



County Employees Management Association

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CEMAGRAM



CEMA Bargaining Committee members explain the Tentative Agreement at a packed ratification meeting.

New Contract Ratified

**by Tom Starkey
CEMA Business Representative**

CEMA members and Santa Clara County overwhelmingly ratified a new 3 year agreement on August 15, 2006. You can review a summary of the changes to the MOU on the CEMA Webpage.

The ratification completed a process that begun back in September 2005 when members adopting a contract action plan that was designed to build more member participation and involvement and to deliver the best contract possible for the members. A ten member Negotiations Committee was selected and 3 membership meetings were held to solicit

input from members regarding what they wanted addressed in the negotiations process. In May of 2006 the membership accepted the proposals that were drafted by the Negotiations Committee.

More than 20 new CEMA liaisons were recruited to improve member participation at the worksite and over 30 members were recruited to join CEMA through a membership recruitment campaign. We also built a new Political Action Program and have recruited over 115 members to help CEMA build a

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CEMA Executive Board

President
Edna Esguerra
(408) 817-1446

1st Vice President
Richard Rapacchietta
(408) 918-7028

2nd Vice President
Mark Hand
(408) 885-6347

Treasurer
Peter Pham
(408) 423-0778

Secretary
Consuelo Collard
(408) 975-4906

Members-at-Large
Amando Cabras
(408) 793-6576

Dolores Morales
(408) 792-2321

Mary Mitchell
(408) 808-3483

Immediate Past President
Sheila Stevens
(408) 928-3121

Staff

Business Representatives
Tom Starkey
Randy Johnese

Administrative Assistant
Rachel Martinez

(408) 289-9691
1654 The Alameda, Suite 110
San José, CA 95126

President's Message



by **Edna Esguerra**
President

Greetings. It has been a busy Summer with the Primary election in June and then negotiations in June, July and August. This was my first time on the Bargaining Committee and let me tell you, if you have an idea that negotiations are fun, think again. The hours at the table are long but we spent at least twice as much time in internal debate trying to work out proposals that would be acceptable to the County but would still meet your needs.

With twelve intelligent, committed people on the Bargaining Committee, our own caucuses were often more difficult than the bargaining sessions with the County. Our memberships needs are not all the same. Sometimes they conflict. The committee members tried to represent as many of those differing needs and interests as they could. We never took a position without discussing it, and, yes, arguing it, from every angle we could think of. Ultimately we reached a position that the whole team could support...then we went and did battle with the County.

So, if you are not happy with everything in the agreement, neither is any member of the committee. No one won every argument. In the end you must judge the agreement as a whole not as a collection of pieces. You may not like this piece and I may not like that piece but as a whole it is a very good

agreement.

In Tom's article on the contract wrap up (beginning on page 1), he thanks the committee for their time and effort. I would like to add my thanks to the other members of the committee. Also, I would like to thank the staff, Tom and Randy for their advice and assistance and for the long hours that they put in.

There are a couple of other things in this issue of the CEMAGRAM that I would like to note. On page 3 you will see a column spotlighting the accomplishments of two of our members. I hope that this can become a regular column in the CEMAGRAM. We need to give recognition to those among us that are doing something extra. However, you have to tell us who those people are and what they are doing. If you think that your coworker is doing something extra or special, let us know. Just send an email to editor@sccema.org.

Please take note of the [CEMA Election Notice](#) on page 5 and consider running for the CEMA Executive Board.

Finally, I want to congratulate the new officers of OE 3. I look forward to working with them. Also, congratulations to Don Dietrich. I look forward to working with him again.

A Word From The Superior Court

CEMA Members in the Spotlight

If you know a member who should be 'Spotlighted', email us at editor@sccema.org.

Terry Stavang

Terry spent the last 2 years working on her Masters, and finished last month on



by Mary Mitchell

Superior Court Member-at-Large

Well, good news! Our fellow CEMA members for the County have ratified their contract. The negotiation committee worked very hard to achieve an equitable contract. They invested many hours including nights and weekends to achieve their goal of equitable contract. For the details of what they received, please go to CEMA web site. It has all of the details of the ratified contract. One of the items that you will be interested is the PERS amendment where the (2.5% at 55) effective date of 12/17/07. County CEMA members will pick up the cost difference. Another agreement that you should be interested is that County agreed to increase our life insurance to \$50,000 and allow employees to purchase up to \$500,000 based on annual salary.

The Advisory Committee and Tom Starkey were all set to have meeting with the management to discuss these two items. Fortunately, the Court on its own contacted CEMA and agreed to absorb the extra cost for insurance and PERS at least until the end of our current contract.

This represents a great savings to the court CEMA members and I felt that it was really good to have the management offer it to us and incur the cost. I feel

that this gesture is a great morale booster.

Our next Professional Development Luncheon is on Friday, October 20, 2006. The speaker is Carl Guardino and the topic, "Leadership in Declining Budget Scenarios" ought to be very interesting to all of us. I hope that you will take advantage of this seminar. I know that all of you are very busy but I believe this is a well spent time that will benefit everyone. Hope to see you there.

Did you know that we have a special space on CEMA web site dedicated to Court CEMA information? I would love to use that space to acknowledge some of your accomplishments. If you have something that you can share with all of us concerning yourself or fellow CEMA member, please contact me via e-mail so I can do a little article on the deserving person. The space on this article or the space on the web site belongs to use and I would love to be able to use it.

If you have any idea of what you would like me to cover in the future CEMAGRAM, feel free to contact me via e-mail and I will gladly address your request. Remember, the Advisory Committee is there so you can be represented and your voice could be heard.



Aug 7th. She did this while working full time as the Assistant Director of Diagnostic Imaging. She has worked for the county for over 26 years.

Jose Esteves

Jose Esteves is an Information System Specialist II and has worked for the



County and Courts for over 20 years. He is a member of CEMA's Political Action Committee and is a Professional Development Committee ticket seller. Jose has been on the Milpitas City Council since 1998 and has been the Mayor since 2002. He is currently seeking reelection for his third and final term as Mayor this November.

Business Representative's Report



by **Tom Starkey**
Senior Business Representative

As I reflect back over the 17 sessions of Meet and Confer Negotiations and reflect on the 75% of the members who ratified the agreement I feel CEMA got the strongest contract possible given the serious financial deficit that is facing the County of Santa Clara. I know for a fact that your Negotiations Committee fought as hard as they could for the issues you identified as important including a salary increase greater than the 8% that was offered other unions. It is also great news that we did not have to battle over health insurance contributions nor on any other take aways.

We now face some of the darkest financial times for Santa Clara County that I have seen since coming to CEMA in January 1994. A two hundred one million dollar defect is expected for fiscal year 2008. At the Board Meeting on September 12, 2006 County Executive Pete Kutrus stated that departments will face millions of dollars of cuts and slashed services to the Public with the reality of at least 500 employees losing their jobs by January 2008. That number could rise in future years if the deficits continue to grow.

Service cuts totaling 110 million are proposed for the SCVHHS including 34 million from Mental Health, 22 million

from Public Health, 11 million for Alcohol and Drug Services and 35 million from VMC. Mr. Kutrus is recommending the total elimination of Community Outreach Services.

Proportional reductions to all other departments totaling 45 million are planned with roughly 43 million in the use of one time funds and reserves will help to close the 201 million dollar deficit. Due to separate funding the Library System, The Parks Department, Vector Control, County Fire and the Roads Department will face no cuts.

CEMA plans to meet the Mr. Kutrus before the end of the year to discuss possible methods of making the cuts in departments so that important management functions will not be eliminated if that particular position is identified as a retirement. If you have any thoughts on this or possible suggestions we can raise with Mr. Kutrus please contact myself or Randy Johnese.

We plan to follow the 2008 budget process very carefully at Board Meetings. However it is clear that some of our members will not escape layoff, displacement to lower level jobs and possible in-placement in the next fourteen months.

Keith Garvey Scholarship Still unclaimed



CEMA annually awards a one thousand dollar scholarship to an undergraduate who intends to enter public service upon graduation. This scholarship is in honor of the late CEMA President, Keith Garvey.

No one has applied for the Keith Garvey Scholarship this year. If your son or daughter meets the criteria for this scholarship, please contact the CEMA office for an application no later than November 30th.

Visit the CEMA Website

WWW.SCCEMA.ORG

For
***Late breaking news**

***Calendar of Events**

***Important documents**

CEMA Election Notice

The terms for CEMA Officers and Executive board members expire on December 31, 2006. The following offices are open: **President, 1st Vice President, 2nd Vice President, Treasurer, Secretary, 3 members at large from the County Chapter and 1 member at large from the Court Chapter.**

The CEMA Executive Board is responsible for directing CEMA's programs including professional development, representation services and collective bargaining. Detailed description of offices and duties can be found in the bylaws available on the CEMA website at www.sccema.org.

Nomination for Office

Nominations will be made by petition signed by at least five (5) members in good standing. Members may nominate themselves. The nominating petition must be filed at the CEMA office with the Chairperson of the Election Committee, Sheila Stevens, no later than 5:00 p.m. on 11/17/06. A statement of candidacy from the nominated person indicating his or her willingness to serve if elected must accompany the petition. Petitions and statements may be faxed. If no one submits a petition by the deadline, the Election Committee may nominate a candidate(s) without a petition. Petitions may be obtained from the CEMA office or from the CEMA website at www.sccema.org.

Voting

Elections must be conducted by secured mail ballot. Only members in good standing are eligible to vote. Proxy voting is prohibited. A plurality of valid ballots cast shall determine the elected candidates. In the event of a tie vote, a run-off election shall be conducted. The elected officers shall assume office on the first calendar day of the new year or in the case of a run-off election, at the first Executive Board meeting following the run-off election.

Challenges

Challenges to or disputes arising from the election must be submitted to the Election Committee by 5:00 p.m. on 12/26/06. Challenges must be submitted in writing and will be considered valid only if they cite specific violation(s) of election rules, procedures or bylaws and if the alleged violation may have affected the outcome of the election. Challenges should be directed to: Sheila Stevens, Chair, Election Committee at the CEMA office. The Election Committee shall investigate and resolve challenges within ten (10) business days of receipt of the challenge. The Election Committee may order a rerun of all or part of the election.

Appeals

Challenges or disputes which are denied or cannot be resolved by the Election Committee, may be appealed in writing to the Executive Board within five (5) business days of receipt of the Election Committee's decision. Appeals should be directed to Edna Esguerra, CEMA President at the CEMA office. The Executive Board shall investigate and respond within ten (10) business days of receipt of the challenge. Challenges will be considered valid only if they cite specific violations of the election rules, procedures, and/or bylaws and if the alleged violation(s) may have affected the outcome of the election.

Timelines

These are the official time lines governing this election

11/ 17/06	Nomination petitions and candidates statements due by 5:00 p.m. at the CEMA office. Attention: Sheila Stevens, Chair, Election Committee.
11/30/06	Ballots mailed to members.
12/15/06	Ballots due to CEMA office by 5:00 p.m. Ballots counted immediately after 5:00 p.m.
12/18/06	Election Committee submits election results to the Executive Board.
12/26/06	Any challenges/disputes regarding the election due to Election Committee by 5:00 p.m. on 12/26. Any such challenges/disputes filed will be resolved within ten (10) business days of receipt by the Election Committee.

Political Action Committee Report



by Sheila Stevens, Chair

Political Action Committee

The CEMA PAC met in September and reviewed activities for the Fall election cycle and begun a discussion on updating and revising the CEMA PAC plan for the period of 2007 and 2008.

All of CEMA's priorities for the June election cycle were addressed with the exception of the defeat of Measure A, the sales tax increase that would have supported the County Budget deficit. For the November Election cycle the CEMA PAC urges members to vote for and support Jim Beall for the 24th Assembly District and to help with the South Bay Labor Council effort to elected Phil Angelides for Governor. In the race for District Attorney the CEMA PAC decided to take no position and remain neutral.

Much discussion was held regarding the City of San Jose Mayors race and the importance of a pro Labor Mayor being elected. The collective wisdom of the CEMA PAC is that this race between Chuck Reed and Cindy Chavez will have important ramifications for the County and for our ability to retain a labor friendly Board and labor friendly policies coming from the Board of Supervisors in the future. However the City of San Jose Mayors race does not fit the criteria lined out in the 2005 2006 Political Action Plan adopted by the Executive

Board in March 2005 and so no action or resources will be expended. The PAC does encourage members who do support Cindy Chavez to volunteer at the South Bay Labor Council to help her get elected. This is a very very important race for all of organized Labor in the South Bay and members are urged to show up at the Labor Temple on any week night or weekend to make phone calls.

At the October 19, 2006 PAC meeting work will begin on reviewing and making changes to the Political Action Plan for CEMA that will cover the years 2007 and 2008. Once a review is done it will be presented to the membership for comment and then will be adopted by the CEMA Board and a work plan will be developed that outlines specific ways you can get involved to continue building CEMA's political strength. As always members are encouraged to attend our monthly meetings and participate in making CEMA stronger.



Court Agrees to Pay for 2.5% at 55

Members at Superior Court earlier this year agreed to extend their contract out to 2010 in exchange for wage increases in 2005, 2006, 2007 and 2008. Since the Court is under the same pension and benefit plans as County employees, changes in County benefits are passed on to Court Employees unless there is agreement to do otherwise.

With the County's change to the PERS 2.5 % at 55 formula, CEMA was expecting complicated negotiations with the Court over payment for the benefit. However, in late September the Court notified CEMA that they plan to pick up the cost of the pension improvement and also pick up the cost of the increase of life insurance coverage from \$25,000 to \$50,000 for the remainder of the term of the Court Contract with CEMA.

How to Contact Your CEMA Business Representative

After more than twenty years with an outdated phone system the Operating Engineers has finally installed a new Cisco IP phone system in the CEMA office. The CEMA phone numbers have not changed but extension numbers have. Tom Starkey is now at extension 9102 and Randy Johnese is at 9103. There were some problems with the installation and the phones were not working when the system was first installed in early August. We are still experiencing some bugs with the system. On occasion they go down and no one can get through. If you call the office and no one answers, it is likely that the phone system is down. Please try again or drop us an e-mail.

Also, when contacting your CEMA Representative, it is best, if you have an

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Operating Engineers Local 3 Election Results

After a spirited and sometimes raucous campaign, ballots were counted in the Operating Engineers Local 3 election on August 26th. With three 'tickets' on the ballot, the Gold Ticket led by former Financial Secretary, Russ Burns, swept every office.

This represents a change in leadership for Local 3 and promises a new direction for the local. The Gold Ticket campaigned on a platform of openness and transparency for the the local.

The new officers of Operating Engineers Local No. 3 are: Business Manager - Russ Burns; President - Fred Herschback; Vice President - Carl Goff; Recording Corresponding Secretary - Rob Wise; Financial Secretary - Jim Sullivan; Treasurer - Dan Redding; Mark Burton, Steve Harris and Don Dietrich - Auditors; D.J. Robertson, William 'Kalani' Mahoe and Ken Oku - Trustees; Justin Diston - Conductor; and Eric Sargent - Guard. The new officers were sworn in on September 1st.

One of the first acts of the new Business Manager of Local 3 was to appoint a new Public Employees Division Director. The new Director, Don Dietrich, was formerly a Business Agent working out of the San Jose Public Employee Division Office. Don assisted in working out CEMA's affiliation agreement with Local 3.

Congratulations to Operating Engineers Local No. 3's new officers. The officers, staff and members of CEMA look forward to working with them as well as the new Public Employee Division Director.

Professional Development

Coming
The December Luncheon
with



County Executive
Pete Kutras

Check with you Ticket Seller
or
the CEMA Website for
The Date and Location

Contact Your Representative Continued from page 6

urgent or immediate need for representation services, to call and also send an e-mail. Using both methods insures that your concern will be addressed promptly. Also, consult the CEMA web page under "find your representative" to determine which departments or budget units are covered by which representative.

New Contract Ratified

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Political Action Program that will deliver bread and butter issues for our membership in the future.

In late October 2006 CEMA will appoint several members to participate in a Labor/Management Interest Based Committee and work on training issues, improvement of the Performance Appraisal process and health care cost containment issues.

In early 2007 CEMA will appoint members to participate in a joint labor management committee to redesign annual leave with a goal of converting the STO program to annual leave in a manner that is cost neutral to both parties.

CEMA plans to get the MOU printed at the OE3 Print shop and get it mailed out to members before the end of the year. Look for a copy of the new MOU on the CEMA web page by late October or early November.

The Negotiations Committee plans to hold a debriefing session soon and to identify ways to improve further on member participation in the 2009 Negotiations and improve the realignment process and other ways we can improve the negotiations process. Thanks again to the CEMA Negotiations Committee: **Aileen Arellano, Amando Cablas, Consuelo Collard, Laura Colunga, Edna Esguerra, Eric Goodrich, Mark Hand, Phil Mayer, Teresa Nelson and Richard Rapacchietta** for their countless hours of assistance to help CEMA get the strongest MOU possible for our members.



CEMA

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October - November 2006

Reminder

The new CEMA Contract establishes two new Labor - Management committees:

- Beginning in November and interest base committee will look at a range of issues including CEMA evaluations, training and health care cost containment ;
- Next spring a committee will meet to consider how to convert STO to annual leave.

If you are interested in participating in either committee or if you have input on any of the topics, please contact Tom or Randy at 289-9691.

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