

California Correctional  
Peace Officers  
Association

**CCPOA**

REPRESENTING  
CDC, CYA PEACE OFFICERS  
THE TOUGHEST  
BEAT IN THE STATE



PROOF OF SERVICE BY MAIL

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



December 27, 2007

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

James Tilton, Secretary  
Department of Corrections and Rehabilitation (CDCR)  
1515 S Street, South Building, Suite 300  
Sacramento, CA 95814

Brian Lear  
Labor Relations Specialist  
Department of Mental Health (DMH)  
1600 Ninth Street  
Sacramento, CA 95814

John Monday, Executive Director  
Board of Parole Hearings (BPH)  
PO Box 4036  
Sacramento, CA 95812

Re: Request for Information Pursuant to Ralph C. Dills Act (Government Code  
Section 3512, *et seq.*)

Dear Messrs Gilb, Tilton, Lear and Monday:

As you are well aware, on September 18, 2007, the Department of Personnel Administration (DPA) notified the California Correctional Peace Officers Association (CCPOA) that pursuant to the Ralph C. Dills Act section 3517.8, the State was "exercising its right to implement all three years of its last, best and final offer (LBFO), as indicated [in an attached table] and subject to Legislative funding of expenditures."

Since receipt of this implementation notification and attached table, CCPOA has not received any further written information regarding what procedures the State is actually implementing as its LBFO.

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Department of Personnel Administration  
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CCPOA retains the right as exclusive representative to receive all information that is necessary and relevant to discharge its duty of representation. (*Stockton Unified School District* (1980) PERB Decision No. 143) The implementation of the LBFO does not in any way alter CCPOA's right to receive information. Section 3517.8 states:

"Implementation of the last, best and final offer does not relieve the parties of the obligation to bargain in good faith and reach an agreement on a memorandum of understanding if any circumstances change, and does not waive any rights that the recognized employee organization has under this chapter."

Accordingly, CCPOA requests that you provide the following information relevant to the implementation of the LBFO:

1. all documents, policies, pay letters, memos or instructions generated by DPA or any unit within DPA describing procedures for implementation of the LBFO;
2. all documents, policies, pay letters, memos or instructions generated by CDCR headquarters, DMH or BPH or any unit within or reporting to CDCR headquarters, DMH or BPH describing procedures for implementation of the LBFO;
3. all documents, policies, memos, pay letters, or instructions generated by DPA or CDCR, DMH or BPH which relate to proposed legislation or proposed regulations to implement the LBFO; and
4. In the December 14, 2007 memo to all Unit 6 employees which is available on DPA website, Messrs. Gilb and Tilton state in relevant part:

"The PERB General Counsel's complaint doesn't affect any of the other changes to policies or procedures cited in our September 18, 2007 correspondence. Therefore the changes to various provisions [of the implementation package] which include, but are not limited the grievance procedure, employee requested transfers, sick leave, and post and bid procedures will continue consistent with the State's implementation. The State will continue to finalize the procedures associated with the implementation of these items and will provide updated information as appropriate."

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CCPOA requests all documents, procedures, policies, memos, pay letters, instructions and any other documents referenced by implication as a method of implementation of the LBFO, in this December 14, 2007 memo.

This information is necessary and relevant to assist CCPOA to fulfill its statutory duty to represent its membership, as well as to determine whether or not changed circumstances exist within the meaning of Section 3517.8.

Please be aware that in light of the recent PERB ruling on CCPOA unfair practice charge No. SA-CE-1621-S, CCPOA will assume that DPA, CDCR, DMH, and/or BPH intend to deny this request for information if your agencies do not respond to this request within fourteen (14) days from the date of this letter.

Thank you for your attention to this matter. Please contact Suzanne Branine, Staff Counsel, at (916) 372-6060 extension 222, if you have questions or concerns.

Very truly yours,



Chuck Alexander  
Executive Vice President  
California Correctional  
Peace Officers Association

**PROOF OF SERVICE**

I, Liz Muzquiz, declare:

I am over the age of 18 years and not a party to the within action. I am an employee of the California Correctional Peace Officers Association, 755 Riverpoint Drive, Suite 200, West Sacramento, California 95605-1634.

On December 27, 2007, I served the within document(s):

RE: **Request for Information Pursuant to Ralph C. Dills Act (Government Code Section 3512., et seq.)**

- By Mail:** I caused such document(s), in sealed envelope(s) with postage thereon fully prepaid, to be placed in the United States mail at West Sacramento, California.
- By Facsimile:** I caused the above named document(s) to be transmitted via facsimile to the facsimile number(s) listed below.
- By Personal Delivery:** I caused such envelope to be delivered by hand to the office(s) of addressee(s).

**David Gilb, Director  
Department of Personnel Administration  
1515 "S" Street, North Bldg., Suite 400  
Sacramento, CA 95814**

**James Tilton, Secretary  
California Department of  
Corrections and Rehabilitation  
1515 "S" Street, South Bldg.,  
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**Brian Lear  
Labor Relations Specialist  
Department of Mental Health  
1600 Ninth Street  
Sacramento, CA 95814**

**John Monday, Executive Director  
Board of Parole Hearings  
P.O. Box 4036  
Sacramento, CA 95812**

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed by me on:

December 27, 2007

  
Liz Muzquiz, Legal Secretary

CA:SLB:lm