the rights and protections provided to excluded employees ... constitute a matter of important concern" to our lawmakers and to the citizens of California.

Under this bill, ACSS has the right to represent its members before the Department of Personnel Administration, the State Personnel Board, our legislators and the governor on issues relating to all supervisory employment conditions. You can read this Bill of Rights on our Web site, www.acssonline.org (under the Advocacy tab).

Without bargaining rights, how does ACSS derive its power? That's a question the new ACSS board has determined to resolve. As the first step, the board has con-



There's strength in numbers: ACSS is the smallest of the four CSEA affiliates, but our members do make their voices heard. Many use their weekends and furlough days to participate in important ACSS events, such as the CSEA General Council in September, above.

tracted with Sacramento consultant Eric Douglas, CEO of Learning Resources Inc., to lead our activists and staff in strategic-planning. He began at General Council in September with a workshop that guided the participants to develop ACSS goals and the means to achieve them.

The top goal – nearly unanimous – was to increase our membership. The power of ACSS is vested in the magnitude of our numbers and the willingness of our members to be active. The more members we have, and the more visible our activists are, the more powerful our voice on behalf of excluded employees will be.

About 7,000 of the 35,000 excluded employees in state service are members of ACSS. That's a respectable percentage for a volunteer organization, but to wield enough clout to make a difference in these challenging times, it must increase. We hope you will join this effort.

You can read more about our strategic planning on pages 10 and 11 of this magazine, and we will keep you updated on our Web site and through newsletters.



The attire has changed, and so has the number of women delegates, since the 1934 General Council, but now as then delegates tackled their responsibilities with fervor.



65th General Council is history

All three CSEA officers win reelection at productive, congenial gathering

Perhaps in testament to the calm that prevailed at this year's General Council, the session ended Sunday afternoon, leaving delegates, perhaps fittingly, with their Labor Day holiday free.

Over the weekend, the delegates re-elected all three CSEA top officers by strong margins, adopted or defeated proposals and modified the bylaws to conform to the changes required by BP-8, adopted at the 2007 GC. BP-8 created independent affiliates and increased the term of office from two years to three.

Dave Hart beat challenger Kevin Menager to return as president; Vice

President Donna Snodgrass beat Patrick Swift; and Secretary-Treasurer David Okumura beat James Graston.

ACSS President and longtime activist Arlene Espinoza was selected by a CSEA committee as this year's Woman of the Year. In presenting the award, Evie McKenna lauded her for her "grace and intelligence."

Among the proposals, the most controversial was to save money by reducing the number of delegates at future GCs. It was defeated.

A proposal to allow representation appeals to take place behind closed doors was approved, but one to increase the amount the general man-

ager can spend without board approval (from \$50,000 to \$150,000) was not.

On the Friday before GC, every affiliate conducted its own program. ACSS kicked off its strategic planning project that day under consultant Eric Douglas.

The weekend wasn't all business. Delegates were able to attend courses or even watch a movie. The CSEA Benefits Department led games with prizes that included a laptop. All the affiliates staffed information tables.

A report on GC is expected in December. It will be mailed to delegates and posted on our Web site.

New officers will serve three years

ACSS elected its first woman president at Delegate Assembly in July. Arlene Espinoza, Chapter 503, beat out challengers in a runoff to take the top seat. She had served for about a year as vice president, also the first woman to hold that office.

The new vice president is the second woman to hold that office – Chapter 503's Elnora Fretwell.



Espinoza has been an ACSS member for 20 years. Elnora has belonged for 15 years.

Espinoza joined ACSS the first week she became a supervisor. She has held

offices in chapters 503 and 507 and served in every elected office on the ACSS board.

She has worked for the Department of Motor Vehicles for 28 years. Her

husband is longtime ACSS activist Louie Espinoza.

Fretwell, a CalSTRS employee, likes to say she joined ACSS to get a free mug. In 1994, recruiters in her cafeteria offered her the mug if she would join. She really wanted the mug, so when she found out how low the dues were she signed up. Less than a year later she was asked to be a chapter delegate, and she has been an ACSS activist ever since. She was elected to the ACSS board in 2001.

The 2009-2012 board is sworn in at Delegate Assembly in July. For IDs, see ACSS' Web site under "governance"

ACSS helps SCIF supervisors win furlough back pay

Thanks to help from ACSS, supervisors and managers at the State Compensation Insurance Fund will receive a refund, with interest, of furlough back pay. A San Francisco Superior Court judge ruled in September that furloughing SCIF employees violates certain provisions of the California insurance code that exempted SCIF employees from any work reductions.

SEIU Local 1000, which represents 95,000 rank and file employees, filed a lawsuit challenging the furlough. ACSS President Arlene Espinoza immediately wrote a letter to then-SCIF Board President Jan Frank demanding excluded employees be included in any ruling issued by the court. ACSS legal counsel also discussed the application of the insurance code provisions with the SCIF general counsel, arguing that ACSS members were also exempt from "work reductions" or furloughs.

In direct response to Espinoza's action, Frank filed a complaint on behalf of employees not represented by SEIU. The complaint was successful.

Espinoza's prudent action accomplished two goals:

restoring excluded SCIF employees to full time with back pay; and saving ACSS – with a fraction of SEIU's budget – thousands of dollars. "Not suing doesn't mean inaction," Espinoza says.

Now ACSS is taking a similar approach on another lawsuit. SEIU, citing contract language, has filed a suit challenging the governor's order to cut two holidays. Excluded employees do not have contracts and are subject to the governor's orders.

ACSS is monitoring this case closely. If SEIU prevails, and its holidays are restored, ACSS will take action to have those holidays given back to supervisors as well. If that move isn't successful, Espinoza says, "we will look into legal action on the grounds of disparate treatment."

Based on our SCIF success, Espinoza is asking members to provide ACSS with information in their departments' governing codes that would support these actions.

It's important to keep in mind, Espinoza says, that ACSS is a volunteer organization with low dues, and we must use our funds wisely. We would take legal action only in cases we felt we could win.

The other board officers are Frank Ruffino, delegate-at-large (Chapter 513), and Carlos Chavez, alternate delegate-at-large (Chapter 503). Olin King, who succeeded Tim Behrens as president in 2008, is now junior past president.

Elena Yuasa, Chapter 513, was elected by the board in September to replace Terry Sutherland as secretary-treasurer. Sutherland retired in November.

The new board members are: Tim Williamson, Chapter 502; Robert Bernstein and Pam Robison, Chapter 503; Karen Robidoux, Chapter 504; Evie McKenna, Chapter 507; Sheila Ward-Shaw, Chapter 508; Mary McCaig, Chapter 509; Dolores Ramos Weeks, Chapter 511; Norman Stone, Chapter 512; Todd D'Braunstein, Chapter 514. Chapter 505 seat was vacant at press time.

ACSS forms its own PAC

ACSS has recently improved its clout with our legislative leaders.

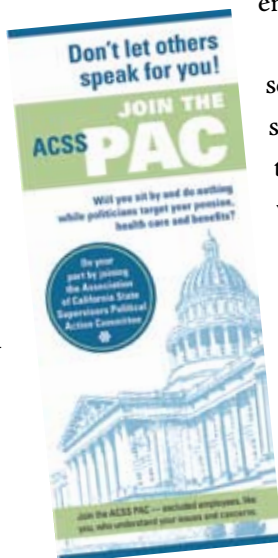
We have formed our own political action committee – APAC – to raise money to sponsor and support favorable legislative

initiatives and help elect candidates who will value the state's management team. Through APAC, we have a stronger voice in the Legislature and more influence over our political destiny as state employees.

Director-at-Large Frank Ruffino, a longtime ACSS political activist, heads the PAC as its chairman. The members include the executive board and several regional representatives.

These dedicated ACSS activists are working to make sure our legislators know who ACSS is and that we depend on the legislators, not union negotiations, for our state benefits. Because the PAC members are also ACSS members, they know first hand excluded employees' issues and needs and strongly support our goal of gaining fair salaries and benefits for all excluded employees.

That self-representation is the No. 1 value of the PAC: Members are working to benefit members.



President Arlene Espinoza talks with new Chapter 502 officers, board member Tim Williamson, President Debra Bunting and Vice President Jeanie Vukovich.

Welcome back, 502!

An ACSS chapter has been revived from dormancy, thanks to the efforts of some dedicated members and their labor relations rep, Jim Franco.

Chapter 502 covers the largest area of the 11 ACSS chapters, from the Oregon border to Sacramento County and from Nevada nearly to the ocean. "Because the members were scattered, it was hard for them to get together," said Franco. "They haven't had a meeting for at least three years."

The hiatus wasn't helped by the fact that only about 200 state workers live in the chapter area.

The chapter now has a president, vice president and board member and sent a delegate to Delegate Assembly. On Oct. 14, a half-dozen members met with Franco and ACSS Executive Administrator Mitch Semer in Yuba City. The three officers came to the training workshop in Sacramento on Oct. 16 and 17.

The new Chapter 502 president is Debra Bunting; vice president is Jeanie Vukovich; and board member is Tim Williamson. The other members who attended the Yuba City meeting were Leslie Todd, Debbi LaRosa and Cindy Meaders.

As with all ACSS members, Chapter 502 members are eligible for labor representation, help or advice any time they need it by calling Franco in Sacramento at 916-326-4254.

For PAC purposes, ACSS is registered as a small contributor. The maximum amount you can donate to each small contributor PAC is \$195 a year or \$16.25 a month.

It's easy to contribute. You can authorize a payroll deduction of any amount from \$2 to \$16.25 a month to be directed to the ACSS PAC.

Members who are already contributing \$2 a month to the CSEA PAC have been sent letters asking them transfer their contributions to the new ACSS PAC.

For more information on the ACSS PAC, call ACSS lobbyist Sherrie Golden at 916-326-4302.

For a PAC brochure, call ACSS headquarters at 800-624-2137.

Furloughed? Ski cheap!

Squaw Valley USA Ski Resort is offering furloughed state workers a winter holiday gift: cheaper skiing on some furlough Fridays. The deal is for furloughed state workers only. For the dates the discount is valid, see www.squaw.com. You will need a state ID or recent pay stub to get the discount.

How much are your dues — really?

Susanna Nye of Chapter 503, emailed us to ask why we don't publicize the *true cost* of ACSS membership.

"A lot of supervisors don't understand that membership in ACSS makes good financial sense," she wrote. "They can get more than their dues money back through ACSS benefits."

Sure, she added, the members belong to ACSS mainly to network with colleagues and strive together for better working conditions for excluded employees, but nonmembers often say they don't join because they can't afford the dues.

These nonmembers are misled, Nye said. The cost of belonging can more than be repaid by participating in just some of the benefits ACSS offers.

She proffered an easy suggestion: Do the math. So we did. And what we learned may surprise even members.

Here, using a fictitious name in a real-life scenario, is how one woman benefited from her ACSS membership:

Camryn is a new secretarial supervisor who earns \$39,000 a year. That makes her dues \$27.25 a month. With two young children, she wasn't sure she could afford even that amount, but she wanted to help improve working conditions for excluded employees, so she signed up.

Right away, at her first chapter meeting, Camryn made friends with two other supervisors, and they now get together every few weeks to share their experiences and challenges with their jobs. Camryn has received valuable tips from these more-experienced colleagues.

Since Camryn was still on probation

when she joined ACSS, she was grateful to receive our free flier, "Your Road Through Probation." After reading it, she knew to ask for her duty statement and the training she was



entitled to. She also receives current valuable information from our Web site.

With small children, Camryn's family manages on a limited budget. So Camryn was delighted to get discount tickets through ACSS' member benefits for a theme park holiday party. With reduced admission plus free dinner and parking, Camryn's family saved more than \$100.

Soon after Camryn passed probation, an employee accused her and another supervisor of discrimination. The charges were false, and Camryn immediately called her ACSS labor relations rep for assistance. Her colleague was not a member of ACSS and had to hire a rep. Both women received expert guidance and the charges were quickly dropped. The difference: Camryn's coworker spent nearly \$400 for representation. Through ACSS, Camryn's help was free.

With small children, Camryn also appreciates her free \$10,000 death benefit. An Anthem Life representative valued the policy at about \$10 a month.

The bottom line? Camryn saved more than \$600 in her first year with ACSS. And that doesn't include the value of the networking and information she received. Those were priceless.

PAC chair thrives on politics

No one thrives on political activity more happily than Director-at-Large Frank Ruffino. For that reason, it was a natural he be selected chairman of ACSS' first political action committee.

Ruffino, who lives in the San Diego area, has been active in local and state politics almost since he arrived in this country as a young man from Italy.

He has managed campaigns and knows personally many of our state leaders. He has met Gov.

Schwarzenegger and already has become acquainted with every contender for this year's gubernatorial race.

Ruffino tirelessly attends events to bring ACSS' issues and name to the attention of our lawmakers. Because of his efforts, ACSS has achieved a new stature with the people who can help excluded employees receive fair salaries and benefits.

As the leader of our new PAC, Ruffino is already planning to expand his reach.

McCaig is year's top recruiter

It can pay to bring your friends and coworkers into ACSS. Board member Mary McCaig, of Chapter 509, won a \$1,200 grand prize for recruiting 10 new ACSS members in our 2008-09 membership recruiting contest. She also earned a \$100 bonus for each new member she brought in.

Patricia McGuire of Chapter 514 won \$500 for recruiting six members, and Sharon Zamora won \$100 for recruiting four members.

The new 2009-10 contest began in June, and we already have one grand prize winner: Board mem-

ber Todd D'Braunstein of Chapter 514 has brought in 10 new members.

This year's contest is even more rewarding. There are two prize levels: Top prize – for recruiting 10 or more members – pays \$1,400, and second prize – six to nine members – pays \$800. There is no third prize level.

Any state employee or retiree can enter by filling out the recruiter information on the membership application. The deadline is 5 p.m., June 4, 2010.

For contest rules, see our Web site under the "Join Us" tab.



Horton: ACSS 'who's who'

Former ACSS member Jerome Horton, at left, has been appointed by Gov. Arnold Schwarzenegger to serve on the Board of Equalization. ACSS helped campaign for Horton's appointment. Horton, also a former assemblyman, worked at the BOE for more than 20 years. His crowning accomplishment was creating the department's Tobacco Tax Evasion Unit. Above, Horton reacquaints in October with ACSS board officers Frank Ruffino, Elena Yuasa and Elnora Fretwell.

Yuasa is new secretary-treasurer

ACSS has a new secretary-treasurer: Elena Yuasa stepped into the job in early November, replacing Terry Sutherland, who retired.

Yuasa has been a member of ACSS for nearly 20 years. She served on the ACSS board and was a member of the Women's and Human Rights committees. She was president of Chapter 513 and served as chairperson of the Presidents Forum, a group of chapter presidents who meet at quarterly board meetings. She now holds a seat on the ACSS Political Action Committee.

Yuasa, who works for the Board of Equalization, has a degree in finance and worked closely with Sutherland for two months before stepping into her new role. She lives in Southern California.



Sacramento consultant Eric Douglas leads a strategy session for ACSS members and staff at the October board meeting.

‘Where does ACSS go and grow?’

President Espinoza and her board are committed to building ACSS into a more powerful organization. As a first step, they have engaged a strategic planning expert to help us map a new direction.

The topic may sound dry: Strategic Planning for ACSS’ Future. But so far, the program has been anything but.

This fall, the ACSS board embarked on an aggressive effort to increase the organization’s ability to help members win the benefits they deserve from their state careers. We want, as a minimum, fair salaries, protected retirements and professional training to help members achieve their career goals.

President Arlene Espinoza titles this new project with a question: “Where does ACSS go and grow?” To help us figure that out, the board has contracted with Sacramen-

to consultant Eric Douglas, president and CEO of Learning Resources Inc. and author of “Straight Talk: Turning Communication Upside Down for Strategic Results at Work.”

We kicked off the effort with a daylong workshop at General Council in Los Angeles and have continued with our October board meeting in Sacramento and two later executive committee meetings. In addition, Douglas met in Sacramento with the PAC committee. Many more workshops are to come.

These sessions are lively as well as productive. Douglas adheres stringently to time limits, so we must think fast



Skits are fun learning tools. To wit: Mitch Semer as “ACSS Man” at our October board meeting. Above, ACSS teams record ideas at Delegate Assembly in July.

and everyone has a chance to participate. We brainstorm and deliberate, in teams and with the full group. We complete quizzes and worksheets, record on flip charts, present funky, instructive skits and engage in valuable conversation.

Early on, we reached consensus on four goals to be achieved in the next two years:

- increasing membership
- building political activity and influence
- developing a professional training unit
- enhancing our visibility.

Of the four, increasing our membership was overwhelmingly the top choice. Since ACSS has no bargaining rights, our organization derives its impact from our numbers: The more supervisors and managers on whose authority we can speak, the louder our voice will be heard.

Almost anything we do that improves our effectiveness or our image will help draw new members, but here are some of the group’s specific recruiting suggestions:

- Increase chapter budgets to help attract new members at the local level;
- Form local member interest groups;
- Change ACSS’ name to something


more catchy or representative.

- Hold gatherings at work sites where people can meet ACSS members.
- Make ACSS a premier trainer, offering courses for credit to help workers qualify for promotions or raises.
- Recruit younger members, particularly through social media.

To build influence, the group suggested:

- lobbying to make excluded employees’ salaries a budget line item and to have salaries set by a commission, not the DPA.
- increasing district office visits; this is the most effective way to reach legislators.

As a result of the energy that has been created at these workshops, many members have made individual commitments: “I will conduct three worksite meetings per year.” “I will help make ACSS a home-grown word.” “I will not be afraid to say I am an ACSS member.” “I will provide ACSS updates to coworkers.” “I will support every board member and chapter officer to grow their chapters.”

The feedback? “All the members who have talked to me,” said Espinoza, “have said this process is remarkable.” 

How to hold a productive conversation

Eric Douglas suggests these rules for meetings dealing with sensitive issues (for more information, see his book, “Straight Talk”):

1. Make sure everyone knows the topic and stays focused on it.
2. Have one person speak at a time.
3. Discuss all issues at the table only – not behind anyone’s back.
4. Manage your “airtime.”
5. Tackle the issues, not the people.
6. Make sure everyone participates fully.
7. Balance inquiry and advocacy.
8. Use “I” statements – take responsibility for your feelings instead of accusing.
9. Explain the reasons for your conclusions.
10. Have everyone identify the assumptions that underlie their points of view.
11. Make “undiscussable” ideas discussable by expressing feelings.
12. Honor this work as high-priority.
13. Continue to monitor and observe your ground rules.



Pension reform? Shhhh

A poll ACSS helped sponsor reveals that reforming public pensions is not a concern for voters. What's our move now?

Watch out for petitions that pledge pension reform for state workers.

A persistent group is gathering signatures for yet another ballot measure – with two versions – to “reform” public employees’ pension benefits. **Don’t sign these petitions, and make sure your friends don’t sign either!**

This measure – the “New Public Employees Benefits Reform Act” – could destroy the state retirement program with no benefit to the budget.

The two versions differ only on whether agencies will be allowed to increase benefits. The backers say they will file the version voters prefer.

If the past is an indication, they will prefer neither. Voters nixed similar proposals by many of the same backers in 2005 and 2007. These two earlier initiatives were defeated at the ballot box largely because of hard-hitting efforts by state worker unions.

A third initiative, filed early this year, didn’t get

enough signatures to qualify for the ballot.

ACSS and the other CSEA affiliates, along with other state worker associations, want to make sure this new measure – registered with the Secretary of State as 09-0075 and 09-0076 – *also fails to qualify for the ballot.*

The initiative backers, the California Foundation for Fiscal Responsibility, need 700,000 qualifying signatures by April.

It is imperative we defeat the attempt to gather these signatures.

What initiative would do:

- Set up two-tier system for new and current employees.
- Increase full retirement age to 55 for police and fire, 60 for other public safety workers, Social Security retirement age for all others.
- Reduce benefits for non-public safety workers to 1.5% or 1.0% of average of highest five years
- Allow retiree benefits for 10 years’ employment, including the last five.
- Prohibit “raiding” funds.

The recommended strategy may surprise you.

Based on a recent survey, one we helped sponsor, our best ammunition is to heed a familiar adage: Let sleeping dogs lie.

The survey revealed that public pension reform is not a concern for most Californians. They are more worried about the economy and their own budgets. Moreover, they

hold state workers in high regard and believe their benefits are reasonable.


The group that commissioned the survey, Californians for Health Care and Retirement Security – members include ACSS and CSEA – held a workshop in November to recommend strategies for defeating this effort.

The No. 1 tactic? Do not try to elevate voters'

awareness of this issue.

They are not focused on reducing public pensions and it is important to keep it that way. Voters are less likely to sign the petitions if the issue remains low-key.

On the other hand, if you are asked about this initiative, arm yourself with the facts below.

For more information, see our Web site under "Advocacy." 

Here are some answers to 'reform' questions

If you're asked about the pension reform initiative, here are some facts:

- ♦ **DO** feel free to blame pension problems on Wall Street. Poll respondents understood that public retirements have been jeopardized by the economic collapse, the stockmarket meltdown and corporate abuses. They know everyone's finances have been pummeled and agree state retirees shouldn't shoulder the burden for Wall Street's excesses.

- ♦ **DO** make it clear to voters how small most state workers' pensions are. Contrary to public perception, 75 percent of state retirees average just \$2,000 a month – and many do not get Social Security or retirement health benefits.

- ♦ **DO** put a face on the pension story. The survey showed Californians are especially sympathetic to firefighters, police, teachers and nurses – all public employees. When you talk about the need for fair pensions, cite "real-people stories" from these revered groups.

- ♦ **DO** make it clear that cutting state workers' benefits will *not* help balance

the budget. Most pension dollars come from CalPERS investments and employee contributions, not the general fund. Pension costs are a tiny percentage of the total state budget.

- ♦ **DON'T** bog people down with details. At best, voters will be confused. At worst, they may perceive the details as being only minor changes and be willing to support the initiative.

- ♦ **DO** note how unfair a two-tier pension system is.

- ♦ **DON'T** argue that pensions are valuable for recruiting and retaining workers. With unemployment so high, that is not a strong issue.

- ♦ **DO** emphasize that with proper fiscal management California can fund secure retirements for its workers *and* provide quality services to the citizens of California.

A fair pension is part of a compensation package state employees sacrificed for and fought hard to win. Arm yourself with the knowledge you need to keep this initiative off the ballot.

Fact or myth? Ask CalPERS

CalPERS' new Web site, CalPERS Responds, debunks the myths and misconceptions about public pensions. Here are some excerpts. For more, see www.calpersresponds.com.

Myth: The average CalPERS retiree gets 80 percent of his salary in retirement. **Fact:** State pensions are closer to 50 percent or less.

Myth: CalPERS will run out of money because of baby boomer retirements.

Fact: CalPERS' plans are prefunded and contributions are received every year that members accrue benefits. The money will be there when the baby boomers need it.

Myth: Public pension benefits are a drain on the public. **Fact:** The average CalPERS pension is about \$25,000 a year. Half of pensioners receive \$16,000 or less. Less than 1 percent make six figures, and they're usually in long-term, specialized jobs.

Myth: Pensions are a high percentage of the budget. **Fact:** Public pensions total only 2.5 percent of state spending. Nearly 75 percent of funds are from investment returns. Employees also contribute.



Folsom Prison inmates have made California's license plates since the 1930s. In this plant, the plates – including vanity plates – are stamped with lettering using metal dies, painted and coated with reflective material. Mistakes are recycled. The California Men's Colony in San Luis Obispo prints the renewal stickers.



THE STATE INDUSTRY

The desk you're working on? The flag that's flying outside your office building? The license plates on your car? You might be surprised to learn who made them all.

YOU MAY NOT KNOW IT, but if you drive a vehicle registered in California, you have a connection to Folsom State Prison. Your license plates were made there.

All state license plates – for anything that has wheels – are manufactured

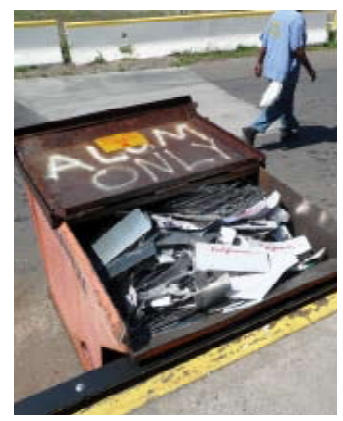
from a high-tech industrial plant inside the prison's infamous granite walls.

Folsom Prison, the state's second-oldest prison, is a medium-security facility that overlooks the American River alongside a new maximum-security prison, California State Prison, Sacramento.

The license plate factory, as well as other plants such as a tool and die machine shop, a Braille transcription program, a full-service print shop and a laundry, operates at Folsom under the California Prison Industry Authority. ACSS' Alternate Director-at-Large

Carlos Chavez is the top administrator running the PIA operations at both prisons. He has worked for the state of California since 1980.

"I have a passion for this work," Chavez says. "I believe in what we're doing. When you have a passion for what you do, it's not



like going to work.”

The PIA, which was founded in 1947, operates industries within the state prisons to provide several advantages to inmates and the people of California.

The inmates not only learn useful skills but some of them learn to work for the first time.

“I’ve known of inmates,” Chavez says, “who didn’t have these kinds of experiences, unfortunately. I believe we instill in them here a work ethic they never learned growing up.”

That ethic seems to

stick. Inmates who are paroled after working for the PIA have a recidivism rate 24 percent lower than the average, Chavez says.

The program is popular and the jobs are competitive. “I cannot employ everybody who wants to work with us, so we have waiting lists,” Chavez says. “We just don’t have enough employment opportunities for everybody who wants them.”

Prison employment, like employment in general, has been hurt by the downturn in the economy, which translates to fewer jobs for

the inmates.

Not surprisingly, the drop-off includes license plates. As car sales have sagged, so has the demand for new plates. In 2008, Folsom Prison earned \$8 million in revenue for plates; last year, that total fell to \$6 million.

“The DMV just stopped buying,” Chavez said. “We used to have 120 workers (making license plates). We dropped to 60, but now we’re at 100 as we try to rebuild our inventory.”

This spring, the furniture manufacturing shop

at Folsom was closed down. California inmates at other prisons make all the furniture for state offices. State agencies are required to buy from the prison industries. Prison industries cannot sell to outside customers because the low wages paid to prisoners is considered unfair competition.

Despite the long waiting lists, inmates do not get PIA jobs just for the asking. They must not be classified as maximum-security and must have a record of good behavior.



Inmates make prison-issue boots at one of the most interesting PIA programs, housed in the CMC in San Luis Obispo. The CMC is a coveted facility. “Inmates who are sent here do everything they can to stay,” one administrator said. “They really want to do what’s good for the CMC.”

Inmates who do land jobs with the PIA are paid very low wages. They start at 35 cents an hour. At Folsom, they can earn up to 95 cents an hour.

They use the money for extra items, such as shampoo and sodas, Chavez says, but many send money home to their families or save it until they are paroled.

“The smart ones save as much as they can,” Chavez says. “By the time they go home, they can have several thousand dollars.”

The money is hard earned. Not only do the inmates work a full day

under constant supervision, but they must be well trained for the jobs they do. That training – as machinists, tool-and-die makers, tool designers, graphic designers, equipment operators and much more – will help them find work when they leave prison. A forklift operator can get 1,500 hours of training that could qualify him for a Caltrans license.

“It takes a lot of smarts to do this work,” Chavez says.

One tool-and-die maker said his job gives him a sense of pride. “This is

where my future’s at,” he said. “I didn’t know anything about machining until I got this job. Since then, I’ve learned quite a bit about the use of the machines and tool and die making.”

As a result of his prison job, his goal is to become a mechanical engineer. He plans to attend Sacramento State University when he is paroled.

The largest PIA operation in the state is housed at the California Men’s Colony in San Luis Obispo. Among other operations, the facility contains a knitting mill,

printing plant and laundry, and the inmates make shirts, jackets, socks and boots. All inmates must wear regulation clothing.

One of the most interesting and unusual operations is making leather boots. CMC runs the only boot factory in the state, producing 700 pairs of leather boots a day from hide to laces.

The prison buys the hides – 54 square feet each – at the lowest price from South America. Prisoners wear their boots every day, even for sports. They’re as comfortable as good hiking



Inmates make t-shirts and gloves and learn to drive a forklift. The skills are valuable to them when they are paroled.

boots, and a pair is guaranteed to last 18 months.

The CMC PIA also has a connection to Folsom Prison. Inmates there print the colorful stickers you get when you renew your car registration.

The gloves the CMC produces are used by inmates who help fight wildfires. More than half the state's wildland firefighters are inmates working for \$1 an hour and a reduction to their sentences.

One of the most specialized and important prison industries is Braille transcription. The process

of converting text into Braille – the system of raised dots that visually impaired people can read with their fingers – is complex. Of five people in the United States who are certified to transcribe into Braille, three of them are inmates at Folsom Prison.

For many of the inmates, the PIA program has enabled them to find a new meaning to their lives. A 20-year talented graphic designer said, "Now I know exactly what I want to do when I get out. That's what's kept me in this job for all these years."



A Folsom inmate shows a logo he designed. "There are talented people here," says ACSS' Carlos Chavez.

CALPIA: A winner for the state

The California Prison Industry Authority puts nearly 7,000 inmates in California's adult prisons to work. This is not busy work to prevent idle hands. CALPIA operates more than 60 sophisticated industries at 23 state prisons that produce goods and services to benefit both the prison population and the citizens of California.

CALPIA does not impact the state budget; it is self-supporting through the sales of its products.

Most important, the CALPIA employment program teaches inmates skills that help them obtain employment after they are paroled, a benefit that has been proven to increase their success and reduce recidivism. For some inmates, their prison employment is the first job they have ever held.

The breadth of the CALPIA products may surprise you. The inmates produce everything used or worn in the prisons, including their shoes and clothes, their beds and desks and components for machines and vehicles. Prisoners run dairy and poultry farms, furniture manufacturing plants and knitting mills. Some operate optical and dental labs. The optical labs make glasses for Medi-Cal beneficiaries, and the dental labs can make all dental items, including false teeth.

The CALPIA employment program is voluntary, but inmates who participate can not only learn valuable skills, such as welding, metal working and graphic design, but also obtain certifications that can qualify them after their release for well-paying jobs.

Inmates admitted to the program are screened and must have a record of good behavior during their incarceration. They earn small hourly wages, and shortened sentences for the time they work.

STRESSED?

Stress not only sabotages your mood – it can also wreck your immune system. In fact, chronic stress may be the cause of your headaches, upset stomach, back pain or insomnia. Try these tips to restore balance. **By Cathy Rasmusson**

We all face stress on a day-to-day basis, but how you deal with it can significantly affect your health.

Your body typically responds to stress as though you are in danger – making a hormone that speeds up your heart, allowing you to breathe faster in preparation for a mad dash. This is called the “fight-or-flight” stress response.

Some stress is normal and even useful – it can help if you need to work hard or react quickly. But chronic or frequent stress can result in headaches, an upset stomach, back pain and insomnia. It can weaken your immune system, making you more prone to disease.

One study, conducted by the University of California San Francisco’s

psychiatry department shows that chronic stress may speed up the aging process, while stress management might slow it down.

What to do about stress?

The good news is that you can learn ways to manage stress. The Mayo Clinic reports that causes of stress are as varied as the individual, and what relieves stress for one person might cause stress for another.

Here are some ways you can get stress under control:

♦ **Recognize the stress triggers in your life.** Try keeping a journal or simply list the demands on your time for one week. What seemed to cause stress? How did you react? Take some time to look at the things that are causing you stress and select one of them to work on using problem-solving techniques.



♦ **Look for ways to reduce the amount of stress.** Take control of your surroundings. Is traffic bothering you? Leave early or take the longer, less-traveled route, or consider public transportation. Learn to say “no” to additional responsibilities or demands on your time that are not as important to you.

Other techniques include talking it out, practicing positive self-talk and looking at a bad day as comical.

In other words, laugh a little more.

♦ **Improve your time-management skills.** Effective time management can help you set priorities and minimize stress in your life. Use a planner. Create realistic expectations and deadlines for yourself.

♦ **Unplug.** Aside from physically unplugging from your cell phone or laptop, unplug from the demands of day-to-day life. Watch the news a little less. Take a walk. Make time for the relaxing things in life you enjoy.

♦ **Adapt.** One of the greatest stresses, according to the Mayo Clinic, is the perception that you can't cope with the situation at hand. Adapting involves changing your standards or expectations – redefining cleanliness, success and satisfaction – so you can operate with less guilt and frustration.

Obviously, a single technique won't work for every situation. You can't avoid all stress, nor can you

control all situations. Choose your battles wisely. And good diet and plenty of exercise also keep your body and mind in a healthier state to cope with stress.

If you are a CalPERS Blue Shield member, visit blueshieldca.com/hlr775 for more tips and tools on managing stress and information on emotional health.

If you belong to Kaiser, you will find tips for managing stress at the following Kaiser Permanente Web site: <https://members.kaiserpermanente.org/kpweb/healthency.do?hwid=rlxsk>.

Cathy Rasmusson, MHA, is the wellness program manager for Blue Shield of California-CalPERS Sector. She works with CalPERS agencies, unions and affiliates to increase participation in employee wellness programs and access to resources that support healthy lifestyles.

From Kaiser Permanente

Stress check: Do your symptoms match these?

If you're experiencing medical symptoms you can't explain, have you considered they may be caused not by a physical illness but by stress? The Kaiser Permanente Web site (www.kaiserpermanente.org) suggests stress may be the cause of the following symptoms:

- ♦ fast heartbeat
- ♦ headache
- ♦ stiff neck and/or tight shoulders
- ♦ back pain
- ♦ sweating and sweaty palms
- ♦ upset stomach, nausea or diarrhea.

Here are some specific consequences of stress:

- ♦ If you are under stress, you are likely to be sick more often. If you have a chronic illness, stress can make your symptoms worse.
- ♦ Stress is dangerous for your heart. It is linked to coronary artery disease, heart attack, high blood pressure, abnormal heartbeat, blood clots, hardening of the arteries and more.
- ♦ Stress may make rheumatoid arthritis worse.
- ♦ Stress can make symptoms of asthma and chronic pulmonary disease worse.
- ♦ Skin problems such as acne and psoriasis are made worse by stress.

No surprise here

Poll shows American workers are stressed

If you're feeling more stressed, what with furloughs and threats of layoffs, you have a lot of company. An ongoing Gallup-Healthways poll begun last year, with hundreds of thousands of interviews, reports that as the economy gets worse, stress levels shoot up. Well-being plunged on days when the Dow lost big and high jobless claims were reported. Where you live seems to matter, and here California may have a bit of an edge. States with lots of open space or sunshine – Hawaii, Alaska, Wyoming, parts of California – had higher emotional health levels despite the economy. States that showed the most stress were the poorer Rust Belt states, such as West Virginia, Ohio and Kentucky. In addition, unemployed adults, especially those lacking supportive relationships, have two to four times the suicide potential of employed people. (Source: USA Today. Healthways is a disease-management company.)

'I almost didn't go'

A Sacramento ACSS member made a naive mistake she feared would ruin her state career. When her ACSS labor rep urged her to attend a hearing on her behalf, she didn't want to go. It's a good thing she did.

Editor's note: Every ACSS chapter is assigned one of seven professional labor relations representatives. These men and women are well trained to help you navigate through your state career, from probation to retirement. This month, we profile a successful appeal handled by Gerard Fields, ACSS labor rep for Chapters 504 and 505.

Bridget Early just thought she was being a friend. As a mailing machine Supervisor II in a new job with the Department of Motor Vehicles, and still on probation, she enjoyed her camaraderie with the workers she supervised. But that camaraderie took a wrong turn.

When her employees casually started showing each other off-color photos on their cameras, Bridget, thinking she was just being a friend, showed them one she had received in an email. "It happened to have come that day," Bridget said. "So I showed it and we laughed."

Bridget thought no more of the incident – in fact, she didn't know it would be an incident – until four months later, when some of her employees filed a grievance against her. In the material that was filed, the single incident had been exaggerated into several.

Rather than supporting her, Bridget's manager wrote her up, put the undocumented charges in her file and rejected her on probation. She returned to her previous

job as a Supervisor I.

She knew she was fortunate to have a good job to go back to, but she worried the errors in her records would hurt her chances of ever getting another promotion.

"Putting all this untruthful stuff in my file, this stuff is just not right," Bridget said. "If I wanted to apply for another job, I would have to go through the mess of trying to explain the truth.

"I didn't want to have to do that because this stuff shouldn't have been in there in the first place."

Bridget has worked for the state since 1989. She joined

ACSS as soon as she became a DMV supervisor 12 years ago. Her work record was good and she didn't want it tarnished with inflated accusations.

After she returned to her old job, Bridget knew she wouldn't get her promotion back, but she did want the material in her file corrected.

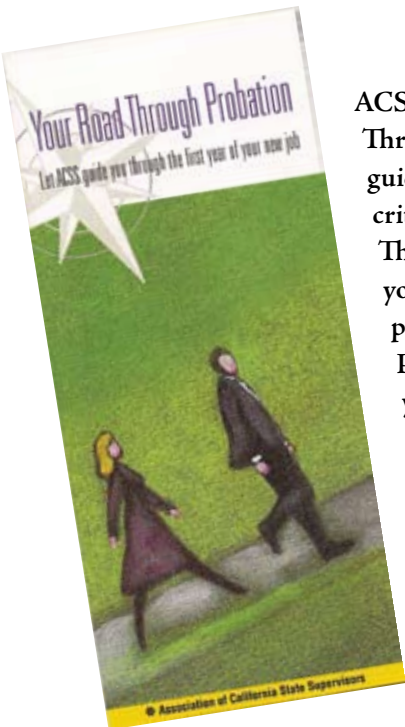
She wasn't optimistic anyone could help her, but, as an ACSS member, she knew she had free representation. So

she called her ACSS labor relations representative, Gerard Fields.

Fields gave her some immediate advice, such as not talking further to anyone about the case, and then met with her. After studying her material, he told her he would appeal the result.

She was still doubtful, she says, but Fields set up a hearing.

"It is very good to know that you do have somebody that has your back. You don't have to sit around and let something happen to you"



ACSS' brochure, "Your Road Through Probation," is a great guide for getting through these critical periods of your career. The brochure apprises you of your rights and alerts you to the pitfalls to watch out for. Probation is a learning time for you and your supervisors, and nearly everyone completes it successfully. For a copy of this brochure, call our headquarters at 800-624-2137 or 916-326-4257.

"I almost didn't go," Bridget remembers. "I thought it would be a waste of time. But Jerry told me I needed to come, so I went."

Fields' strategy was to separate the two issues – the rejection on probation, which Bridget didn't want to fight, and the charges of possessing inappropriate material in the workplace.

"I was able to make the judge understand that management would have no proof of possession of any inappropriate material, that management's witnesses would all be swearing to hearsay evidence," Fields said.

Bridget recalls the judge's decision: "This should never have gone any further than the DMV," the judge said. "I don't want to waste any more time by going to trial."


The result? Bridget's record was purged of all information about the incident. "We walked out of there with a really good settlement for her," Fields says, "and she was just ready to do cartwheels."

"She thought she was going to be stuck with all this in her file."

"Now it's just like it never happened," Bridget says.

Her advice to other state supervisors? Join ACSS.

"It is very good to know that you do have somebody that has your back," she says. "You don't have to sit around and let something happen to you, because there's somebody out there who can help you."

"If ACSS is on your side, you do have a chance." 

From your labor rep

Probation: 'Most vulnerable time in your state career'

Bridget's employment problems stemmed from a common mistake: She had become comfortable with her staff and wanted to be friends with them.

"She thought they were her girlfriends, even though she was their boss," says Bridget's ACSS labor relations representative, Gerard Fields.

Bridget learned a valuable lesson. Probation, Fields warns, is "the most vulnerable time in your state career."

You will be on probation for six months or a year every time you start a new job, no matter how long you've worked for the state. During this period, you may be let go – "rejected" – without cause. Your supervisor or manager can reject you without giving any reason.

With ACSS' help, Bridget was cleared of the charges against her, but she didn't regain the job she lost. The probation rejection was solid.

You are entitled to appeal a probation rejection to the State Personnel Board, but such cases are difficult to win. The burden of proof – that there is no substantial evidence to support the rejection – will be on you. Only 5 percent of appellants successfully overturn a probation rejection.

Although ACSS labor reps don't usually handle probation appeals, they will help you clear your record if false or incorrect charges are filed against you, whether or not you're on probation. This valuable representation is free to members.

If you have an employment issue, you are allowed paid time off from your job to meet with your ACSS labor rep and to attend any hearings that may be required. Your labor rep will be at your side.

Being rejected from probation is not the end of your career, Fields says. It is not considered an adverse action. The job may simply have been a bad fit. Generally, you have the right to return to your previous job.

