

March 12, 2009

Page 1

BEFORE THE STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of:)
)
STATE OF CALIFORNIA, Employer,) Unfair Practice
and PEACE OFFICERS OF CALIFORNIA,) Charge No.
Petitioner, and CALIFORNIA) SA-SV-171-S
STATEWIDE LAW ENFORCEMENT ASSOC.,)

Exclusive Representative.)
)
_____)

MARCH 12, 2009

SHAWN CLOUGHESY
Administrative Law Judge

PUBLIC EMPLOYMENT RELATIONS BOARD
1031 18th Street, Room 214
Sacramento, CA

Transcribed by: Leisa M. Miller

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Administrative Law Judge

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1 INDEX OF WITNESSES

2 --oOo--

3 Exclusive Representative's Witnesses Page

4 JAMES VITKO

5 Cross-Examination by Mr. Rose 14

6 Cross-Examination by Ms. Truong 54

7 Further Cross-Examination by Mr. Rose 57

8 KARLYNE AMARAL

9 Direct Examination by Mr. Messing 62

10 Cross-Examination by Mr. Rose 67

11 Cross-Examination by Ms. Truong 77

12 Redirect Examination by Mr. Messing 78

13 Recross-Examination by Ms. Truong 78

14 Recross-Examination by Mr. Rose 79

15 SHELLEY BISHOP

16 Direct Examination by Mr. Messing 84

17 Cross-Examination by Mr. Rose 87

18 Redirect Examination by Mr. Messing 99

19 Recross-Examination by Mr. Rose 101

20 Further Redirect Examination by Mr. Messing 103

21 ALLAN WIDMEYER

22 Direct Examination by Mr. Messing 107

23 Cross-Examination by Mr. Rose 111

24 Cross-Examination by Ms. Truong 126

25 Further Cross-Examination by Mr. Rose 127

1	INDEX OF WITNESSES (Continued):	
2	Exclusive Representative's Witnesses	Page
3	JOHN KNIGHT	
4	Direct Examination by Mr. Messing	130
5	Cross-Examination by Mr. Rose	134
6	Redirect Examination by Mr. Messing	156
7	BRUCE D. HOTCHKISS	
8	Direct Examination by Mr. Messing	169
9	Cross-Examination by Mr. Rose	174
10	LAURA CAMPOS	
11	Direct Examination by Mr. Messing	196
12	Cross-Examination by Mr. Rose	203
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

INDEX OF EXHIBITS

--oOo--

		Ident.	Evid.
3	Exclusive Representative's Exhibits		
4	U Declaration of James Vitko		58
5	V Declaration of Karlyne Amaral	59	81
6	W Declaration of Shelley Bishop	82	105
7	X Declaration of Allan Widmeyer	106	128
8	Y Declaration of John Knight	129	157
9	Z Declaration of Bruce Hotchkiss	167	192
10	AA Declaration of Laura Campos	194	214

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Messing?

2 MR. MESSING: I don't have anything.

3 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Sir, I need to
4 admonish you not to discuss your testimony with any of
5 the witnesses. You're free to discuss it with anybody at
6 these counsel tables.

7 And with that, Exhibit Z of Exclusive Rep is
8 admitted.

9 (Exclusive Representative's Exhibit Z received
10 in evidence.)

11 ADMINISTRATIVE LAW JUDGE CLOUGHESY: I'll take that.
12 I think that's yours.

13 THE WITNESS: Okay.

14 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And we are off
15 the record.

16 THE WITNESS: Thank you.

17 (Off the record.)

18 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.
19 We're back on the record. We have another witness called
20 by the Exclusive Representative. I'm going to ask this
21 witness to raise your right hand.

22 (Witness sworn by the Judge.)

23 THE WITNESS: I do.

24 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Please state
25 your name for the record, spelling your last name.

1 THE WITNESS: Laura Campos. C-A-M-P-O-S.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: I have a couple
3 preliminary questions. One is that, have you ever
4 received transcripts of this proceeding? And I'm talking
5 about transcripts like such as this.

6 THE WITNESS: I received a few pages in an e-mail.

7 ADMINISTRATIVE LAW JUDGE CLOUGHESY: In an e-mail.

8 THE WITNESS: Yes.

9 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay. Can you
10 kind of describe that real quickly, what you received?

11 THE WITNESS: It was a partial transcript, as I said,
12 of Mr. Karnow's, Karnow, K-A-R-N-O-W, I believe --

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay.

14 THE WITNESS: -- was the witness' name.

15 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And can you kind
16 of -- when you say a partial transcript, I mean are we
17 talking about pages, we talking about lines? What are we
18 talking about?

19 THE WITNESS: I believe it was a few pages. I
20 received it on my Blackberry and found that the pages
21 were sort of distorted for me, and I couldn't tell
22 exactly how many.

23 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay. Well, let
24 me ask this question. Just for purposes -- do you recall
25 who sent you the e-mail?

1 THE WITNESS: Yes. Kasey Clark.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay.

3 THE WITNESS: Chief Counsel for CSLEA?

4 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And do you
5 recall what -- when you say a partial transcript from
6 Karnow, what do you remember seeing as far as his
7 testimony?

8 THE WITNESS: There was testimony regarding a raise
9 in question, the percentage of raise that Fish and Game
10 was supposed to receive, or had anticipated receiving.

11 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. And
12 was this in an e-mail? Is that what you said?

13 THE WITNESS: Yes, sir.

14 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay. Do you
15 remember seeing similar I'll use the word -- well, I'll
16 just leave it at that.

17 Anyway, do you know James Cline?

18 THE WITNESS: No, sir.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: I'm going to be
20 passing you Exclusive Representative double A.

21 (Exclusive Representative's Exhibit AA marked
22 for identification.)

23 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And let me ask
24 you if you recognize that document.

25 THE WITNESS: Yes. It's a Declaration that I wrote

1 and e-mailed to a law firm.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. If
3 you could turn to the last page, the signature page? And
4 is that your signature on that page?

5 THE WITNESS: Yes, it is.

6 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And did you sign
7 it on the date set forth and the place set forth?

8 THE WITNESS: Yes.

9 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And is the
10 contents of that Declaration true and correct to the best
11 of your knowledge?

12 THE WITNESS: I do have to make one correction --

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.

14 THE WITNESS: -- if I may, please.

15 ADMINISTRATIVE LAW JUDGE CLOUGHESY: What would you
16 like?

17 THE WITNESS: On page nine, line thirteen, I
18 apologize, I was using a cut and paste and --

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay.

20 THE WITNESS: -- I did not make this correction.
21 Instead of receiving routine physical therapy treatments,
22 it should read receiving routine optometric treatments.

23 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. Why
24 don't you do whatever you need to do to clarify that.

25 And you already initialed it. And why don't you date it

1 also.

2 THE WITNESS: What's today's date?

3 ADMINISTRATIVE LAW JUDGE CLOUGHESY: It is the 12th.

4 THE WITNESS: Thank you.

5 ADMINISTRATIVE LAW JUDGE CLOUGHESY: March 12th. All
6 right. Any other corrections?

7 THE WITNESS: No.

8 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.

9 Mr. Messing.

10 TESTIMONY OF

11 LAURA CAMPOS,

12 Having been duly and regularly sworn, testified as
13 follows:

14 DIRECT EXAMINATION

15 BY MR. MESSING:

16 Q. Okay. So you've been employed with the State for
17 29 years?

18 A. Twenty-nine and a half years, yes.

19 Q. And a half. Okay. And out of that how many
20 years were spent as an Investigator?

21 A. All of them.

22 Q. Okay. And you are a member of an affiliate
23 called CACI?

24 A. Yes. The California Association of Criminal
25 Investigators.

1 Q. Okay. And that is an organization of both sworn
2 and non-sworn employees?

3 A. Yes, that's right.

4 Q. Okay. About how many members of CACI are there?
5 Do you know?

6 A. About 400 at any given time.

7 Q. Okay. Do you know approximately the ratio of
8 sworn to non-sworn in that organization?

9 A. Right now I believe we have nine or ten non-
10 sworn. The remainder are sworn.

11 Q. All right. And do you know what classes the nine
12 or ten occupy?

13 A. They are two different classes. One is
14 Investigator assigned to the Department of Industrial
15 Relations, CalOSHA Unit. And the other -- and they have
16 about six Investigators. And the other non-sworn are
17 from the Emergency -- EMSA. I'm sorry. I always think
18 of acronyms. Emergency Medical Services Authority. And
19 they regulate EMTs, emergency medical technicians.

20 Q. Okay. Who represents the Investigators in the
21 Department of Insurance?

22 A. CACI represents the Fraud Investigators of the
23 Department of Insurance.

24 Q. Okay. And what about the Insurance
25 Investigators, who represents them?

1 A. I believe that they are represented by CAFI,
2 California Association of Fraud Investigators.

3 Q. Okay. All right. Now, you have had -- how long
4 have you been active in CACI? And by active I mean not
5 just a member, but having some duties like Site
6 Representative, a Board member, or an officer.

7 A. I've been President since 2001. And I became
8 active, an elected member to the Board, about four years
9 prior to that. So I was not only Director, but also
10 elected as Secretary.

11 Q. Okay. And so as a President of CACI, you're
12 active in CSLEA?

13 A. Yes.

14 Q. Okay. Was that true also when you were a Board
15 member?

16 A. To attend some meetings, but that's all.

17 Q. Okay. And let's focus on your term from 2001 to
18 the present. When members have issues and involving
19 individual representation, by that I mean IAs,
20 grievances, disciplinary matters, are you generally aware
21 of that?

22 A. It depends on the particular situation. There
23 are times when if someone calls me -- someone may call to
24 find out what the process is, who should I talk to at
25 CSLEA, and I'll explain who they should be contacting,

1 Northern or Southern California, who should -- you know,
2 who they should ask for. And some may ask for advice and
3 start presenting a situation to me and just ask for --
4 it's like, how may I handle this informally. And so
5 we've received multiple types of contacts, or I have.

6 Q. Okay. Is that on -- multiple contacts on an
7 annual basis?

8 A. Yes.

9 Q. Okay. And if people have a problem with let's
10 say the responsiveness of CSLEA, would you be someone
11 that they would go to and complain?

12 A. Yes, I might be.

13 Q. Okay. Now, regarding back to the individual-type
14 issues, grievance, disciplines, IAs, have you received
15 complaints about the lack of responsiveness of
16 individuals in the CSLEA office who are supposed to
17 provide those services?

18 A. Not in the recent past. We have in our -- in
19 CSLEA's past history.

20 Q. How far back?

21 A. Four or five years and beyond.

22 Q. Okay. So in the last four or five years you
23 haven't had complaints about responsiveness?

24 A. No.

25 Q. By no, do you agree with what I'm saying, or

1 disagree?

2 A. I agree with what you're saying.

3 Q. Okay. And did something change in CSLEA four or
4 five years ago that brought about this change in the
5 perception of responsiveness of CSLEA?

6 A. Yes.

7 Q. What was that change?

8 A. Significant change from my perspective. Our
9 Chief Counsel was changed and a new computer automated
10 system was put into place to track -- where there was no
11 system in place to track cases before one was put into
12 place. And so that there was an automatic system of
13 tracking and updating cases or complaints.

14 Q. Okay. And prior to four or five years ago, what
15 kind of representative would you be assigned if you had a
16 problem and you were a CACI member?

17 A. A Labor Rep. A Labor Representative.

18 Q. Okay. And has there been any change in that over
19 the past four or five years?

20 A. Yes, a significant one. We moved from a Labor
21 Rep program to an attorney representative-type program.

22 Q. And how do your members feel about the change
23 of -- from speaking to a Labor Rep to speaking to an
24 attorney?

25 A. Most of CACI members are peace officers and,

1 thus, are very used to working with attorneys, and pretty
2 quickly develop a working relationship. And so my
3 members, the feedback that I've had has been very
4 positive.

5 Q. Okay. Now let's turn to the issue of collective
6 bargaining. As President of CACI, did you have occasion
7 to -- strike that.

8 Would people in your capacity as President of CACI,
9 would they have the -- would they tend to come to you if
10 they had problems with issues concerning -- issues that
11 arose in negotiations?

12 A. They may, yes.

13 Q. Okay.

14 A. Can I -- I hesitate for a particular reason. May
15 I explain that?

16 Q. All right. Why don't you explain the reason why
17 you hesitate.

18 A. Just very briefly, CACI is constructed of -- the
19 membership is comprised of 12 different departments, 15
20 employing agencies. And the way our Board is
21 constructed, a Director represents the particular
22 employing agency department, as well as they may have
23 others as well. And so the member tends to go to that
24 Director first because that is -- that is who represents
25 their department. And then secondarily they might report

1 to me, or we may have met in the past like through our
2 conferences or other communications, and they might
3 communicate with me directly.

4 Q. Okay.

5 A. And so we have a --

6 Q. Okay. But so if somebody had -- if there were
7 problems with -- and one particular part of CACI and
8 people brought issues to a Director there, would you
9 expect that you would hear about those problems as
10 President of CACI?

11 A. It depends on the problems.

12 Q. Okay. If there's a big issue regarding
13 negotiations.

14 A. Oh, those are always brought to my attention,
15 yes.

16 Q. Okay. Now, do you know -- can you state from
17 your experience what the reactions have been by members
18 of CACI to the negotiations conducted by CSLEA? And by
19 that I'm looking at whether or not they've expressed
20 opinions as to the adequacy of their representation.

21 A. Directly I've received during this past
22 negotiations period a lot of active positive support.
23 Our members were very active in this past negotiations
24 series.

25 Q. Okay. Actually, back to the individual

1 representation. I asked you about responsiveness. Let
2 me ask you the same question as to the quality of
3 services rendered by CSLEA. Have you had any complaints
4 in the last four or five years about the quality of
5 representation afforded to your members?

6 A. Not complaints, no.

7 Q. Okay. Any other input that you've received?

8 A. Generally the comments that I've received, if I
9 get feedback, is that they're -- it's been very good.

10 MR. MESSING: Okay. I'll pass the witness to
11 Mr. Rose.

12 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Sir.

13 MR. ROSE: Thank you.

14 CROSS-EXAMINATION

15 BY MR. ROSE:

16 Q. Good afternoon, Ms. Campos.

17 A. Good afternoon.

18 Q. Joe Rose. I'm the attorney for Peace Officers of
19 California.

20 A. How do you do.

21 Q. Very good. Thank you. With respect to the
22 questions you were just most recently being asked about,
23 the quality of services provided by CSLEA, you said
24 generally they've been good. Have you had specific
25 complaints in the last four or five years from anyone

1 about adequacy of representation?

2 A. I can recall one specific issue where a member
3 didn't like the response. But CSLEA continued to work
4 with the member, and he is satisfied currently. But his
5 issue is still ongoing. And he is fine working with
6 CSLEA and the work that they're providing to him.

7 MR. ROSE: I'd like to get the member's name off the
8 record, if that's possible. Do you agree that we should
9 go off the record for that?

10 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Hold on a
11 second. I'm just -- I was trying to ferret this through.
12 Is there any response, Mr. Messing?

13 MR. MESSING: Well, yeah. We don't know what the
14 nature of the representation was, so --

15 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Why don't --

16 MR. MESSING: -- we have concerns about whether
17 there's a privacy issue.

18 ADMINISTRATIVE LAW JUDGE CLOUGHESY: If she --

19 MR. MESSING: Can we -- can we consult with the
20 witness first?

21 ADMINISTRATIVE LAW JUDGE CLOUGHESY: You know, not
22 necessarily in the middle of the examination. But let me
23 ask you this, is that can you give us an idea? Are we
24 talking about disciplinary, grievance?

25 THE WITNESS: Disciplinary.

1 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Dispute with
2 supervisor, or what can you -- so we're talking about
3 discipline?

4 THE WITNESS: It was a medical and psychiatric
5 confidentiality issue.

6 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay. We're
7 going to -- we're going to get in trouble. All right.
8 I'm just going to say let's -- I'm not going to ask you
9 to disclose the name, because then I have to deal with
10 even more issues with the medical. So I'll let you just
11 take it from there, Mr. Rose. If you want to refer to
12 the person as A or B, or whoever you want it, I mean
13 that's fine.

14 MR. ROSE: Well, I don't necessarily want that. I
15 would like to know the identity of the person without
16 having --

17 ADMINISTRATIVE LAW JUDGE CLOUGHESY: I can't. I
18 just -- no way. Once you -- once I hit that medical,
19 there is -- especially in light of all our HIPAA stuff
20 going on, I just cannot even go there.

21 MR. ROSE: Okay. Let me move on.

22 BY MR. ROSE:

23 Q. Now, this person contacted you with a complaint
24 how recent ago?

25 A. The member was referred to me through his

1 Director.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.

3 THE WITNESS: Okay. And it has been over a year. I
4 believe his issue started in late 2006.

5 BY MR. ROSE:

6 Q. And what specifically was it that -- about the
7 responsiveness, or was the response you said from CSLEA
8 that the member was unhappy about?

9 A. He didn't like some of the responses. It wasn't
10 the lack of response, because he had been working with
11 the CSLEA representative from the very beginning, and he
12 had some questions that he wanted to discuss.

13 Q. Now, what did you do after speaking with this
14 member who was unhappy?

15 A. Got a little bit of detail. I say that because I
16 don't have confidentiality as the President or the
17 Director, so I have to be careful on what information I
18 can receive. Talked to his assigned representative. See
19 if perhaps the way I phrase the concern may facilitate an
20 answer, or a better understanding of how, you know,
21 things are in play. And then refer the member back to
22 the assigned representative, the assigned CSLEA
23 representative. Then they work through the question and
24 answer and continue the representation.

25 Q. All right. And you believe now this person's

1 completely satisfied?

2 A. I've not talked to the person recently. I can
3 only say that his issue is ongoing.

4 Q. All right. Any other -- without divulging names,
5 are there any other complaints that you've received,
6 specific complaints about CSLEA's representation?

7 A. None that I can remember in the recent past,
8 meaning, you know, two, three, four years.

9 Q. Okay. When you -- help me understand. How many
10 members are there on the Board of CSLEA?

11 A. Oh, gosh. There are 19 affiliates. Then there
12 are our President, Controller, Secretary.

13 Q. And so as an -- is it that the affiliate --

14 A. I believe Sergeant at Arms.

15 Q. Oh, I'm sorry.

16 A. Sorry. I'm sorry.

17 Q. I didn't mean to interrupt you. I thought --

18 A. I thought I had finished, too. I'm sorry.

19 Q. All right. So when you say there are 19
20 affiliates, am I correct in my thinking that the
21 President of each affiliate has got a post on the CSLEA
22 Board?

23 A. We construct the Board of Directors on the CSLEA
24 Board.

25 Q. So you as President of your affiliate are also a

1 Board member on the CSLEA Board?

2 A. Yes.

3 Q. Do you know whether that's true with respect to
4 the other 18 affiliates?

5 A. Yes.

6 Q. Now, you have been the President of your
7 affiliate since 2001?

8 A. Yes.

9 Q. And so, therefore, you've been a Board member
10 since 2001 on the CSLEA Board as well?

11 A. Yes.

12 Q. And one of the functions you have on the CSLEA
13 Board is to approve Collective Bargaining Agreements or
14 Memorandums of Understanding, Labor Contracts?

15 A. I -- what do you mean by approve?

16 Q. Well, ultimately the MOU will go out for a member
17 ratification vote, correct?

18 A. Yes.

19 Q. But prior to the matter going out for a vote
20 there has to be a tentative agreement, correct?

21 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Let me just ask
22 it a little bit easier.

23 THE WITNESS: Please.

24 ADMINISTRATIVE LAW JUDGE CLOUGHESY: What role do you
25 take, if any, as a Board member in regards to the

1 approval process of the Memorandum of Understanding?

2 THE WITNESS: I'm not sure if I would use the word
3 approval, but let me explain.

4 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And I used it as
5 broad as possible because I didn't want to use the word
6 ratification. But --

7 THE WITNESS: Well, let me tell you what I mean by
8 it. The negotiations team, however it is constructed for
9 that period, negotiates, achieves an understanding and
10 agreement with DPA. That agreement is brought to the
11 Board, and the Board votes on whether to send it out to
12 the members for ratification --

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Very good.

14 THE WITNESS: -- or to not send it out. So I don't
15 know if that means an approval, but --

16 BY MR. ROSE:

17 Q. That's very helpful. That's exactly what I
18 was --

19 A. Okay.

20 Q. -- information I was seeking, so thank you.

21 Now, have you ever been on the negotiations team?

22 A. No. Well, I'm sorry. In this past period, in
23 the most recent negotiations period, I did make a
24 presentation of CACI's proposals to the -- to DPA.

25 Q. Okay. And when you were on the Board in 2003, do

1 you recall reviewing a -- do you recall having
2 information brought forward by CSLEA's staff concerning a
3 pay parity proposal that would have pay based on the
4 Highway Patrol calculation for peace officers?

5 A. Yes.

6 Q. What do you recall about that information being
7 brought to you as a Board member?

8 A. It's my recall that it was negotiated between
9 the -- our negotiations team and DPA. And the Board did
10 vote to send that out to the members. And the members
11 did ratify it. And it was not funded by the Legislature.

12 Q. How did you learn that it was not funded by the
13 Legislature?

14 A. I was told that by members of CSLEA.

15 Q. Did you --

16 A. I couldn't say exactly who.

17 Q. Was it someone on the staff of CSLEA who told you
18 that?

19 A. It would have been a CSLEA Board member or
20 officer.

21 Q. Now, in conjunction with that, did you learn
22 about -- are you familiar with the Professional Engineers
23 bargaining unit?

24 A. No, sir.

25 Q. PECG?

1 A. No.

2 Q. Did you hear any discussion about PEEG and their
3 labor negotiations in that year, 2003, being connected to
4 CAUSE's labor negotiations?

5 A. No.

6 Q. Were you told -- were you ever told any
7 information about a subsequent offer that was available
8 to CAUSE to have the -- that pay parity calculation
9 revived in another piece of legislation?

10 A. I don't recall ever hearing that.

11 Q. Okay. I'm going to look at your Declaration on
12 page four. And you've got several classifications
13 beginning at paragraph nine that you were describing for
14 us. The Investigators, Senior Investigators, Cosmetology
15 Examiners, Enforcement Reps, and so on. Do you see at
16 paragraph nine where I'm reading from?

17 A. Yes.

18 Q. Is it -- are you familiar with all of these
19 classifications listed in paragraph nine because of your
20 role as a CSLEA Board member?

21 A. No. Comes from working for DCA for 29 years.

22 Q. Okay. So you're familiar for -- excuse me. You
23 are familiar, for example, with the Cosmetology
24 Examiners?

25 A. Yes.

1 Q. And their job duties?

2 A. Yes. Not all of their job duties, but how it
3 impacts Division of Investigation.

4 Q. Now, would you say the Cosmetology Examiners
5 are -- their job duties are very similar to your job
6 duties?

7 A. No.

8 Q. Would you say that -- how would you compare the
9 Cosmetology Examiner's job duties to the job duties of a
10 Enforcement Representative, non-sworn, in the CSLB?

11 A. I don't know that I've ever read them to compare
12 them to each other.

13 Q. Do you work alongside of the Cosmetology
14 Examiners?

15 A. On a case-by-case basis.

16 Q. How frequently do you do that?

17 A. When the Board of Barbering and Cosmetology sends
18 a case over to the Division of Investigation which
19 alleges some type of examination fraud, then on that
20 case-by-case basis the Division assigns an Investigator
21 to work that case.

22 Q. Okay. I see -- I'm looking at paragraph 11 on
23 page 4. It says -- it talks about Cosmetology Examiners,
24 and then the last sentence says, "They work alongside
25 Investigators and Senior Investigators in investigation

1 of examination fraud."

2 A. Yes.

3 Q. Is that what you're referring to?

4 A. Yes.

5 Q. Now, the -- and so, therefore, it's logical for
6 Cosmetology Examiners to be in Bargaining Unit 7 with
7 Senior Investigators, correct?

8 MR. MESSING: I'm going to object. That assumes
9 facts not in evidence. In fact, it misstates the record.
10 The record is is that --

11 MR. ROSE: Objection. He's leading the witness.

12 MR. MESSING: Wait a minute. I'm finishing my
13 objection.

14 MR. ROSE: He's leading the witness.

15 MR. MESSING: Cosmetology --

16 MR. ROSE: And coaching the witness.

17 MR. MESSING: -- Examiners --

18 MR. ROSE: He's coaching the witness, Judge.

19 MR. MESSING: I'm not.

20 ADMINISTRATIVE LAW JUDGE CLOUGHESY: I just want to
21 hear the objection. Go ahead.

22 MR. MESSING: The record reflects that Cosmetology
23 Examiners are not in the bargaining unit.

24 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Sustained.

25 Next.

1 MR. ROSE: Well, Judge, all right.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: They're in Unit
3 1. I mean I don't want to waste my time with people who
4 are out.

5 MR. ROSE: But this -- all right.

6 ADMINISTRATIVE LAW JUDGE CLOUGHESY: I mean it may be
7 in this Declaration, but I have a Unit Mod Order here,
8 the only Employer's exhibit. And with that, it's
9 irrelevant. So next question.

10 MR. ROSE: Nothing further.

11 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Ms. Truong.

12 MS. TRUONG: Nothing from us.

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Messing?

14 MR. MESSING: Nothing further.

15 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Ms. Campos, I do
16 admonish you not to discuss your testimony with any other
17 witnesses. You're free to discuss it with anyone at
18 these counsel tables.

19 THE WITNESS: Yes, sir.

20 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And with that,
21 double A is admitted.

22 (Exclusive Representative's Exhibit AA received
23 in evidence.)

24 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And any other
25 witnesses for today?

CERTIFICATION AND
DECLARATION OF TRANSCRIBER

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4 I, Leisa M. Miller, a duly designated transcriber of
5 Vine, McKinnon & Hall, do hereby declare and certify
6 under penalty of perjury that I have transcribed from a
7 CD recording the proceedings in the matter of STATE OF
8 CALIFORNIA, Employer, and PEACE OFFICERS OF CALIFORNIA,
9 Petitioner, and CALIFORNIA STATEWIDE LAW ENFORCEMENT
10 ASSOCIATION, Exclusive Representative, Unfair Practice
11 Charge No. SA-SV-171-S, which recording was duly recorded
12 at Sacramento, California on March 12, 2009, and that the
13 foregoing pages 1 through 218 constitute a true, complete
14 and accurate transcription of the aforementioned
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16 Dated this 29th day of March, 2009, at Dixon,
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