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**State Board**

I have been asked to provide a brief status report regarding the major cases we have pending in various legal venues. This update covers only those issues being handled by CB&M. I will prepare an update for in-house cases and PERB's within the next few days.

**Furloughs** – As you are aware, we prevailed in Superior Court and are presently awaiting a decision from the Appellate Court. There is no time frame the Court is required to meet relative to issuing a decision.

**Lord v. Schwarzenegger** – This is a case filed by CCPOA regarding the single subject rule relative to the annual State budget. Last year's budget had a number of issues encumbered in a single trailer bill. Among those issues was the elimination of the "rural subsidy" medical stipend. This case goes to trial this October.

**Walk Time/Donning and Doffing** – this case deals with overtime owed for job related activity prior to and at the end of our work day. There have been more than forty depositions and huge amounts of discover thus far. We are currently awaiting a Court decision regarding class certification which would expand the case to all officers.

**40 hour work week** – This case deals with our hours of work. Without an MOU we have taken the position that the State law setting 40 hours as the work week and 8 hours as the work day is controlling and thus applicable to Unit 6. This case is set for oral argument in September.

**MRSA/Communicable Disease** – We have met with the Federal Receiver to try and reach agreement on resolving what information our members are entitled to regarding inmates and

MRSA or other communicable diseases. We are prepared to proceed with litigation if this does not resolve soon.

Changed circumstances – We are pending review by the Appellate Court against PERB regarding the ruling (by PERB) that changes to the LBFO that have happened since imposition did not constitute “changed circumstance” that required new collective bargaining. Also, included in this case is the imposition of a LBFO exceeding one year as well as the failure of the Legislature to ratify the LBFO. Our Petition for Extraordinary Relief has been filed and we have until mid August to file our opening brief.

DPA v. Chiang (minimum wage) – this case is going in front of the Court this Friday in that DPA is seeking an order compelling the Controller to pay minimum wage. As previously reported to you, the Appellate Court issued a very narrow decision regarding this issue and left sever critical issues unanswered. Thus prompting this Friday’s hearing. We have posted numerous documents and links to documents regarding this case on the CCPOA home page and will send out an update via e-mail to you Friday after the hearing.

  
Chuck