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755 Riverpoint Dr., Ste. 200 • West Sacramento, CA 95605-1634 • (916) 372-6060

February 7, 2008

David Gilb
Department of Personnel Administration
1515 S Street, North Building, Suite 400
Sacramento, CA 95814

Re: Current Status of Labor Management Relations in Bargaining Unit 6

Dear Mr. Gilb:

Since the implementation of the last, best and final offer (LBFO) began on September 18, 2007, labor relations in Bargaining Unit 6 could fairly be described as abysmal. Management has begun to unilaterally force the new post and bid system on local institutions, notwithstanding the fact that many institutions have only recently bid and were very satisfied with the existing conditions. DPA Legal has taken the position that it will not meaningfully participate in arbitrating even those grievances that arose prior to expiration of the MOU. Local negotiations under the Dills Act have been completely stalled by CDCR's refusal to execute written agreements, the most basic precept of labor-management relations. Information requests promulgated to management at every level have been met with evasion, denial, dishonesty and gamesmanship. CCPOA's request to return to negotiations pursuant to Government Code section 3517.8 has been met with a snide refusal. As President of CCPOA, I cannot permit the current state of labor-management relations to continue without taking action.

When implementation was initiated, conspicuously missing from the implemented terms was MOU section 5.01 from the State's LBFO. As I am sure you are aware, section 5.01 was the no-strike language which had been in the expired Memorandum of Understanding. Whether this action by DPA was intentional or just one more act of negligence, the omission of section 5.01 presents a clear option for CCPOA to contemplate at this point in the breakdown of labor relations.

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Specifically, because you seem to assume that the implementation of the LBFO under the Dills Act gives DPA the ability to ignore all the rights of CCPOA and of Unit 6 members, I now must seriously consider calling for drastic action by CCPOA. I will immediately consult the CCPOA Executive Council to call for a vote on a job action, which may include a strike. Your complete and utter disregard for the negotiations process and the rights of CCPOA and its members has brought us to this point. While this situation is places California in a perilous position, it is not irrevocable. We can avert this by your immediate return to meaningful and unconditioned negotiations, including the removal of the "all or nothing" package deal requirement.

Should you wish to discuss this letter, please contact Chuck Alexander at 372-6060.

Sincerely,

A handwritten signature in cursive script that reads "Mike Jimenez". The signature is written in black ink and is positioned above the typed name and title.

Mike Jimenez
State President
California Correctional
Peace Officers Association