



Good Intentions Gone Wrong:

STATEMENT OF INCOMPATIBLE ACTIVITIES

Who would have thought that the 2003 Proposition E, which asked voters, “Shall the City consolidate its governmental ethics law in one code, amend some of those ethics laws, and create new ethics laws?” would result in an attempt by the City, with the Ethics Commission and the City Attorney’s Office leading the charge, to insert government into the private lives of public servants?

Prop E’s requirement that each department, board, and commission develop a list of outside activities that are incompatible with service or employment in that department took a wrong turn when the Statement of Incompatible Activities (SIA) finally reached the present “meet and confer” stage, three years later. We believe there may have been some procedural miscues which could throw a wrench in this process.

There are, at a minimum, three general elements that the SIAs are targeting (1) Freedom of Speech and Association (2) Off-Duty Conduct and (3) Disclosure. While there are certain provisions that make sense, there are others that do not. These include language prohibiting civil servants from purchasing real estate in San Francisco if they work at DBI or Planning, and a prohibition from serving on the board of directors of a non-profit that applies for loans or grants administered by the City. What is interesting is that they are imposing a far more repressive standard upon City staff than what the voters passed for members of boards and commissions.

The attempt to limit participation in “recognized charitable organizations” discourages civic engagement and participation. As professionals, many of us volunteer with community organizations and groups. City professionals should be encouraged to take on leadership positions which allows them increased

professional development and networking that would benefit the City.

Why is this important? We believe it is important to protect our freedoms and rights from unnecessary dictation from our employer.

We believe it is important to establish and promulgate rules and regulations that foster good government. The SIA is not doing that - it is just the opposite. Violations of a SIA can result in administrative, civil and criminal penalties. Working for the government does not give the employer the right to determine what you do in off-duty hours.

Union/City Partnership Update

The Union and City Partnership has made some substantial gains in the past year and has initiated many successful projects.

This partnership is a joint venture between Local 21 and the City to bring efficiency and good government initiatives to our workplaces while allowing us to share in any cost savings that may result from our ideas and work.

We currently have five pilot departments (DHR, DTIS, Purchasing, Planning and SF Environment) working on projects, and hope to roll-out the program to other departments as we build capacity.

To date, 28 potential projects have been identified – three projects have been completed in Purchasing and Planning and three projects are underway in DHR and DTIS. One of the current projects, referred to as the PC Redeployment project, is a joint project between SF Environment and DTIS staff that looks at the issues of sustainability and resource allocation. Specifically, this project identifies older computers which one department may be removing from daily duty and attempts to find other departments where the services of these older machines may be useful.

Part of the vision of the UCP is to create a collaboration and communication portal where members can share their projects and thoughts about the process - that portal is up and available for you to review.

The UCP Portal is a tool designed to allow users to view and share resources, project details, and useful links to external resources that help participants understand the UCP guiding principles and project guidelines. It is also a repository for meeting agendas, minutes and notes as well as a knowledge-base for cost capture models and lessons learned.

The UCP Portal is a Lotus Notes-based tool. All Lotus Notes users within the Civic Center area have access to the Portal. A web version of the portal will be available shortly for non-Lotus Notes users and Lotus Notes users outside of the Civic Center Area (e.g., SFO, SF General Hospital).

To access the UCP Portal:

- 1) Enter CTL-O from a Lotus Notes page to open a new database
- 2) Click on the Server drop-down list and select: Other
- 3) Scroll to the bottom of the server list and select: UCP/SFGOV
- 4) Scroll thru the list of files until you locate: UCP Communications
- 5) Click on UCP Communications.

Health Net is being dropped from the City Health Services System

Periodically the Health Services System must renew its contracts with health care providers. They take bids from different providers to see who offers good services, good prices and flexibility. After the latest round of bidding, Kaiser and Blue Shield remain as options, but effective July 1 the Health Net HMO will no longer be offered to City employees.

If you have Health Net, you will need to select another provider during open enrollment in April. You can choose from the City Plan, Blue Shield, Kaiser, and the new PacifiCare.

Both PacifiCare and Blue Shield provider networks are almost identical to Health Net, so it is unlikely you will have to change doctors or

hospitals. But it is better to be sure. If you are currently in Health Net, ask your providers NOW if they accept PacifiCare HMO or Blue Shield HMO. Let your providers know that the City and PacifiCare developed a unique, self-insured HMO plan just for City employees.

This should not impact your costs. PacifiCare appears to have lower premiums than Health Net for most people.

You can learn more about the enrollment on the HSS website: <http://www.myhss.org/> . You can sign up for targeted email announcements about the open enrollment period in April at the web site.

Know Your Rights: Laws on Breastfeeding

Besides the provisions outlined in our MOU, there are federal, state and local laws that give us rights.

California Labor Code 1030 provides that employers shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for her infant child. Section 1031 provides that a reasonable effort must be made to provide space in close proximity to the work area where the mother may express milk in private. The space cannot be a toilet stall. This law, known as the lactation accommodation act, was passed in 2002.

The California Legislature passed a resolution in 1998 (Resolution Chapter 152 “Breastfeeding at Work”) asking all public employers to encourage the practice of breastfeeding by ensuring employees have adequate breastfeeding facilities.

California Civil Code 43.3 provides that a mother may breastfeed her child in any location, public or private (except the residence of another) where the mother and child are authorized to be present. This law was passed in 1997.

There is also a provision in the state Code of Civil Procedure (Section 210.5) exempting breastfeeding mothers from jury duty and requiring the State to take steps to eliminate the need for the mother to appear in court to make this request. This law was passed in 2000.

Know your rights – and tell your family and friends that they have rights too. These rights apply to private sector as well as public employees.



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