

LOCAL 521



SERVICE EMPLOYEES
INTERNATIONAL UNION
CTW-CLC

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Kern County Contract Negotiations 2012

QUESTIONS and ANSWERS about CONTRACT IMPOSITION

How did we get to this point?

We have been in the bargaining process since April 2010. Other than withdrawing from its original call for a 13.5 percent salary reduction back in 2010, the county has made very few improvements to its proposals. We have been to mediation twice and fact-finding once. The Board of Supervisors has rejected all attempts to reach an agreement in mediation, and has rejected the fact-finder's recommended compromise. It now appears the county is ready to implement its "Last, Best and Final Offer."

Have the terms of the County's "Last, Best and Final Offer" changed?

Not since SEIU 521 members took our last strike vote in 2011.

Has a ULP been filed? If not, why not?

The BOS has not imposed on us, so the bargaining process is not completed. Our attorneys are continually monitoring the process to see if we have grounds for a ULP.

Is it legal for the BOS to impose its "Last, Best and Final Offer"?

Yes. The BOS can legally impose if the county has met the obligation to meet and confer in good faith, exchanged proposals, and exhausted impasse procedures.

How many employees are impacted, if the county imposes?

It appears that the BOS has offered safety member unions a package they may accept. If so, and the county imposes on SEIU members, it would impact all general member employees.

Will management and confidential employees be impacted if the BOS imposes on us?

We believe so. However, they are a separate bargaining unit and did not receive the last 4-percent salary increase that all SEIU-represented employees received.

How will health and retirement benefits be impacted?

The benefit levels would not be impacted, only what employees pay. This is a cost shift from the county to the employees. It has no impact on the overall cost of either retirement or health benefits. If the BOS imposes, it can only impose the first year of its Last, Best and Final Offer. Therefore, employees would only be paying the 20 percent medical, not retirement. However, we anticipate the BOS would immediately request to meet and confer for the next budget year and try to move to impasse so that the county could impose retirement and other take-away as early as this July.

If the BOS imposes, will deductions be retroactive?

No. Deductions would start on the date of imposition or at the start of next pay period.

If I am working 4-10's, should I switch to 5-8's to have the least impact to my paycheck, should we have to strike?

If you have the ability to do so, yes.

Is the retirement payment calculator still available on the county website?

Yes!

SEE THE REVERSE SIDE OF THIS FLYER FOR QUESTIONS AND ANSWERS REGARDING A STRIKE



QUESTIONS and ANSWERS about A STRIKE

Why would we need to strike?

A strike is a last resort after we have exhausted all other methods to bargain a fair contract. After lobbying the Board of Supervisors individually, attending Board meetings en masse, signing petitions and holding rallies, it is clear that the county is not taking our members' needs seriously.

How long would a strike last?

A vote by the membership will determine how long a strike would last.

Was Fresno County's three-day strike effective?

It appears to have been. Fresno County has agreed to come back to mediation.

Can I be fired or disciplined for striking?

You have the right to strike under California law, assuming the union has followed the legal procedure. It is illegal for an employer to threaten, intimidate, discriminate, or terminate any employee for exercising their right to engage in a protected strike. SEIU Local 521 will fight to ensure all our members' right to strike is protected.

Will I get paid if I go on strike?

No. Workers are generally not eligible to receive unemployment for a strike activity. While Local 521 has a strike fund, that fund is only used to feed picketers and run the strike headquarters.

Can I use vacation or other leave time during a strike?

No. A strike is an unpaid day. Workers demonstrate their seriousness about winning a contract by sacrificing a day of pay.

What about health insurance?

Your health insurance is paid on a monthly basis and will remain in effect during the strike. Only if the strike lasts a pay period or more would we be in danger of losing health insurance.

What if I am on probation or Extra Help?

Extra-help workers have the legal right to strike, but we fear the county might still retaliate. We recommend that you appear at the worksite and call your boss saying you are ready to report to work, but it is against your principles to cross a picket line. If you are ordered to cross the line, immediately report the order to the strike captain or support staff at your site, and then go to work.

Probationary employees should join their fellow employees on the strike line. Any retaliation on a probationer would be dealt with by the full strength of the union.

What if I am a union fee payer?

Fee payers have the legal right to strike and will be protected by the union. To make sure you are protected, you should sign in with a strike captain and participate in the picketing.

What if I am part of the "Essential Worker Agreement"?

The county may go to court to require certain employees who the employer claims are "essential" to public safety and health to come to work. If they do so and they are successful, they would have to serve you with a court order to come to work in the event of the strike. Until you receive such an order, you should participate in the strike. SEIU 521 would defend in court the right of "essential" workers to participate in a strike.

Are there sanctions for non-strikers?

No! Just hard feelings towards workers who are selling out their fellow employees by crossing the picket line.

How much is in the strike fund and what can it be used for?

The local has a \$2 million strike fund. The strike fund will not reimburse strikers for lost wages, unless it is a prolonged strike. The fund will be used to provide food, water, supplies and advertising.

Can the county lock out workers?

Yes, but it's very unlikely. It would cause a complete shutdown of county services.