Professional Development Funds

Don’t leave money on the table, use your benefits

Our Union recently had a labor-management meeting to discuss professional development; specifically, what will be and will not be approved by the Port.

Chris Boucher has the final decision on what will and will not be approved for professional development dollars and part of the reason we wanted to meet was to get an understanding on how these decisions are made.

First and foremost, if you want to get something approved for professional development dollars, there needs to be a nexus, or connection, to your job.

If an employee is seeking to take a Portugese language class, for example, you need to demonstrate how Portugese is connected to your job. If you work in business development and are seeking to open new business opportunities with Brazil, for example, you can demonstrate a nexus. If you are in accounting, however, the nexus may not be as obvious, but still could be there. Accounting may need to connect with business in Brazil as well and having some basic Portugese may come in handy in developing relationships with accounting counterparts.

Therefore, if you are thinking about applying for Professional Development funds, in order to better substantiate your request (in addition to explaining the nexus to your job at the Port) keep the following in mind to help ensure that you’re approved:

1. Leadership Development. How does this expenditure benefit the Port and develop you as an employee? Does a class help you generate business leads through better communication skills? Does a conference allow you to learn new best practices in your field or expose you to developing law? Keep Leadership Development in mind and in your pitch for approval of professional development funds.

2. Preparing for a Port position (not just in your current classification). For example, if you want to take Human Resource coursework because you believe that this is an area you want to be qualified for in the future, you may be approved. Don’t limit your horizons before you even begin the request process for funding.

3. Enhance Job Skills. If you use Excel or another computer program extensively, a course in the shortcuts and advanced feature of the software could be of great benefit to you, so ask for funds to pursue these courses. If you are forced to make a lot of presentations, going to a public speaking seminar may be approved to help ensure you are making the best possible and most effective arguments for the Port. Think broadly.

4. Professional Organization Dues/Industry Group Affiliations/Trade Organizations. This is a pretty open arena in which employees can utilize their Professional Development allowance. Participation in the Black Chamber of Commerce, subscriptions to computer training sites and more have fallen under this section.

A general rule of thumb to keep in mind: if you want something approved, reach out to Chris Boucher and ask. Just because you have been denied in the past does not mean that you will be denied moving forward.

One additional thing to keep in mind with our new MOU: if you can identify a program or training opportunity not available in one fiscal year, you can carry over your funds between years at the discretion of the HR Director.

For More Info on Professional Development:
Check out our MOU Section H.7, page 23 which grants up to $1100 per fiscal year to Professional Development and Article O, page 36, which goes into detail on Education and Professional Development.
Know Our MOU: How “No Strike” Language is Related to Binding Arbitration

Our Memorandum of Understanding has a management rights clause that prevents us from striking during the length of the contract. Article C.1 reads “During the term of this Memorandum of Understanding, and any extension or renewal hereof, the Union and each employee covered hereunder agrees not to cause, encourage, or take part in any strike, sympathy strike, walkout, sitdown or picketing of work or interference with any operations or activity of the Port or of any person, including any public or private entity, operating on or from any Port premises.”

“No Strike” language, as that provision is commonly referred to, is common in most MOUs and has a long history, which links it to binding arbitration. When Unions were first formed in this country, if there was a dispute, the way the Union got resolution was often to sitdown, shut off the machines and have a wildcat strike (a strike without Union leadership’s authorization).

The great sitdown strikes in Flint, Michigan in the 1930’s against General Motors changed the United Automobile Workers (UAW) into an industry powerhouse and brought management to the table with a great contract resolution that rapidly lead the auto industry to join the UAW. As the UAW got better wages, working conditions and contracts, so too did other industries to keep pace; the rising tide lifted all boats.

Therefore, as a way to keep labor peace and prevent wildcat strikes from taking over, employers started to seek “no strike” language, which Unions agreed to when paired with binding arbitration. Having a neutral, outside arbitrator make final decisions on grievances was a fair trade for Unions, who no longer had to strike to get grievance resolutions.

What are Labor Management Mtgs?

Article T: Labor/Management Meetings
“The Port and the Union agree to establish a Labor/Management Relations Committee for the purpose of exploring ways to improve the level of mutual respect between the parties and to establish methods for problem-solving of workplace issues. This committee will be formed no later than ninety (90) days after execution of MOU and will consist of three members of Local 21, IFPTE and three members chosen by the Port.”

Labor Management is our opportunity to work cooperatively with the Port to solve problems. “Labor Management Meetings are a way for our members’ voices to be heard,” said Local 21 Lead Representative/Organizer Karmen Lee Ortloff. “If a member has an issue they would like leaders to bring to the Labor Management table, I also ask the member what their solutions for the issue might be. Our members provide great insight as to what will and will not work with problems in the workplace.”

One thing that we don’t talk about at Labor Management Meetings: active grievances. The grievance process is different and separate from the Labor Management Process. The underlying condition that resulted in a grievance, however, may be a good topic for labor management.

Do you have an issue that you believe might be a good Labor Management topic? If so, contact a Union leader at the email addresses to the right and don’t forget to tell us possible solutions.

Port of Oakland Leadership
(Port Leadership emails end with @portoakland.com)

Ron Brown, President  rbrown@
Alicia Platt, VP Unit I  aplatt@
Mary Richardson, VP Unit J  mrichardson@
Brandon Mark, VP Unit K  bmark@
Carletta Starks, VP Unit L  cstarks@
Kyle Mobley, Sergeant-at-Arms  kmobley@
Rebecca Gibson, Secretary  rgibson@

Karmen Lee Ortloff, Local 21 Lead Rep  kortloff@ifpte21.org  510.451.4982

Port of Oakland Meeting Schedule

Airport Meeting
Noon on the 4th Tuesday, August 23 and Sept. 27
9532 Earhart Rd., North Airport, L107-104 (Main)

Port Main Office Meeting
Noon on the 4th Wednesday, August 24 and Sept. 28
530 Water Street, Exhibit Room, 1st Floor
FMLA Follow Up From our July Meetings

During our July membership meetings, we had presentations on FMLA and questions around Service Credit came up. We promised to go back to get the answers for members and with the help of Stacie Chestnut, we wanted to provide the following update for members:

**Service credit as it relates to CalPERS** is only affected if you are not being paid your full hours while on FMLA. However, with that said the Port requires employees to use leave time while on FMLA. If employees choose to coordinate their FMLA leave with SDI/PFL they will only get service credit for the leave hours being paid/reported by the Port. Employees do have the option to purchase service credit for LOAs.

The question of service credit often lead the conversation towards paid benefits and **what additional pay**, such as acting pay or other **premiums count towards Port pensions**. Again, we look to Stacie Chestnut, “since [the Public Employees Pension Reform Act] PEPRA things have significantly changed and CalPERS reviews special compensation very closely and may challenge what has been reported as such. Although the Port may report the items you’ve listed [e.g. action pay, etc.] as special compensation, CalPERS determines what counts towards pension and it is different for new members vs. classic members.”

Holiday Party Planners Needed

In our last few membership meetings, **Chapter President Ron Brown** has asked for volunteers to help organize our Chapter Holiday Party. Time is getting short to find a suitable location that is both affordable and appropriate for our event. We will end our August meeting a few minutes early to allow for discussion of the holiday party. If you have planning skills that can be put to good use on this project (and we know you do!), please stick around and help make some crucial decisions to ensure there is a holiday party this winter.
Elections 2016: City of Oakland Ballot Measure Endorsements

Members in the City of Oakland voted on Oakland based ballot measures. The measures listed below were recommended by our Oakland Political Action Committee for endorsement and members overwhelmingly voted in favor of these measures.

Tax on Sugar Sweetened Beverages

**Support:** This tax is modeled on the beverage tax in Berkeley of 1 cent per ounce of sugar sweetened beverages; the proponents project annual revenue of $6-10M annually. The revenue goes into the Oakland General Fund. This means it will be available for city programs that combat obesity, diabetes, etc., especially in low income neighborhoods and/or communities of color. The tax is on the distributors, not collected at the grocery store on the cost of the beverage and will not be added to other beverages, such as water, milk or baby formula. The goal is through education on the evils of sugar sweetened beverages, consumption will go down over time, creating healthier communities.

Leasing Property

**Support:** The City already has the ability to lease out land/buildings for 66 years, the only change will be to extend to 99 years. Often, the city will lease land or buildings to non-profits, who then take on the burden of upkeep and improvements to the facilities. The non-profits benefit with low to no cost leases so they can focus on community programs and the City benefits by the tenants taking over the maintenance costs. At the end of the lease, the City has an improved asset with no additional cost to the city. For developers, if they are able to lease land for 99 years, they are able to spread the cost of new housing developments over 99 years, not just 66 years, which makes it cheaper for the developer to create affordable housing. In both cases, the city benefits at the end of the lease with the option to sell the improved product or keep it for themselves. Lastly, long term leases provides the potential for an on-going revenue source for the city, as opposed to selling the land/building for a one-time gain.

Police Commission

**Support:** This commission has broad support from the community and from the City Council. This measure is being proposed in preparation for the eventual end of the Negotiated Settlement Agreement under which the Oakland Police Department currently operates. The Police Commission will take on the role of oversight of the Police Department. The commission appointments will be made by a citizen committee and approved by the City Council plus 3 appointees by the Mayor. The commission will have the authority over general orders and police misconduct.

The elimination of binding arbitration, a proposal that threatened Local 21 and all Unions in the City of Oakland has been removed. All impacts and references to Local 21 members in the City of Oakland and specifically in the Oakland Police Department have been removed... all of them. There are no impacts to Local 21 members under this proposed ordinance’s final language. Employees of the Police Department will retain all of their current rights.

Infrastructure Bond Measure

**Support:** A $600M bond measure to support infrastructure and affordable housing in Oakland.

- $350M for transportation issues. Envision a street scape... everything you see from the sidewalk on the left to the sidewalk on the right is covered by this bond, except for forestry; e.g. curbs, roads, sewer drains, painting sidewalks, bike lanes, street signs, light posts, etc.
- $150M for building infrastructure and a maintenance. The money will go to upgrade fire houses, for example, that have failed inspection but still have crews working in them and for this reason, the Fire Fighters Local 55 are in favor of this bond measure.
- $100M for anti-displacement measures to keep affordable housing in Oakland, such as purchasing and rehabbing existing housing and keeping it affordable.

This means that about $500 million in projects will be undertaken by the city in the coming years. Much of this work will involve Local 21 members although we will need to be vigilant about contracting in. The Mayor has committed to us and SEIU 1021 to work together to "contract in". The measure itself references the city charter on not "contracting out".

The bond will roll out in multiple stages, with the initial offer of up to $200M offered to purchase 6 months after the passage of the bond. The City needs 2/3 vote for this to pass. The cost to homeowners will be $65/$100K value of assessed home value; therefore, if you home is assessed at $250K, your taxes would go up $162.50 annually. The City has a backlog of upkeep projects that totals $2.5B, so this will only make a dent in the backlog, but it will help.

Citizens would have input on how and where the money is spent through the Capital Improvement Plan process that takes place every two years. SEIU 1021 has an agreement with the Mayor to look at projects and in-source the work where applicable. As Local 1021 jobs are created, so then will Local 21 positions to manage those new hires.

Tenant Protection

**Support:** Rents in Oakland are now among the highest in the nation and many of our members have been forced to leave the city due to high housing costs. This ballot measure modifies the current rent measure in the following ways:

- Rents can be raised as much as the Consumer Price Index. Anything over that requires that the landlord petition the Rent Board for approval.
Elections 2016: City of Oakland Ballot Measure Recommendations (Con’t)

Tenant Protection (Con’t)

• Every year the Rent Board will be required to send a mailing to tenants and landlords to let them know what the CPI increase is and how it can be “banked”. The mailing will also include information about how to file a petition.
• Expands eviction protection. Currently, tenants who live in properties built before 1980 enjoy protection from unfair evictions. The landlord must have one of several specific reasons (i.e. nonpayment of rent) to ask someone to move. The new legislation will extend those protections to tenants who live in properties built between 1980 and 1995.
• ACCE and SEIU 1021 are the sponsors.

I want to read more about these ballot measures, where can I get more info?
Detailed information on all measures in Alameda County can be found at the following link:
http://www.acgov.org/rov/elections/20161108/

What about other Alameda County Initiatives?
There are several measures in Alameda County that are non-controversial for our members and because they cross between half a dozen Chapters in different jurisdictions, our elected Executive Committee will recommend the same actions taken as the Alameda Labor Council. The list of recommendations and endorsements is growing as we move through the election cycle, so check the Local 21 website before you vote for the most up to date list.

I live outside Oakland and Alameda County. Has Local 21 weighed in on any other ballot initiatives or election races?
All Local 21 endorsements, once they are made, are listed on our website. For the most up to date version of our endorsements around the Bay Area, check out the following link:
http://www.ifpte21.org/content/local-21-recommendations-november-election-are-out
Family Picnic

Join the Alameda Labor Council for free food and fun for families! Bring a blanket, set up your lawn chairs and other picnic items as you enjoy the music.

Monday, September 5th
Alameda Point, 2700 Saratoga Street
11:30 am – 4:30 pm

Stop by and meet real life Rosie the Riveters, like Betty Soskin (pictured below), a 95 year old Park Ranger and history interpreter at the World War II Home Front National Historic Park in Richmond. She and other surviving “Rosies” will share their pioneering stories. Soskin was a clerk for the Boilermakers Union A-36 and while the shipyard was a segregated working environment, she says her efforts to share her story reminds us “what gets remembered is determined by who is in the room doing the remembering.”

Directions: 880 North to Broadway to Webster Street Tube
Make a Right on Atlantic
Make a Right on Main
Make a Left on Navy (Guard Shack)