

ASSOCIATION EMPLOYEES UNION

INITIAL PROPOSAL

March 20, 2013

2:30pm

AEU reserves the right to add to, delete, modify, amend, or otherwise revise its proposals until such time as a total and complete tentative agreement has been reached.

ARTICLE 1

Recognition and Bargaining Unit

CONTRACTING FOR SERVICES

AEU seeks to define bargaining unit work as all work except management, confidential, custodial services at field offices, landscaping/property maintenance services at HQ and substitutes for permanent employees on leave who intend to return. AEU seeks to establish limits on the amount of bargaining unit work if any, that can be performed by both temporary and permanent non-bargaining unit personnel including utilization of CSEA members through the purchase of release time and CSEA retirees.

ARTICLE 6

Probationary Period

AEU seeks to establish a uniform length of probation (6 months) for all exempt classifications for promotional opportunities.

ARTICLE 7

Standard Work Day and Work Week

AEU seeks to eliminate inappropriate work load and inappropriate work assignments. AEU seeks contractual parameters that ensure that the work assignment does not exceed "reasonable bounds," is consistent with the job description and that eliminates adverse health and safety effects. Said parameters implicate review and discussion including, but not limited to, staffing levels, definition/application of exempt status, workload of specific classifications, over time, in lieu days, work schedule, flex time, trainings, holiday and weekend work and compensatory time.

ARTICLE 9

Vacations

AEU seeks enhancements including, but not limited to, when vacation can be unilaterally canceled by CSEA in “emergency situations,” and compensation/reimbursement when the employer cancels the vacation for this reason.

ARTICLE 10

Leaves of Absence

AEU seeks to clarify, revise or otherwise amend the use and application of this article including, but not limited to, personal necessity leave, donated sick leave, bereavement leave, the coordination of leaves and the term “sick leave abuse.” AEU further seeks to clarify, revise or otherwise amend the use and application of this article including, but not limited to, fitness for duty medical exams, FMLA and CFRA to comply with state and federal law.

ARTICLE 11

Holidays

Update section 11.1 consistent with duration of the successor contract.

ARTICLE 13

Salary Schedules and Related Matters

AEU seeks base salary increases consistent with cost of living and the applicable labor market.

Amend section 13.2.2 to refer to applicable sections 13.6, 13.6.1 and 13.6.2.

Amend section 13.3.1 to provide out-of-class pay for performance of specific duties outside the employee’s regular assignment/job description.

Amend section 13.10.1 (c), (d) to clean up effective dates.

ARTICLE 17

Discipline

AEU seeks to clarify, revise or otherwise amend the use and application of this article including, but not limited to, establishment of progressive disciplinary procedures, cause for discipline, employee receipt of all materials upon which the employer intends to use at arbitration prior to the Level III appeal, mandatory pre-disciplinary counseling when requested by the employee, employee right to timely notice of all oral and written CSEA member complaints, and a clear process for challenging the merit/veracity of CSEA member complaints. Reduction of the two (2)-year time line for imposing discipline, and consequences for hostile and intimidating management conduct in the administration of discipline or potential discipline.

ARTICLE 19

Grievance Procedure

AEU seeks to enhance/clarify the Step and Arbitration process including, but not limited to, timelines to avoid protracted delay.

ARTICLE 22

Insurance Plans

AEU seeks enhancements to the current level of benefits. All plan provisions and benefits shall comply with state and federal mandates.

ARTICLE 23

Retirement Benefits

AEU seeks to restore and enhance the defined pension benefits levels in place on or before May 31, 2011, including, but not limited to, the elimination of two-tier defined pension and health and welfare benefits.

HEALTH BENEFITS

AEU seeks enhancements to the current level of benefits. All plan provisions and benefits shall comply with state and federal mandates.

ARTICLE 26

Transfers, Promotions and Demotion

AEU seeks to clarify, revise or otherwise amend the use and application of this article including, but not limited to, the filling of vacancies, definition of “minimum qualifications” and “ability to do the job” for filling vacancies, unilateral movement of staff between field offices and services areas within field offices.

ARTICLE 27

Duration

AEU seeks a multi-year contract.

Amend section 27.1 to delete mutual reopener tied to CSEA membership levels.

ARTICLE 28

Rights of the Union

AEU seeks to clarify the application of release time including, but not limited to, employer notice.

ARTICLE 29

Personnel Records and Performance Evaluations

AEU seeks to establish uniform practices related to activity/expense report policies and procedures including, but not limited to, Concur, meal allowance, cell phones, and vehicle allowance, toll and Fastrak charges and usage.

ARTICLE 30

Reimbursed Expenses/Vehicle Policy, Bar Dues

AEU seeks to clarify, revise or otherwise amend the use and application of this article including, but not limited to, mileage/activity report policies and procedures, Concur, meal allowance, cell phones, vehicle reimbursement, mileage and vehicle requirements.

ARTICLE 31

Safety

Amend language to clarify that AEU appoints its members to the committee.

ARTICLE 32

Staff Development and Professional Growth

Amend language to eliminate typographical error (“comprise” revised to read “be comprised of”).

ARTICLE 33

Intern Program

Delete.

ARTICLE 34

Emeritus Program

Delete.

New Article – Workplace Bullying/Harassment: Applicable to management, co-workers and CSEA members.

AEU seeks an internal complaint process for bargaining unit members that includes, but is not limited to, independent investigation and resolution procedures.

New Article – Training

AEU seeks to establish appropriate levels of annual training for the field and other specific classifications that includes both probationary and permanent employees. All calendar dates of the current contract shall be updated consistent with the duration clause of this successor contract. The table of contents and subject index shall be revised on an as needed basis (i.e., “Duration” currently not listed in the subject index).