

**Chuck Alexander**, *Executive Vice President*

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

January 20, 2009

Dave Gilb

Director

Department of Personnel Administration

1515 "S" Street, North Building, Suite 400

Sacramento, CA 95811

Mr. Gilb:

The California Correctional Peace Officers Association (CCPOA) is in receipt of the latest response from your Department regarding Governors Executive Order S-16-08, dated December 19, 2008 (which was received by CCPOA on 12-22-08), ordering furloughs for state employees. The "order" directs your Department to "adopt a plan to implement a furlough of represented state employees and supervisors for two days per month."

On January 6, 2009 CCPOA sent a request for information specific to any such plan "adopted" by DPA as directed by the December 19, 2008 Executive Order. To date, we have received nothing that can be construed as a plan to implement the aforementioned order. In fact, the latest response, dated January 15, indicates that DPA continues to "evaluate" our request for information pertaining to the "plan" DPA was ordered to "adopt." In the mean time, your department continues to badger CCPOA about a "meet and confer" regarding the implementation of the furlough plan that is to begin on February 6.

It is rather disturbing that the DPA, after having more than 30 days to develop a plan, cannot provide any information regarding the, who, what, where and when of the implementation of these "furloughs," despite us now being within days of the proposed implementation date. This is yet another example of your department failing to provide CCPOA with information necessary for us to represent our members, while insisting that we meet and confer over the impact of an as yet unproduced "plan." To be clear, CCPOA does not waive any right to meet and confer over the implementation of the aforementioned Executive Order. However, we do expect you and your department to provide us with the plan you were ordered to "adopt" prior to any expectation of the parties meeting and conferring over same.

Chuck Alexander

**DEPARTMENT OF PERSONNEL ADMINISTRATION**

LABOR RELATIONS DIVISION

1515 "S" STREET, NORTH BUILDING, SUITE 400  
SACRAMENTO, CA 95811-6614**Sent via US Mail & Email**

January 15, 2009

Steve Weiss, Chief of Labor  
California Correctional Peace Officers Association  
755 Riverpoint Drive, Suite 200  
West Sacramento, CA 95605-1634**Re: Your Letter dated January 6, 2009**

Dear Mr. Weiss:

As I have already confirmed in multiple emails dating from January 9 and January 14, 2009, I am in receipt of your January 6, 2009 letter in which you request, pursuant to the Ralph C. Dills Act, information regarding the Governor's Executive Order S-16-08.

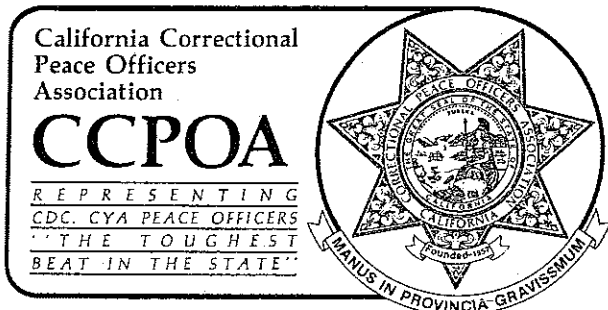
I am in the process of evaluating your request and obtaining responsive information to the extent it exists. Once the evaluation of your request is complete, and responsive information is obtained, I will provide a further response. You can anticipate such a response on or before January 27, 2009.

If this time frame to respond presents a problem, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Kristine M. Rodrigues".

Kristine M. Rodrigues  
Principal Labor Relations Officer



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

January 6, 2009

**SENT VIA CERTIFIED MAIL**  
7002 2410 0002 2196 6080

Julie Chapman  
Deputy Director of Labor Relations  
Department of Personnel Administration  
1515 "S" Street, North Building, Suite 400  
Sacramento, CA 95811

RE: CCPOA MS #19837/Request for Information: Executive Order: S-16-08

Dear Ms. Chapman:

Please consider this a request for information pursuant to the Ralph C. Dills Act with respect to the Governor's Executive Order: S-16-08.

As the exclusive bargaining agent for Bargaining Unit 6 (BU 6), the California Correctional Peace Officers Association (CCPOA) has the right to all information necessary and relevant to the discharge of its duty to represent BU 6 Employees. This does not preclude any additional Information Requests as information is provided.

Your thorough response to our request is necessary in anticipation of entering into fruitful and good faith bargaining.

By submitting this request, CCPOA neither waives any rights under the Ralph C. Dills Act, nor do we waive any other rights under the law.

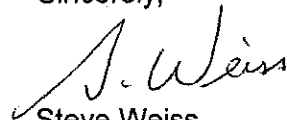
The Executive Order attached, as referenced in your December 19, 2008, letter, offering CCPOA the opportunity to meet and confer, instructs the Department of Personnel Administration, (DPA) to adopt a plan to implement a furlough of represented state employees and supervisors for two (2) days per month regardless of the funding source. This plan shall include a limited exemption process.

- Please provide me a complete and detailed copy of the plan(s) that DPA is adopting for every represented and non-represented employee classification in BU 6.
- With respect to the employees represented in BU 6 who are covered under the 7k exemption, please address specifically how this plan shall apply. (For example), the order is specific that a two (2) day work furlough will occur. The vast majority of our membership work twenty-eight (28) day work periods. How does a proposed two (2) day per month furlough apply?
- On September 18, 2007, your Department implemented terms of employment on BU 6 employees that included an as yet unrealized (5%) general salary increase effective July 1, 2007.

- Does DPA intend to honor this aspect of the Implemented Terms it has proposed?
- Describe in detail, the limited exemption process as announced in the *Executive Order* and the specific BU 6 classifications it applies to.
- Describe in detail, the program efficiency measures to achieve a reduction in the General Fund Payroll of up to 10%.
- Please provide the specific details of any plans to initiate layoffs of any-BU 6 employees.
- How will the cash value of accumulated leave be calculated for employees separating from state service during the seventeen (17) month period of furlough?
- How will PIE furloughs be calculated?
- How will employees on long term sick leave be compensated?
- How will employees receiving benefits under EIDL and IDL be compensated?
- How will retirement calculations be impacted?

Your timeliness and serious consideration to this request for information is appreciated.

Sincerely,



Steve Weiss  
Chief of Labor  
California Correctional  
Peace Officers Association

SJW:cj  
MS #19837/Request for Information Executive Order: S-16-08

Enclosure

cc: CCPOA Executive Council  
CCPOA State Board

**DEPARTMENT OF PERSONNEL ADMINISTRATION**

LABOR RELATIONS DIVISION  
1515 "S" STREET, NORTH BUILDING, SUITE 400  
SACRAMENTO, CA 95811-7258



December 19, 2008

Steve Weiss  
California Correctional Peace Officers Association  
755 Riverpoint Drive, Suite 200  
West Sacramento, CA 95605-1634

Dear Mr. Weiss:

Today, Governor Schwarzenegger signed Executive Order S-16-08 which declared a fiscal emergency in the State of California.

In accordance with the Governor's constitutional and statutory authority and consistent with Government Code section 3516.5, the Department of Personnel Administration (DPA) will implement a furlough of State employees two days a month. This furlough plan will be implemented as of February 1, 2009 through June 30, 2010.

Attached for your review is the executed Executive Order. If you would like to meet and confer regarding this furlough, please contact me at (916) 324-0476.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie Chapman".

Julie Chapman  
Deputy Director of Labor Relations



## MEMORANDUM



**DATE:** January 9, 2009

**TO:** Agency Secretaries  
Undersecretaries  
Directors

**FROM:** **David A. Gilb**  
**Director**  
**Office of the Director**  
**(916) 322-5193; FAX (916) 322-8376**

**SUBJECT:** State Employee Furlough per Governor's Executive Order S-16-08

To reduce current spending to ensure that essential services of the State are not jeopardized and the public health and safety is preserved, the Department of Personnel Administration, under the Governor's authority and at the direction of the Governor, has developed a furlough plan that will result in the closing of general government operations on the first and third Fridays of each month, beginning this February. As such, these unpaid furlough days are not work days and employees shall not report to work. The first furlough day under this plan will be February 6, 2009.

DPA will post details on its website early next week and send a memo to personnel offices with additional information.

For operations that cannot close, Agency Secretaries (and Directors who do not report to an agency) may request approval from DPA to use a "self-directed" furlough for specific positions. There will be two types of self-directed furlough:

- Employees take two furlough days each month but on days chosen by the employee and approved by the supervisor. For example, revenue-generating positions may be considered for this type of furlough.
- Employees accrue two furlough days per month to be taken when feasible. Furlough days that cannot be used within the same month must be taken within two years following the end of the furlough program. Furlough days will not be cashed out. Posted positions in 24/7 facilities such as prisons and hospitals automatically qualify for this self-directed furlough and do not require prior approval from DPA.

Salaries will be adjusted to reflect the unpaid furlough days, but benefits will remain the same (i.e., the furlough will not affect payouts for unused leave, service credit, health and retirement benefits, etc.)

***Please note: The state continues to meet with representatives for state employees about the impact of this program and will notify you of any further developments.***

**DEPARTMENT OF PERSONNEL ADMINISTRATION**

LABOR RELATIONS DIVISION

1515 "S" STREET, NORTH BUILDING, SUITE 400  
SACRAMENTO, CA 95811-7258

January 9, 2009

Mr. Steve Weiss  
California Correctional Peace Officers Association  
755 Riverpoint Drive, Suite 200  
West Sacramento, CA 95605-1634

Dear Mr. Weiss:

I have attached a copy of the Department of Personnel Administration's (DPA) implementation plan with regard to the furlough portion of Governor Schwarzenegger's Executive Order S-16-08. The implementation plan is being shared with you in response to numerous requests by employee organizations for information regarding the details of the furlough program. This plan was also distributed to department management who may share it with their employees. In addition, it will be posted on the DPA's website.

The State looks forward to meeting with you regarding the impact of furlough on the members of your organization.

If you have questions we can discuss them at our scheduled meet and confer sessions or feel free to contact me at (916) 324-0476.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie Chapman".

Julie Chapman  
Deputy Director of Labor Relations