



Contract Enforcement Department



FEBRUARY 2016

911 Dispatchers Stand Up to Management!



Pictured: Brian Contreras delivering the grievance to management with his steward, Joanne Lopez

Retaliation against SEIU members is unacceptable! Recently, 911 Center Manager Olivia Madrigal, in Monterey County, issued two disciplinary memos to a Monterey County Communications Dispatcher less than an hour and a half after learning that a union grievance would be filed in response to her improperly requiring a doctor's note for a single sick day, in violation of our union contract.

In addition to the grievance, SEIU 521 Contract Enforcement Department struck back at Madrigal's retaliation by filing an Unfair Practice Charge with the California Public Employment Relations Board.

SEIU Local 521 members will not tolerate retaliation of any kind. Workers have the absolute right to stand up to their bosses when their rights are violated.

STEWARD FIGHTS UNFAIR PERFORMANCE EVALUATION

More proof that management does not care about our right to union representation. A Monterey County Planning Manager recently told SEIU 521 Steward Julie Filice that she will not be allowed to represent one of our members in his appeal of a below-standard rating in a performance evaluation. Julie immediately contacted our Contract Enforcement Department to file a grievance.

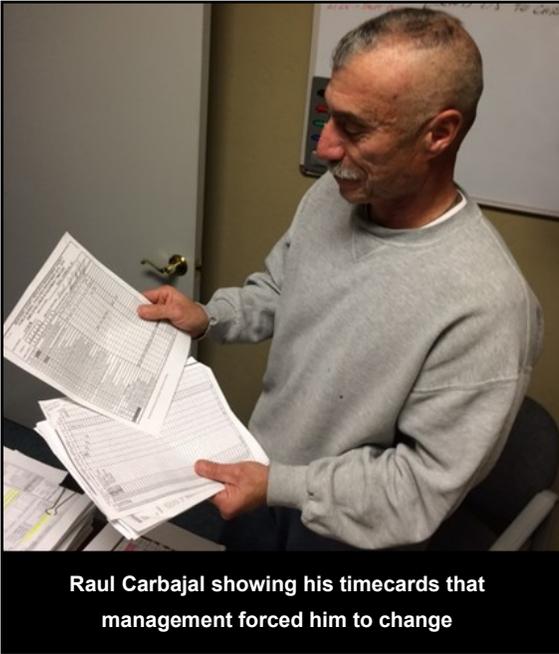
Case law is on our side. In a 1983 decision by the California Public Employment Relations Board, the Board concluded that "[a] representative's presence at a meeting over a disputed evaluation could assist the employee in presenting clear, cogent arguments and facts supporting his/her point of view. The representative may also act as a buffer in a confrontation that is filled with potential acrimony...Also, the potential power imbalance between management...and the lone employee calls for a representative's presence." CSEA v. Redwoods Community College District (1983) PERB Decision No. 293



If your supervisor attacks your performance through a bad evaluation, here's what you can do to protect yourself: Contact your steward immediately. Exercise your right to appeal the evaluation. Write a rebuttal. And when you meet with management, demand representation! It's your right under the law and our contract.

Share this with your co-workers so they know their rights!

KNOW YOUR RIGHTS. KNOW YOUR CONTRACT. KNOW YOUR STEWARD.



Raul Carbajal showing his timecards that management forced him to change

What recourse do we have without a union contract?

Case in point, Raul Carbajal is being denied overtime pay for work he performed right before New Year's Day. Raul helps maintain a system of sewer pumps for Public Works in Monterey County. His supervisor approved Raul's time off request, but asked Raul to remain on-call during his vacation to make sure the pumps kept working. Being the dedicated employee he is, Raul had no problem going the extra mile.

After Raul reported several call-outs on his timecard, management forced him to change it because they refused to pay him overtime while he was on vacation. This is a clear violation of our contract, which states, "An individual employee's work schedule shall not be altered for the purpose of eliminating overtime compensation equal to that earned as a result of the employee using approved vacation..."

Raul immediately brought his timecard to his steward and our Contract Enforcement Department, and we filed a grievance.

What recourse would Raul have without a union contract? Thankfully Raul recognized his rights were being violated, and he knew exactly what to do to hold his managers accountable.

That is the power of a union contract!

CONTRACT ENFORCEMENT DEPARTMENT

SEIU Local 521 members have a Contract Enforcement Department on their side.

CED works with union stewards to protect contracts, defend members facing disciplinary issues, and to advocate for better working conditions through individual and group grievances.

If you think your rights have been violated, contact your Union Steward. You can find a list of stewards at www.seiu521.org. You can also contact your Contract Enforcement Specialist Assistant (CESA), Christopher Cox at (831) 824-9268 or christopher.cox@seiu521.org.



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