



Representing Public Employees in City of Colusa,  
Sutter and Yuba Counties

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August 2011

# News Update



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## Yuba County Contract Proposal Rejected

By Gary Stucky, S/YCEA Executive Director

As Yuba County began to develop their budget for fiscal year 2011-2012 it was determined that a budget imbalance of approximately \$4 million existed. Having few alternatives since the County balanced their budget on one-time money last year and property taxes and sales taxes continue to be stagnant, administration was forced to make additional cuts in operational expenses and had to lay off a total of 12 employees (10 were in the

YCEA bargaining unit). However, even these efforts left a projected \$2 million deficit. YCEA was formally asked to reopen our Master Labor Agreement (MLA) to negotiate on the distribution of health insurance premiums.

The YCEA Board of Directors agreed to meet with the County to discuss cost saving alternatives but declined to open the contract before having a clear understanding of what changes would be made

to the MLA.

Last year part of the budget fix was to require management to take a 5% salary reduction in exchange for the equivalent time off. That reduction is scheduled to terminate on July 1 (the beginning of the new fiscal year) and management will have their 5% reinstated. Instead, management is being required to personally absorb 10% more of the health insurance premium cost at least

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## Colusa Misc. & Mid-Management 2011 Contract Settled

By Business Agent Marie Clark

The Union and the City of Colusa started negotiations on April 18, 2011. The Union's Misc. Negotiations Team was made up of Toni Benson, Walt Sweeney, and Glen Sturdevant and Mid-Management was represented by Sandy Cabral. Business Agent Marie Clark was the chief negotiator for the Union and Patrick Clark was the chief negotiator for the City.

After ten meetings we agreed

to change the time frame between grievance steps to 15 days between each step and keep the 36 hour workweek with 4 hours of paid time off. The 18 month contract has no reopeners and requires the City to pay the premium increases in health insurance. The new contract provides that employees will receive a floating day off for holidays that fall on a Saturday or Sunday and automatic bank

deposit for payroll checks. Based upon the salary survey, the Supervisor of Parks & Rec. will receive an overall increase on the pay for performance salary bands. Mid-management will be able to accumulate 1/2 of their administrative days between Jan-June (6 days) and from July-December (6 days), these days must be used by the end of each 6 month period or they lose them. The City agreed to drop their proposal which

would have required the Misc. Unit employees to pay 3 1/2% of their salary towards the employee's share on the PERS retirement, after members and staff addressed the City Council on June 30.

Please take the time to thank your negotiations team of Toni, Walt, Glen, and Sandy. Thank you to all of the members who attended and/or spoke at the June 30<sup>th</sup> City Council meeting!!! You made a

# Yuba County Contract Proposal Rejected

By Gary Stucky, S/YCEA Executive Director

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during the next fiscal year.

The YCEA Board was willing to discuss possible furloughs in order to match the salary reduction imposed on management last year. However, after the YCEA Board learned that the County had reinstated the salary reduction imposed on management and instead imposed a shift of the health insurance premium cost (10%), the YCEA Board declined to participate in the shift of the health insurance premiums. During the meeting when the YCEA leadership learned of this development, the County administration also expressed little interest in discussing furloughs.

The YCEA leadership was principally opposed to the

initially proposed 10% shift in health insurance premiums because this shifting cost would disproportionately affect the lower paid workers represented by YCEA. The YCEA leadership informed the County that YCEA would be willing to submit a proposal directly to the membership without a recommendation from the YCEA Board of Directors if the County wished to submit a proposal for the membership's consideration.

The County decided to submit a proposal which was modified to request that employees represented by YCEA pay an additional 5% of the health insurance premiums. The proposal also included limiting the 5% premium cost shift to the 2011-2012 fiscal year and applying the same percentage reduction to the in lieu of

health insurance cash benefit. YCEA set up three separate meetings over three days to allow the membership to ask questions, consider, and debate the County's proposal. Ballots were counted on July 11, and the County's proposal was rejected 176 to 40.

The County's original budget was partly based on a projected 10% increase in health insurance costs to the County. The County's portion of health insurance premiums is based upon the CalPERS Choice PPO. Fortunately the premiums for this plan only increased by 1.8%. It is unclear at this point whether additional layoffs will be necessary in order to balance the budget, but it is anticipated that some further staff reductions will be necessary.

## Social Media Sites May Work Against You With Your Workers Comp Claim

First and foremost, you need to be aware that when you use these types of sites that they are global. In other words, people all over the world can read the information you are sharing. Additionally, the information listed in your account profile is highly visible as well depending on how you adjust the settings for it. Not only is your personal information on display, so are any images, photos, and videos that you may have posted.

If you are currently in the midst of the workers comp claim process and are trying to receive benefits in a court, you have to be very careful with how you interact with your contacts or followers as they are sometimes referred to. Should your profile information reveal information contradictory to your workers comp claim and it falls into the wrong hands, it could damage your claim and your benefits could be denied or terminated as a result.

### Privacy issues

You need to realize that where workers compensation cases are concerned that the judge reviewing your case may issue an order which allows the insurance company to inspect what you have posted on your computer and you will have to turn it over to the court. Remember the importance of your privacy settings whenever you open up a social media website account.

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### SCEA Board

**President**  
Ray Hogan

**Vice President**  
Ben Harper

**Secretary/Treasurer**  
Lorie Thomas

### Directors

**Agriculture**  
Michael Berry

**Assessor's Office**  
Pete Jensen

**Auditor/Clerk/Treasurer**  
Ginny Tolliver

**Child Support Services**  
(Vacant)

**Comm Service/Planning**  
Kevin Yount

**DA/Sheriff (Food Service)**  
Clint Curry

**Health Department**  
Joyce Pope  
Shelli Petty

**Housing Authority**  
John Guanzon

**Mental Health**  
Robert Ahu  
Don Abel (Alternate)

**Public Works**  
Tod Littlefield

**Social Services**  
Verena Garvin

**Superior Court**  
Audrey Goodnight  
Maria Carmona (Alternate)

## Sutter VTO Program Finalized

By Gary Stucky, S/YCEA Executive Director

At their meeting on July 11, the SCEA Board approved the Voluntary Furlough Program (VTO) agreement with the County. This Program has two components, individual VTO and group VTO. Individual VTO is made available to employees in order to generate salary savings over the fiscal year and is not necessarily dedicated to the department where the VTO savings was generated. Nor is any savings from individual VTO specifically dedicated to preventing future layoffs, although it may be used for this purpose. Group VTO is for the purpose of groups of employees within an organizational unit (Department, division, etc.) working together under the terms of a specific VTO agreement with the specific intent and purpose of preventing a layoff(s). Individual VTO agreements are subject to the Department Head's approval, whereas, a Group VTO can be recommended by the Department Head, but must be approved by the County Administrator due to the budgetary commitment to fund a position(s). Employees can apply to take up to two VTO days per pay period and VTO days must be taken in 8 hour increments. Please refer to the agreement for more specific details.

Discussion occurred at the SCEA Board meeting regarding possible impact to CalPERS retirement annuities

and other possible affects on contributions, so staff was asked to research these concerns. However, the Board approved the agreement because the program is voluntary and employees can decide for themselves whether to participate. In addition to this article on the subject matter, we will post a CalPERS circular letter which addresses this matter on the SYCEA website at [www.sycea.org](http://www.sycea.org).

Essentially an employee's "pay-rate" is not affected by furloughs, whereas, special compensation can be affected if the special compensation is



based upon actual hours worked. Special compensations paid on a flat dollar bases i.e. Sutter County bilingual pay and shift differential are not affected and would be reported as normal.

One of the factors determining retirement annuities is "service credit". CalPERS considers 10 months equal to one year. Therefore, an employee could take up to two days per month furlough and it would not impact their service credit. Based upon this, if an employee took two days per biweekly pay period (as

allowed for under the VTO agreement) it may in fact affect their service credit. As long as the employee did not reduce their work year below 228 days, which is equivalent to two days per month, they should be fine.

Employer and employee contributions to CalPERS are based upon actual earned income rather than the "pay-rate". Therefore, both the employer and employee contributions would be reduced. However, the employer's contribution in future years would be adjusted in order to ensure the defined-benefit annuity. The employee contribution would be less; therefore, if the employee actually separated and withdrew their money they would withdraw less money because less money had been contributed. If the employee actually retires there would be no affect on their annuity, because the employer's contribution would be adjusted to ensure the defined-benefit annuity.

Based upon my assessment, I believe the potential impact to your CalPERS retirement benefit is minimal. The VTO Program agreement is scheduled to be approved by the Board of Supervisors on July 26, and should become effective the first of the following pay period. For more specific information look to the SYCEA website where we will post a copy of the agreement once it is finalized.

### YCEA Board

#### YCEA Board

##### President

Robin Timoszyk

##### Vice President

Ramona Mallonee

##### Secretary

Melinda Mangum

##### Treasurer

Bunny Elkins

##### Past President

Ryan McNally

#### Directors

##### Professional Unit

Tracy Hutchinson-Probation

Alex Hadley (A)-Health

##### Supervisory Unit

Linda White-Employment Services

##### Technical Unit

Denise Hamon-SIU

Norma Stone (A)-SIU

##### Court Unit

Vacant

##### Clerical/Office Unit

Alicia Phillips-Social Services

Steph Smith (A) - Employ Srvs

##### Maintenance/Service Unit

George Boyd-Building & Grounds

John Houston (A)-Bld/Gmnds

### YCEA Board

##### President

Glen Sturdevant

##### Vice President

Walter Sweeney

##### Secretary

Christa Drawver

##### Treasurer

Toni Benson

##### Director

Lani Baker

##### Director

Alan Campbell



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Sutter and Yuba Counties**

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**WE'RE ON THE WEB!**  
[WWW.SYCEA.ORG](http://WWW.SYCEA.ORG)

## Social Media Sites & Workers' Comp

*(Continued from page 1)*

Many individuals have protested that this is an invasion of privacy and that the courts should not have the right to do this.

*The opinions expressed by the contributing author are their own. Local #1 does not support nor condone fraudulent workers' compensation claims and bears no responsibility for the contributing authors' opinions. Remember that workers' compensation is complicated and this author is located in Atlanta (California law may differ).*



# Calendar of Events

**SCEA Site Rep Meeting — NOON Thursday August 4**  
*Association Office - SCEA Site Reps Attend*

**YCEA Site Rep Meeting — NOON Tuesday August 9**  
*Association Office - YCEA Site Reps Attend*

**SCEA Board Meeting Monday — NOON August 15**  
*Association Office - SCEA Board Members Attend*

**Local #1 Board of Directors Meeting Tuesday August 16**  
*Local #1 Office (Sacramento) 7:30 p.m. - Local #1 Board Attend*

**YCEA Board Meeting — NOON Wednesday August 24**  
*Association Office - YCEA Board Members Attend*



### FAULTY PENS

If you received a pen from the Association and it didn't work, ask your Site Rep or Board member to get you another one when they attend their monthly meeting. **So sorry!**

#### About The Author

Jodi Ginsberg is a practicing workers' compensation attorney in Atlanta, GA. She has been practicing law for over 20 years, and her website can be found at - <http://www.atlantaworkerscompensation.net>

Tickets for sale at the SYCEA Association Office	Member Price at Union	Park General Admission Adult	Park General Admission Child
Beach Boardwalk	\$ 33.00	\$ 38.80	
Gilroy Gardens	\$ 20.00	\$ 44.99	\$ 34.99
Great America	\$ 32.00	\$ 54.99	\$ 34.99
Six Flags Discovery Kingdom	\$ 32.00	\$ 49.99	\$ 35.99
Universal Studios <b>3-Day-Pass</b>	\$ 65.00	\$74 per Day	

## Discounts for Amusement Parks & Attractions

You can print discounts from your home computer by going to [www.sycea.org](http://www.sycea.org) and clicking the "Park Deals" link located on the homepage just above the rotating carousel. Then go to the "Coupons" tab to link to printable "DEALS". We have discounts for Monterey Bay Aquarium, Palm Springs Aerial Tramway, O.A.R.S., Catalina Express, Hornblower, Madame Tussauds Hollywood, Pacific Park at Santa Monica Pier, The Queen Mary, Six Flags Magic Mountain, Charles M. Schultz Museum, Dana Wharf, Knott's Berry Farm, Medieval Times, Newport Landing Whale Watching, Belmont Park, Legoland, San Diego Botanic Garden, San Diego Natural History Museum, San Diego Zoo, Sea Life Aquarium in Carlsbad, SeaWorld, Bay Area Discovery Museum, California Academy of Sciences, Red and White Fleet, Roaring Camp Railroads, San Francisco Zoo, The Tech Museum, The Wax Museum at Fisherman's Wharf, Winchester Mystery House, and more!