

Professional & Technical Engineers, Local 21



AN ORGANIZATION FOR PROFESSIONAL, TECHNICAL & ADMINISTRATIVE EMPLOYEES

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CITY'S MEDICAL PROVIDER NETWORK SET TO TAKE EFFECT

The City and County of San Francisco has elected to incorporate a Medical Provider Network (MPN) which will become effective on July 1, 2007. The City has declined to meet and confer on this change so Local 21 has filed a grievance to enforce our right to bargain.

This network of physicians will be used in all workers' compensation injuries and claims for all City departments except for MUNI and the Department of Parking and Traffic.

This means employees will be required to use a City list of providers for treatment for a work related illness or injury unless you **newly** pre-designate a provider of your own choice. Existing pre-designations will not be honored. The City claims they must take this action because there are new limitations on who may be designated. Chiropractors and acupuncturists are no longer eligible. Your doctor must be a licensed surgeon, a doctor in a general practice, family practice, OB/GYN, or pediatrics, and must be board certified. It is very important that employees check with their doctor before pre-designating as some will not participate in workers' compensation treatment.

Employees currently in treatment for a work related injury or illness need to pay special attention. There are exceptions that allow employees under current treatment to keep a provider not on the MPN list under certain conditions. It is important employees now in treatment understand these rights. The City is holding meetings (see below) and there is information on the City's workers' compensation website or through the union.

The City is hosting several meetings to answer questions employees may have regarding the new MPN. On June 13, 22, and 25, sessions will be held at the Koret Auditorium at the Main Library from 8:30 - 10 a.m.; 10:30 a.m. - 12 noon; 1 - 2:30 p.m.; 3 - 4:30 p.m. On June 18, sessions will be held at City Hall, Room 408 from 8:30 - 10 a.m.; 10:30 a.m. - 12 noon; 1 - 2:30 p.m. On June 19th, sessions will be held at the Port, Bay Conference Room from 9 - 10:30 a.m. and 11 a.m. - 12:30 p.m. On June 26, sessions will be held at the airport, Terminal 1, Conference Room A from

5:30 - 7 a.m.; 9 - 10:30 a.m.; 3:30 - 5 p.m.

If you are told you cannot be released to attend at least one of these meetings, please contact your union representative.

SUPERVISOR SEEKS CHANGE AT MTA

San Francisco City Supervisor Aaron Peskin introduced a City Charter amendment mandating numerous changes at the Municipal Transportation Agency (MTA). The amendments, which could go before San Francisco voters this November as a ballot measure, outline numerous changes that will have an adverse effect on the landscape of labor relations and rights within MTA.

The Charter amendment would allow MTA to hire up to 10% of its workforce as exempt, at-will employees; it is currently set at 1.5 percent. The proposed changes do not articulate which specific positions would fall into this exempt category, but designates a generally large number of individuals who could be hired and fired at any time. This would allow MTA to bypass civil service requirements when hiring these employees and terminate them at-will. The Charter would also allow these exempt employees to qualify for a minimum of 10% of their total annual compensation in performance-based pay, which is not currently available to other employees. There is no criteria as to how the compensation would be meted out, or who would be eligible. It also expands MTA's authority to create new classifications and modify existing bargaining units without consulting the City's Human Resource's Department. Additionally, the amendment also removes existing criteria for setting MUNI transit operators' salaries, facilitating the possibility of reduction of wages for transit operators.

The Charter amendment also addresses other issues, including setting a more environmentally friendly goal for reducing MUNI's carbon emissions over the next five years and funneling more of MTA's revenues directly to the Agency rather than to CCSF's general fund.

The amendment also takes the authority way from the Civil Service Committee for approving Personal Service Contracts and the Board of Supervisors for

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approving Prop. J contracts. These proposed changes cite the "Agency" as the new approving authority.

The Civil Service Commission is scheduled to hold a hearing on the Charter amendment on Monday June 18th at 2pm to determine whether the amendment should be recommended to the Board of Supervisors' Rules Committee. Six of San Francisco's eleven Supervisors will need to approve the amendment for it to be included on the November 2007 ballot. While the amendment has been lauded for its proactive steps to limit the production of greenhouse gases, it contains numerous regressive labor provisions.

JOB-SHARING PASSES BOARD

On June 12, 2007, the Board of Supervisors passed a motion to approve a job-share program for the legislative aides. Job Sharing is an arrangement whereby two people voluntarily share the duties and responsibilities of a full time post. As pay and other conditions are shared on a pro-rated basis, job sharers are to be distinguished from workers in part time posts.

This initiative, sponsored by Supervisor Alioto-Pier, goes a long way in addressing the retention of quality people. A 2001 report by the Department of the Status of Women found that 12% of City departments utilize job sharing programs. There are a growing number of instances where valued employees have requested a reduction in work hours but the requests must be denied because of lack of part-time opportunities at specific levels of responsibility. Job Sharing offers opportunities for expanded availability of part-time employment to all levels. Job Sharing can be arranged so that sharers trade time, covering each other's absences and vacation time. This affords an unusual amount of coverage. In addition, Job Sharing can help reduce training time for a new staff member if a replacement is hired for one of the positions. Sharer's schedules can be designed to overlap when demand is heavy or provide a gap period which expands the work day and takes the work flow into account.

Also, some jobs require a broader range of skills than one full-time staff member generally has. Pairing two people with complementary skills and experience is possible with Job Sharing. We fully support the program. Please note that this program does not change the contractual obligations of the employer.

KNOW YOUR WEINGARTEN RIGHTS

In light of some recent activity in some departments in CCSF, we thought it would be good to revisit your Weingarten Rights. These rights are some of the most

important you have to exercise in the case that you are questioned by your employer about any issue which may lead to discipline.

For Weingarten to be used, several circumstances must be present. First you must have a reasonable belief that discipline or other adverse consequences may result from you answering questions your employer is asking you. Secondly, and most importantly, you must request a Local 21 representative be present. Also important to know is that the employer is not required to inform you of these rights — you must know them for yourself. You can ask to know the subject of the meeting and that you have the right to consult with your Local 21 representative before the meeting ever takes place to ensure that you have sound advice on how to answer any questions. You also have a right to reasonable time to secure a representative which means that you cannot be told to have a representative present in 5 minutes, an hour, or even before the end of your shift.

These rights were established for private sector workers by the U.S. Supreme Court in the Weingarten case, and were subsequently extended to California public employees in a 1978 case called *Civil Service Association, Local 400 v. City and County of San Francisco.*

You can request a representative at any time before or during the meeting and the meeting must be postponed or stopped to allow a representative to arrive and consult with you. The union representative can actively participate in the interview and can tell you what not to answer.

Should an employer refuse to grant your rights do not refuse to go to the meeting, and before going in, ask a co-worker to call the union and CCSF Employee Relations (415-557-4990) to report what is happening. Once you are in the meeting state that you are there under protest and take notes of any question the employer asks. When asked a question, reply that you request that a union representative be made available and are answering the question under protest as failure to do so could lead to changes of insubordination.

Local 21 Delegate Assembly

The Local 21 Delegate Assembly will be held on June 30, 2007, at the Oakland Marriot City Center.

Registration begins at 8:30 a.m. and the meeting will adjourn at approximately 12:30 p.m.

Delegate Assemblies are open to all members, not just delegates, so come out and become an informed member of your union!



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