

THE CASE BRIEF

Quarterly Newsletter

2018 CASE BOARD OF DIRECTORS ELECTION RESULTS

On October 12, 2018, e-ballots were sent to all Voting Members of CASE for the 2018 Board of Directors Election. The votes were counted and certified on November 2, 2018 at 5:00 p.m.

To be filled were seven Director-at-Large positions.

If you were not eligible to vote this year, we encourage you to participate in future elections by becoming a Voting Member.

Please join us in congratulating our newly elected board members:

Lauren Apter
Geoffrey Lauter
Anthony Seferian
Jennifer Jadovitz
Matthew Mulford
R. Timothy O'Connor
Warren Williams



JOIN THE FIGHT

We ask you to join the fight to improve salaries for all members, strengthen our healthcare, and protect our pensions. Voting Membership is only \$60, the second lowest among the 21 state bargaining units. Now more than ever, we need to work together to ensure we speak with a strong, unified voice. We look forward to working with you.

INSIDE THIS ISSUE...

- Nepotism Policy Pg. 2
- Personnel File Pg. 4
- NDI V. ENDI Pg. 5
- Member Stories Pg. 3
- NSWS Pg. 4
- Union Meetings Pg. 6

THE CASE BRIEF

Quarterly Newsletter

DID YOUR DEPARTMENT GIVE PROPER NOTICE?

On September 7, 2018, the CASE office began receiving emails from members at the Department of Industrial Relations stating that they had received notice of DIR's new Nepotism policy. DIR's email further stated that employees were required to sign an acknowledgement form and return it by September 21, 2018. CASE had not received notice of this new policy. CASE contacted DIR Labor Relations to demand notice about the policy and object to Unit 2 members being required to sign the acknowledgement form. DIR Labor Relations replied that they were working on a notice to CASE in regard to the new Nepotism policy and that CASE members would not be required to sign the acknowledgement before CASE had the opportunity to review the policy and meet and confer over the impact to our members.

CASE recently attended the meet and confer where it was explained that DIR did have a Nepotism policy in place from 1999 and therefore this was a revision of the existing 1999 Nepotism policy.

The definition for Nepotism is based upon the definition in CalHR's Human Resources

Manual (available at www.calhr.ca.gov). If there are questions about the level of relationship that must be reported or other questions about the policy, employees are to follow up with their supervisor and/or via the point of contact referenced in the policy.

CASE requested an extension for our members to sign the acknowledgement form. The extension was granted until November 30, 2018. During this time period, employees are able to request clarification on the policy and DIR will address CASE's request for training of not only supervisors but Unit 2 employees as well. If any DIR employees have a question about this policy or if a relationship needs to be reported, please contact the DIR contact stated in the policy, or CASE for clarification.

CASE would like to thank the members that brought this issue to our attention so that we could promptly address the impact on your working conditions.

Under Section 4.3 of the Unit 2 MOU, the State shall notify CASE of proposed policy changes thirty (30) days prior to their proposed implementation. Where such changes would have an impact on working conditions of employees of Unit 2, CASE may request to meet and confer with the State over that impact. Each time CASE receives a notice of a change in working conditions, an email is sent to all affected members so that they may have an opportunity to review the notice and provide feedback to CASE. Based on this information, CASE will decide whether to request a meet and confer over the impact. Often, concerns may be quickly resolved through correspondence with the department.

If you receive a new or revised policy and have concerns over the impact on your working conditions, please contact the CASE office at info@calattorneys.org or (800) 699-6533.

THE CASE BRIEF

Quarterly Newsletter

MEMBERSHIP DRIVE UPDATE

Here are the newest winners of \$100 Amazon gift cards for referring Voting Members!

April's winner was Cori Sarno Villacres from the Department of Justice

June's winner was Lycia Stokely From State Compensation Insurance Fund

August's winner was Owen Zion from the Department of Managed Health Care

October's winner was Eugene Stuart from the Department of Insurance

CONGRATULATIONS TO THE WINNERS!



To gain an entry into the CASE Membership Drive, refer a colleague to sign up as a Voting Member at www.calattorneys.org/sign-up. Then, send an email to kregan@calattorneys.org with the subject line, "Member Referral." You will receive a confirmation email back, and you will be entered in our bi-monthly \$100 gift card drawing. Your corresponding referral reward will be sent to you in the mail as well. To see the full list of referral rewards, please visit the membership drive article on our public information page at www.calattorneys.org/public-info.

CASE WANTS TO HEAR YOUR STORY

If you have been following us on social media, then you have probably heard of our "Public Service Story" campaign. We are gathering stories from members in our bargaining unit to help promote our members' good work. We want the public to know that there are hard-working legal professionals out there fighting for the public's interest.

We need your public service stories to illustrate how our members benefit their communities and the State of California as a whole. We know our members are working hard every day: prosecuting criminals, saving

consumers from purchasing illegitimate insurance, making sure workers are properly compensated for their injuries, shutting down mismanaged facilities, and much more. We need you to give a voice and a face to that work. To submit your public service story, email asavage@calattorneys.org and we will feature it on our website.



THE CASE BRIEF

Quarterly Newsletter

WHEN WAS THE LAST TIME YOU LOOKED AT YOUR OFFICIAL PERSONNEL FILE?

Under Section 13.5 of the Unit 2 MOU, you have a right to review your Official Personnel File (OPF). Departments keep their employees' OPFs at their headquarters' location. It is imperative that members review or request a certified copy of their OPF once every few years. This is especially important if you are looking to promote or transfer.

When transferring to a different department, the new department will require an employee to sign a waiver so that the department may review the employee's OPF. Even though it does not happen often, there can be items in the OPF that an employee was not aware of or there may be something missing from the OPF. Simply contact your HR Department and ask to see your OPF.

NON-STANDARD WORK SCHEDULES (NSWS) FOR EXEMPT AND STATUTORY EXEMPT EMPLOYEES FROM THE FAIR LABOR STANDARDS ACT

Per Section 6.3(C) of the Unit 2 MOU, a department may allow its attorneys, ALJs and hearing officers the ability to work a non-standard schedule. The state has two variations of a non-standard schedule, they are a 4/10/40 and a 9/8/80.

For a 4/10/40, an employee works 4 days for 10 hours each day. The remaining work day is their Regular Day Off (RDO).

For a 9/8/80, during a two-week period, an employee works 5 days for 9 hours each day the first week. The second week, they work 3 days for 9 hours each day. The fourth day is an 8 hour day. The final day is their RDO.

Information on the State's policy for a NSWS may be found at:

<http://hrmanual.calhr.ca.gov/Home/ManualItem/1/1501>.

Note that NSWS sounds similar to an Alternate Work Schedule (AWS) but an AWS is only applicable to hourly employees that are subject to the Fair Labor Standards Act.

If your department allows for a NSWS and you are considering utilizing such a schedule, please review the information on CalHR's website. Of particular concern to our members when on a NSWS is holidays. State employees are given 8 hours of holiday credit. If a holiday falls on an attorney's or ALJ's 9-hour or 10-hour day they are required to use 1 or 2 hours of leave credits in order to equal a whole day. Some supervisors and departments allow Unit 2 members to switch their 8-hour day to the holiday so that they do not have to use their leave credits; however, this is at the discretion of the supervisor and department. Additional questions about NSWS can be sent to info@calattorneys.org.

CASE VOTING MEMBER APPLICATION

Can be found on our website at: <https://www.calattorneys.org/sign-up>

THE CASE BRIEF

Quarterly Newsletter

KNOW THE DIFFERENCE? YOU SHOULD... HERE'S WHY...

Sick/Vacation/NDI V. Annual Leave/ENDI

It is important when deciding between sick/vacation and annual leave, that Unit 2 members consider what would happen if they became ill or injured and therefore unable to work. Can you live on \$135/week? Or would you rather live on 50% of your salary?

FAQ	Sick leave and Vacation (NDI)	Annual leave (ENDI)
How can I use my leave time?	Sick leave can only be used when a member is sick or to care for a family member. Vacation can only be used for vacation.	Annual leave can be used for either sick leave or vacation.
What happens when I separate from state service?	Sick leave does not get cashed out upon separation from state service. It may be used to purchase time with CalPERS if a Unit 2 member retires within 120 days of separation from state service. Vacation time is paid out upon separation from state service.	Annual leave gets paid out upon separation from state service. Annual leave cannot be used to purchase time with CalPERS.
What would I get if I took disability leave?	A Unit 2 member on sick/vacation is entitled to a \$135/week disability payment should they become ill or injured and need to take a medical leave. Leave credits may be used to supplement the member's disability payment. Unit 2 members do not pay into State Disability Insurance and therefore do not qualify for State Disability Insurance/Paid Family Leave.	Unit 2 members are entitled to 50% of their salary should they become ill or injured and need to take a medical leave of absence. There is a seven day wait period before payments start, and leave credits may be used to cover it. Unit 2 members may elect to use their leave credits to supplement up to 75% or 100% of their salary for an ENDI leave. Unit 2 members do not pay into State Disability Insurance and therefore do not qualify for State Disability Insurance/Paid Family Leave.
What happens if I need to take a leave of absence to care for a family member?	Unit 2 members do not receive a disability payment if they need to take a leave to care for a family member. They may use their sick leave or vacation to get paid.	Unit 2 members do not receive a disability payment if they need to take a leave to care for a family member. They may use their leave credits to get paid.
What if I want to switch my leave time?	Sick/vacation is the state's default selection. Once an election between sick/vacation and annual leave is made it can only be changed after 24 qualifying pay periods. If a Unit 2 member switches from sick/vacation to annual leave, sick leave will retain its designation and vacation will be changed to annual leave.	Once an election between sick/vacation and annual leave is made it can only be changed after 24 qualifying pay periods. If a Unit 2 member switches from annual leave to sick/vacation, annual leave will be switched to vacation and the member will begin to accumulate sick leave.
What are the accrual rates for each type of leave time?	See accrual rates for vacation leave in Section 9.1 of the MOU and sick leave accrual rates in Section 9.3 of the MOU.	See accrual rates for Annual leave in Section 9.11 of the MOU.

THE CASE BRIEF

Quarterly Newsletter

CASE UNION MEETINGS AROUND THE STATE OF CALIFORNIA

For the last year, CASE has been meeting with our members in various departments around the state and receiving feedback and suggestions. We have learned many ways in which we can represent you more effectively and ways in which we can improve upon our communication. We plan to continue these meetings as we

attempt to visit every department that includes CASE Members.

To find out when CASE will be visiting your department, please contact us at (800) 699-6533. If we do not have one scheduled for your office, we can work with you to schedule a meeting.

CASE OFFERS INSURANCE PROGRAMS



CASE is pleased to offer several insurance programs through Nancy Bond Insurance services, including life insurance, long term disability, and Universal Life Insurance with Long Term Care. For information about your CASE insurance programs, please contact Nancy Bond at 800-685-4519.

RETIREMENT PLANNING SERVICES THROUGH AMERIPRISE

CASE would like to remind you of a financial planning service available to our Voting Members. After long and successful careers with the State of California, our members will collect their well-deserved pensions and retirement benefits from CalPERS. We would like to offer our members some guidance on how

to manage your retirement finances properly so that you can fully enjoy your retirement without worry.

CASE is offering a retirement planning service through our financial advisor, Craig V. Parker of Ameriprise. He has given CASE exceptional advice on money management over the years, so we are excited

When you have the right financial advisor, life can be brilliant.



Craig V. Parker
Financial Advisor
Managing Director
1420 Rocky Ridge Dr, Ste 200
Roseville, CA 95661
916.787.5647

Contact me today ▶

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to extend his services to our members at a special, negotiated rate. For more information, or if you would like to sign up for the program, please contact Craig Parker, financial advisor, at (916) 787-5647. This offer is only available to Voting Members of CASE.

MEET THE CASE STAFF

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