



pipeline

News and Updates for Professional, Technical, and Administrative Employees

Alameda County Public Defenders Reach Agreement on First Contract

Newly organized attorneys in Alameda County's Office of the Public Defender (OPD) have reached a tentative agreement on a new contract after months of talks. The four attorneys on the negotiating team and the 14-member Steering Committee recommended ratification of the agreement at a membership meeting held in late August. The membership voted unanimously to accept the agreement and turned in 88 new member cards at the same meeting. The cards have continued to come in and have now reached over 90% of the entire unit.

The highlights of the agreement include a wage package that meets the median wage of attorneys in the Bay Area counties: a 7.12% increase effective October 22, 2006; an additional 3%, effective July, 2007; and 3%, effective July, 2008.

The PDs also achieved a contract re-opener on the issue of "Safety-Lite" retirement (AB-2023) should issues with the Social Security Administration be resolved. At issue is the IRS' opinion letter saying that employees eligible for Safety-Lite cannot withdraw from Social Security. Without the ability to use FICA tax savings to fund both the employer and the employees' increased costs, the proposal is not achievable.

continued on page 4



Oakland's Fallon Street Courthouse, where public defenders represent clients.

San Francisco Investigative Assistants Organize

In a bid to strengthen their position at the bargaining table, San Francisco's District Attorney Investigative Assistants voted this spring to join Local 21.

Assistants work with the city's 40 District Attorney Investigators on criminal cases ranging from welfare fraud to homicide. They were formerly represented by the District Attorney Investigators Association as associate members. Last year, the investigators split the assistants off from the association in order to bolster their own negotiating powers.

Initially, the city's 19 assistants were unhappy about the change. "We felt unappreciated and angry," says shop steward Charlene Puccini, who works on welfare fraud prosecutions. But what started out feeling like rejection turned into a big gain.

After meeting with representatives from several unions, the assistants chose to join Local 21.

As part of the arbitrated contract with the City and County of San Francisco, negotiators secured an across-the-board salary increase for represented city units of eight percent over the course of the contract. Negotiations also yielded a sixth salary step for all investigative assistants, which gives the most senior members a five percent salary increase. Eleven assistants immediately benefited from the sixth step.

"When we were with the Association, we were associate members, which means we couldn't vote," Puccini says. "This is fantastic. We were negotiated for as if we were really important."

In addition to the sixth step, assistants now have access to the city's expanded Employee Development Fund, which doubled under the new contract to \$500,000 for the annual pool and

continued on page 5

Note from the Union President

Kathleen Price



I have enjoyed my career as a union officer having served as Treasurer for two terms, San Francisco Vice President for three terms and presently as President. I am very honored to have served with my fellow

Executive Committee members, as together we were able to take our union in a new direction and create tremendous opportunities for greater membership involvement in running our union.

I am stepping down and I am confident that my successor will continue to work for a stronger member run organization. I will vote for and assist those candidates that share these values.

The next President needs adequate release time to better serve the membership as this will result in a more informed executive committee and a stronger relationship with union staff. This is in line with other locals.

Thank you for your assistance and support especially through some very tense moments and difficult times.

In Solidarity
Kathleen Price
IFPTE Local 21 President

Study: More Staff Needed in SJ Building/Permits Dept

With commercial and industrial building applications picking up in the South Bay, staffing levels in the San Jose Building and Permits Department needs a boost, a study brokered by Local 21 shows.

Building staff have successfully fought outsourcing of its work and are trying to create more engineering positions in the department, but without a concrete analysis of workloads, those requests have fallen on deaf ears. Under pressure from the Association of Engineers & Architects (AEA) chapter members and Local 21 staff, the San Jose City Council asked for a staffing study.

A city analyst looked at the department's workload and how many hours its staff could reasonably work over the course of one year. The analyst determined that the unit was indeed operating at 75% capacity and needed to fill empty positions. As a result, the city recently hired two new staff members.

"This provided the validating evidence to hire two associate engineers," says Olivier Baviere, an associate engineer who has worked for the department for 10 years. "It's definitely a step in the right direction."

The staff of 18 review construction plans for everything from simple residential building additions to downtown high-rise proposals. Before the sharp drop off in industrial and commercial construction five years ago, consultants reviewed half of the department's workload. Since then, all work has been done in-house.

However, with the recent economic recovery, the commercial development market has exceeded staff's ability to meet established turn-around times.

The unit of associate architects and engineers organized with Local 21 nearly two years ago. Staff levels were already an issue at that time as well as the city's policy of denying management paid overtime. The city tabled that discussion after initial contract negotiations and meeting with the union due to a Contractual Side Letter Agreement.

The recent analysis, say members, has just reinforced the need to resume talks about overtime pay, which Baviere says would save the city money by reducing the amount of outsourced work.

One of the central issues is that the department has no control over how much work it will get on any given day. Unlike a Public Works Department, which uses a schedule of capital improvement projects to plan their work, the department reacts to an unpredictable flow of work. Planning out staff levels, Baviere says, requires flexibility.

"We've been generating reports and data [about staffing levels] for over 14 years," says Baviere. "Our criticism was that we didn't have anybody here who knew what to do with that data and it was only after unionizing did the City listen to us."

Members say the analysis captures both the number of hours each employee has available for production work and the number of hours each type of project requires during a fiscal

Upcoming Events

December 5 (before 8:30 a.m.) — Unionwide
election ballots due

December 7— Grievance and Problem-Solving
Training, Local 21 office, San Francisco

December 12 — Grievance and Problem-Solving
Training, Oakland City Hall, Hearing Room #3

December 13 — Local 21 **Holiday Party** at the
Moonstar, San Francisco (more information to come!)

continued on page 7

Port of Oakland Management Units Organize

Managers, supervisors and professional employees at the Port of Oakland voted this summer to organize in the wake of an increasingly adversarial posture from senior management.

The resulting August 2006 card check, conducted by the State Mediation and Conciliation Service, resulted in Local 21 gaining recognition for close to 179 employees in three bargaining units.

Of the Port's 600 employees, nearly two-thirds are already represented---by the SEIU Local 790, the IBEW, and the Western Council of Engineers. The remaining non-senior management employees became frustrated in recent months over cuts to professional development funds and an increase to upper management salaries. Employees then began to seek the protections and resources of professional representation.

After a sufficient number of cards were in, the SMCS acted as a third party to verify them against payroll records provided by the Port. In three of the five units a majority, plus one, of employees had submitted verifiable cards in support of organizing.

The By-Laws Committee has been hard at work and have finalized a draft Port of Oakland Chapter By-Laws,



The Port of Oakland's famous loading cranes, which line the Oakland Estuary.

which is available for viewing at www.ifpte21.org.

Coming soon is a membership drive, an election of officers and bar-

gaining committee members, and the formal process of negotiations. ■

Golden Gate Bridge District Gets New Contract *Engineers Unit Wins Agency Shop Vote*

With the windy Pacific Ocean as a backdrop, the Local 21 members who maintain and administer the Golden Gate Bridge District may have the most beautiful views in America. They also ratified a new, three-year contract this fall.

Highlights of the new contract include wage increases of 4%, 3%, and 3% spread over the three year agreement. The members also got an improved retirement package which went from 2% at 55 to 2.5% at 55. But most importantly the negotiating team was able to fight off attempts by the district to cut health care benefits.

The Engineering Unit also negotiated to have the employer cover the costs of professional engineering certification, which employees were forced to pay in prior years. The Allied Unit—which includes IT, payroll, marketing, and accounting professionals—was able to garner Call Back pay for IT members, and was able to secure health care coverage for a part time employee, among other improvements.

“Every union member plays a vital role,” through the negotiation process, said Valerie Mitchell, Executive Vice President of the Allied Unit. “Everyone’s input is significant and we must stay united.”

continued on page 8

New Agreement for Public Defenders

— continued from page 1

[News Update: As of press time, the County is refusing to include this reopener in the contract language.]

In addition to establishing key contract provisions on union security, grievance procedure with binding arbitration, 6-month maternity, paternity and adoptive leave language standard in many County MOU's, the new agreement achieves many of the unique goals set by the membership. New language on inter-office transfers is designed to memorialize and clarify a better process for making transfers. In addition, effective January 1, 2007, each attorney will be granted up to 16 hours of educational/professional leave for MCLE-approved training programs or professional activities scheduled during the employee's normal work hours.

Attorneys in the OPD and the Office of the County Counsel are both members of Local 21 but the County's District Attorney's are not. In July, DA's received a 3% increase that was given to all unrepresented management employees in the County. While the Public Defender's negotiated a significantly larger percentage increase for a first contract, the Board of Supervisors would not grant the increase retroactively. The Board then moved to increase the pay of the DA's to reflect the increase the PD's negotiated.

While the PD's did not get retroactivity, wage parity has become the standard between Alameda County's public attorneys. Phil Ladew, one of four attorneys on the bargaining team, said, "If you think about criminal justice and constitutional law, the notion that the prosecutor should be paid more than the defender in a publicly-financed scheme is unfair. With parity, you can recruit for similarly qualified attorneys to do the work."

Representatives from the bargaining team and Local 21 have been meeting with the Board of Supervisors to discuss these issues. Now the hard work begins to implement this agreement and continue building a strong union in the Office of the Public Defender. ■

The Work We Do:

San Francisco Wastewater Apprentices

Ask any group of school children what happens when they flush a toilet and vivid tales of slimy pipes and giant waste-eating reptiles may top the list of answers.

But Mark Cahee can really tell you. When a toilet flushes a complex system kicks into place, where the temperature, pressure, and level of the traveling wastewater are carefully monitored by electronic instruments. Strong chemicals work to neutralize bacteria.

Monitoring the electronics behind this delicate enterprise are Electronic Instrumentation Technicians, professionals who work out of the City and County of San Francisco's Wastewater Enterprise's two stations and make the adjustments to faulty flow, pressure, and temperature instruments. All of the technicians are represented by Local 21.

Some, including Cahee, came into their jobs through apprenticeship programs. A permanent staff technician since 1999, he started with the department as an apprentice through a program that at the time recruited residents of the Bayview/Hunter's Point neighborhood to train with the electronics instrumentation program.

"The idea was to reach back into the community where [one of] the sites are located," Cahee says. "For those of us who do live in the city, you see a loop of living and working in the city. There's a pride and care that comes with that."

City Public Works officials vowed to make a priority of hiring neighborhood residents, as part of the Wastewater Enterprise's goal of mitigating the impact of the large processing plant. During Cahee's apprenticeship he took the Civil Service exam, did well, and was hired on by the city permanently.

Since then, fulfillment of that early promise to hire locally has been slow at best.

It's been fifteen years since Cahee and the other apprentices from the Bayview were hired and trained to work—and eventually find permanent careers—at the two stations. But new efforts are underway to relaunch the

continued on page 7



Alameda County Public Defenders vote and sign membership cards August 30 with help from Negotiating Team member Dominique Pinkney.

City of Oakland Joint Labor-Management Committee Holds First Meeting

Group to Discuss New Employee Programs, Establish Dialogue

Members of our four City of Oakland chapters comprised of attorneys, engineers, supervisor & managers and professional & administrative employees met with city administration representatives in September for the first meeting of a joint labor-management committee.

The committee is intended to be a forum for the union and the city to discuss and resolve matters of mutual interest. But it also presents an opportunity to brainstorm ideas for new programs and approaches on how we can improve the work we do, which will not only improve the situation for city employees but will also improve the City as a whole. Assisting us in these efforts is Annie Song-Hill, an external facilitator from the State Mediation and Conciliation Service.

“We’re not negotiating contract issues,” says Frank Fanelli, manager of Oakland’s Real Estate Services and one of four members on the committee. “We have a contract that’s solid and runs through July of 2008. This committee is meant as a place where the

open flow of thought and problem solving can take place. We’re establishing relationships and hope to establish trust through this process. Hopefully that will have an overflow effect during our next contract negotiations.”

The establishment of a joint committee was a negotiated provision in the Agreement. At a June 9 labor-management retreat, the committee was formally reinvigorated.

At the first meeting, held September 28, participants from the four city chapters, union staff, and city departments including Personnel, the Mayor’s office, and City Administrator’s office discussed some of the issues they would explore in further detail at future meetings.

Fanelli says the committee will discuss the idea of longevity increases, to provide veteran employees at the top of their pay scale with incentive opportunities to continue their employment with the City. Even with only cost of living increases available, such a program would help retain seasoned city workers at the top-end of their job clas-

sification.

Along the same lines, he adds, career ladders for promotion would set



Frank Fanelli, Manager of Oakland’s Real Estate Services, hopes the new committee will “help establish trust.”

up opportunities for experienced employees to work in other city departments as a way of advancing their careers. A city real estate agent, for example, might begin working for the city’s Redevelopment Agency, Fanelli says, to expand their skills and open new career paths within the city. ■



Investigative Assistant Charlene Puccini says members of the new unit are “very happy” with their new contract, their first since leaving the District Attorney Investigators Association last year.

CCSF DA Assistants Organize

— continued from page 1

\$2,000 for each employee. The fund is available to pay for job-related training, professional development, and related travel.

“Local 21 came in and negotiated for that sixth step for us, and we got it,” Puccini says. “I think all the members of this unit are very happy about getting that five percent raise.”

Chapter members have developed their by-laws and will soon be holding elections. Members include assistants to the DA Investigators’ special prosecutions unit, trial preparation team, and paralegals working with prosecutors at the Hall of Justice.

Puccini attended two negotiating meetings and recalls being very impressed with how well-informed union representatives were, particularly during discussions about the city’s budget.

“It was impressive,” she recalled. “I could go back to our members and tell them that they were in good hands.” ■

New Contract for Valley Transportation Authority

Laying a foundation for future contracts, members of the Transportation Authority Engineers & Architects Association (TAEA) of Santa Clara negotiated their most far-reaching contract ever.

The three-year contract secures a salary realignment that will give members an average five percent raise over the next three years on top of cost of living increases. Realigning the 38 professional positions will follow a study by the Valley Transportation Authority (VTA) of similar public agencies to set new salary benchmarks more in line with the industry standards.

“What we were successful in doing is setting a good groundwork for that survey,” says Rajwinder Sehdev, president of the TAEA and a VTA architect and project manager for seven years. “I don’t think we’ve ever in the history of our association had a contract that’s so comprehensive.”

TAEA member architects and engineers design, maintain, and repair transportation facilities in Santa Clara County, including the county’s light rail system, freeways, bus lines, and Cal Train facilities. As much as 70 percent of members’ work is now focused on designing a 17-mile extension of BART from Fremont to the city of Santa Clara.

The association’s members are divided into four classifications: junior, assistant, associate, and senior. As the

VTA studies some 20 similar public agencies throughout the Bay Area, they will use the salaries of associate positions as a benchmark. Their study is due to be completed in November.

It’s less than what TAEA members asked for, Sehdev says, but it’s a start. The VTA agreed to spend \$165,000

for realignment-related salary increases over three years.

Negotiations also yielded a four percent cost of living increase effective this fall. Next year salaries will increase three percent; in 2008, they’ll go up by two percent.

Sehdev says TAEA salaries are an average of 12 percent lower than they are for all public sector jurisdictions in the Bay Area. With the five percent raise from realignment and the cost of living increases, they will be closer to the average.

“Our goal for the negotiations is we want to be at the mid-point regardless,” he says.

The new contract also resulted in formation of a Joint Vacancy and Staffing Committee to discuss a range of workload issues, with a focus on how the VTA can better handle slow periods. When work slows down, Sehdev says, members want to see more consultants released and work handed to VTA staff engineers and architects.

“We wanted to promote the idea of doing more work in-house, either portions of large projects or small projects,” he says. A small VTA project can run from \$500,000 to \$3 million, where a large project can run upwards of \$12 million. Most projects take at least two years to complete. Large jobs tend to go out to bid, with TAEA members acting in a management capacity. VTA spends as much as \$100 million a year on contracts, Sehdev estimates.

Sehdev says VTA agreed to make efforts to assign work in-house, in the event of an economic slowdown. This lay-off protection language means a lot to members who have found VTA to be uncommunicative when lay-offs were on the horizon. Two years ago VTA management generated a list of employees facing possible layoff. When funding for the BART extension design came through, the list was scrapped and there were no layoffs, but the experience made members feel uncomfortable and uncertain.

With the new committee of member and management representatives members hope that these



Members of the Transportation Authority Engineers & Architects Association of Santa Clara met with Local 21 staff for an open house in June. Pictured are TAEA member Rachael Martinez, Local 21 staffmember Joe Brenner, TAEA President Rajwinder Sehdev, Valley Transportation Authority Construction Division Director Jack Collins and TAEA member Robert Dona.

continued on next page

New Contract for VTA

— continued from previous page

issues will be discussed more openly from the beginning as TAEA members will now have formal input into advancing effective alternatives to possible layoffs.

Sehdev says the contract also outlines new ways that the group can have input on contracted-out projects. When requests for proposals come in, he says, TAEA members will be able to review the proposed contracts and offer input, including when the work could just as easily be done in-house. Such a process, he says, is also a way to memorialize the increased communication with management. Should their advice not be taken, there will be memoranda to document what their original input was.

The process for obtaining employee-training funds is clearer and more funding is widely available under the new contract. Sehdev says \$3,500 for additional training is now available for professional seminars, as well as for transportation and lodging, over and above professional development funds that are built into departmental budgets.

The contract is the first for TAEA since affiliating with Local 21 in May. The Western Council of Engineers formerly represented the chapter. ■

Check out Local 21's website

www.ifpte21.org

**for contract details,
updates,
organizing news, upcoming
events and more!**



**PROFESSIONAL & TECHNICAL
ENGINEERS
LOCAL 21, AFL-CIO**

The Work We Do: Wastewater Apprentices

— continued from page 4

program.

Cahee is working with others to help reactivate the Wastewater Enterprise apprenticeship program: colleague Maverick Madison, who is Local 21 EIT Chapter President and a 7336 Electronic Instrumentation Technician; Theodore Mitchell, who is also an Electronic Instrumentation Technician; Herb Dang, San Francisco Sewage Treatment Plant Superintendent; Ardis Graham, a San Francisco Public Utility Commission Employment Training Specialist; PUC Public Relations Officer Sam Murray; and Local 21 staff.

“I’m committed to nurturing and cultivating the forthcoming apprenticeship program involving both Local 21 and the City and County of San Francisco,” says Madison, who was an apprentice 15 years ago.

San Francisco has a combined sewer system that collects sewage and storm water in the same network of pipes. This pipe system is over 900 miles long. Through a vast network of underground pipes and structures, San Francisco’s wastewater is pumped, treated, and discharged to the San Francisco Bay and Pacific Ocean. Once collected, there are 17 pump stations that move the wastewater or storm water to the treatment plants.

Electronic Instrumentation Technicians work in the city’s two treatment plants. The Southeast Water Pollution Control Plant, in the Bayview near Third Street and Jerrold Avenue, treats wastewater from the eastern side of the City. And the Oceanside Water Pollution Control Plant, located adjacent to the zoo, treats wastewater from the western side of the City.

Cahee came to the job after working as a communications specialist with the military. In the service he was trained in electronics. On the job with Wastewater Enterprise, he learned about the specific instrumentation elements of the work, as well as hydraulics and the principles of gas and water.

“I was one of the last to go through that program and complete it successfully,” he says. “We’re trying to get a program started now that can give back to the community.” ■

Building Department Staffing

— continued from page 2

year. The department, the report found, was short by five engineers. One staff member is working as an interim division manager while another was on a leave of absence. Two other positions were filled at the end of September. No request has been made to create a fifth position. ■



PROFESSIONAL & TECHNICAL ENGINEERS LOCAL 21, AFL-CIO

Main Office:
1182 Market Street
Room 425
San Francisco, CA 94102
T: 415 864-2100
F: 415 864-2166
East Bay phone:
T: 510 251-2199

Peninsula phone:
T: 650 323-2100
South Bay Office:
675 North First Street
Room 715
San Jose, CA 95112
T: 408 291-2200
F: 408 291-2203

Local Union Officers

Kathleen Price, President	415 551-4815
Mary Follenweider, Exec. Vice President	408 501-0592
Anna Roche, San Francisco Vice President	415 551-4560
Marlene Du Four, Oakland Vice President	now on leave
Danny Galang, East Bay Vice President	510 583-4925
Ananth Prasad, South Bay Vice President	408 494-1342
Vivian Chow, At-Large Vice President	415 554-0772
Jeff Levin, VP for Membership & Organization	510 238-6188
Ron Dicks, VP for Legislative & Political Action	415 558-6632
Ed Walsh, Secretary	415 701-4641
George Lau, Treasurer	415 255-3454
Howard Wong, Immediate Past President	415 982-5055
Paul Shearon, Interim Executive Director	415 864-2100

pipeline prepared by Kate Rix

pipeline

Professional Advancement Through Collective Bargaining

Golden Gate Bridge Contract

— continued from page 3

Mitchell is a Human Resource Coordinator for the District and has been there for 13 years.

She said that one of the accomplishments she is most proud of was the ability to hold off the District in trying to implement an attendance program.

“As a coalition, we were able to hold off on the attendance issue,” she said. “I am very pleased we are able to stay united and only through this unity were we able to reject that proposal.”

Another major victory this summer was the Engineer Unit’s win of an “agency shop” vote to consider whether all employees would be subject to fair share requirements. In September, a formal election was held and a majority of the unit voted in favor of the issue.

The unit consists of 23 represented professional positions, which have a constant rotation of projects maintaining and strengthening the 69-year-old span.

“This is something I’ve been working up to for three years to strengthen our chapter,” said David Lynch, chapter president and senior engineer at the District. “More members will equal more participation, I hope, and less of a feeling of some people paying and others not. It’s about bottom-line equity.”

The vote, which effects only the engineering unit, occurred while contract negotiations were taking place. ■



Golden Gate Bridge District Chapter President and Senior Engineer David Lynch initiated a successful “agency shop” vote in the District Chapter’s Engineer’s Unit.