



Toward a Better Oakland

January 18, 2007

Violation of Overtime Rules

On December 13, 2006, we filed a class action grievance on behalf of all Local 21-represented employees due to the City's practice to pay hourly employees premium pay for their regular hours of work but not include the premium for any overtime hours. This is a violation of the Fair Labor Standards Act (FLSA) that requires an employer to include bonuses and other types of compensation in the regular rate of pay for the purposes of overtime. Our Agreement states in Section 5.5.19 that "there shall be no 'pyramiding' of premium and/or overtime pay....except that this provision shall not apply to represented employees receiving overtime in accordance with the provisions of the Fair Labor Standards Act." The Step 3 grievance hearing was held last week and we are awaiting the City's response. *Stay tuned ...*

City Withdraws Key Civil Service Changes

After seven months of negotiations, the City has withdrawn some of its most harmful proposals on changes to the Civil Service Rules. To date, negotiations have progressed through Rules 1 through 4.

At the final 2006 negotiating session, the City revised its proposal for the remaining rules, announcing that it was withdrawing two provisions that were of great concern to Local 21 – a proposal to exempt professional employees from the Fair Labor Standards Act (which could have eliminated overtime pay) and language declaring that the City's standard workweek is 40 hours (which raised the prospect of significant take-aways in our next contract).

These two changes are a major victory. Despite the slow pace of negotiations, our strategy of working closely with the other unions – in particular, SEIU Local 790 representing both City and Port employees – has paid off by providing a united front against the City's attempts to undermine basic Civil Service principles of merit-based hiring, fair treatment, and public oversight of the City's personnel system.

Many City proposals are still under contention. For example, the City wants to abandon the "Rule

of Four", which requires that the top four names on eligibility lists be interviewed for vacant positions. Both Local 21 and SEIU Local 790 have already filed grievances after discovering that when there are tie scores on exams, the City calls more than four people for interviews, rather than following Civil Service rules for breaking ties.

Still to come is a discussion about the City's proposal to move to a "Rule of Ten," which will completely undermine the principal of merit-based appointments.

Other areas of disagreement include the use of temporary employees such as TCSEs and ELDEs, a union demand that reclassifications be retro-active to the date of initiation rather than whenever the City gets around to completing them, how the Rules apply to Port of Oakland employees, and the City's desire to shift authority to the Personnel Director and weaken the Civil Service Board.

Did You Know?

The Project Manager classification is a classified, civil service-protected position the same as all other UM2 unit positions. We are **NOT** in agreement with the City's unsupported assertion in direct contradiction with the City Charter and our Agreement that the PM I classification is "at-will". It is our position that employees in the Project Manager classification operate under Civil

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Did You Know? continued from pg 1

Service rules accruing seniority and subject to all Civil Service Rules, including recruitment procedure. We will withstand any attempt to chip away at our Civil Service protections one position at a time. Be informed! Know your rights!

Oakland Chapter Officers

Here are the results of chapter officer nominations/elections held last Fall.

Oakland Vice President

Jeff Levin

Administrative & Professionals Chapter

Don Smith, President

Justin Horner, Unit A Vice President

Josie Montoya, Unit W Vice President

Renee Sykes, Recording Secretary

Christia Mulvey, Sgt-at-Arms/Parliamentarian

Annie Sloan, Membership Director

Mahlon Harmon, Political Issues Coordinator

Deputy City Attorneys Chapter

Diane Lewis, President

Kathleen Salem-Boyd, Vice President

Dan Rossi, Political Issues Coordinator

Susan Mosk, Labor-Mgmt. Comm. Rep.

Patrick Tang, Labor-Mgmt. Comm. Rep.

Engineers & Architects Chapter

Hamid Ghaemmaghami, President

Joyce Carlson, Vice President

vacant, Recording Secretary

Moises Montoya, Political Issues Coordinator

Supervisors & Managers Chapter

Michele Byrd, President

Bruce Levitch, Unit H Vice President

Bill Wilkins, Unit M Vice President

vacant, Secretary

Andrea Turner, Political Issues Coordinator

Tom Manley, Membership Director

vacant, Sgt-at-Arms/Parliamentarian

Joe Castro, Delegate

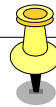
Carol Curtis-Williams, Delegate

Zoe Pollock, Delegate

The Year in Review

The year that was 2006 has passed but not without some highs and lows. The year started off with a feverishly galvanized electoral season. We methodically followed our process for endorsements and geared up for local and state elections. We welcome the newly elected Mayor and City Auditor. While Ranked-Choice voting arrived in Oakland, the library bonds failed to garner the 2/3 vote needed to pass. We celebrated our 4th Annual Cesar Chavez Birthday event. We held leadership trainings facilitated by our research department staff. Our joint labor management retreat kicked off the summer. We elected chapter officers and thank our former officers for all their hard work in taking on responsibility. We celebrated the season together at our all-chapter holiday party in Jack London Square. This year we also lost a dear friend and union leader, Marlene Du Four, Oakland VP. She will never be forgotten.

As we welcome 2007, we are poised to address issues that will affect us, such as the new mayoral administration, the state's infrastructure bond, the City's budget shortfall, succession planning, joint labor-management committee work, civil service and preparing for upcoming contract negotiations. Let us forge ahead united in our contribution to professionalism and public service for this wonderful place called Oakland.



REMINDER

Delegate Assembly

Date: Saturday, January 27, 2007

Place: Ramada Plaza Hotel
(1231 Market Street, S.F.)

Time: 8:30 a.m. registration
Business meeting starts at 9:00 and
we'll adjourn around 12:30 p.m.