

From: [P.O.C. Public Information Officer](#)
To: swornofficers@peaceofficers.org; all@peaceofficers.org
Subject: FW: P.O.C. President's Message
Date: Thursday, October 08, 2009 12:01:49 PM
Attachments: [image005.png](#)
[image008.png](#)
[image009.png](#)



PEACE OFFICERS OF CALIFORNIA e - MEMO

To : All Sworn Peace Officers eligible to form their own Peace Officer Only Bargaining Unit (BU 22)

From : The [P.O.C.](#) Public Information Officer on behalf of the [P.O.C.](#) President

Subject : **President's Message**

Date : Thursday 8th October 2009

PRESIDENT'S MESSAGE

Dear Peace Officers,

As the President of Peace Officers of California ([P.O.C.](#)), I wanted to update you on where we stand with the Public Employment Relations Board (PERB) severance process, the proposed PERB decision against CSLEA membership dues collections, and information regarding continuing furloughs.

Closing severance briefs and rebuttals have been submitted to the PERB Administrative Law Judge (ALJ) who should render a proposed decision within 30-days of October 10th 2009. Either party will then have about three weeks to appeal a decision before the full PERB Board, who can either decide to hear the case based on the merits of an appeal or simply allow the ALJ's decision to stand. [P.O.C.](#) has made a straightforward case and believes, even though CSLEA has done their best to compare peace officers to the non-sworn, that our argument is a compelling one.

In addition, the proposed Edelen & Lewis v. CSLEA decision, which has been running closely in parallel to the severance hearings, and which forces CSLEA to acknowledge that they have, according to PERB, "illegally" collected member dues and barred them from leaving CSLEA has, as expected, been appealed by the union. [P.O.C.](#) is awaiting a decision from the full board on this matter and it is hoped that we will have an enforceable decision rendered around the same time PERB issues an initial decision for severance, sometime in October or November. This is the last barrier that members will have to face in their struggle to leave CSLEA and have their

dues refunded.

Finally, regarding furloughs, CSLEA recently sent out a Labor Day missive where their leadership explained their lack of action over furloughs in a perplexing manner – “This is why I believe the strategy of suing and antagonizing the governor’s office, which some unions are employing, will not pay off in the short or long run.” – (Alan Barcelona)

Firstly, taking legal action against the State over furloughs has been very successful for many groups such as in the case of the employees at the State Fund. Secondly, this administration has one year left on its term, so there is no long-term relationship to damage. At this point the administration’s tactics are all about getting out of Sacramento with some semblance of a legacy. The least CSLEA could do is send a message to the administration along the lines of, ‘that if you fool with the Peace Officers in bargaining unit 7, there will be consequences,’ if only so the next governor and administration does not think that you will just rollover, again, and again, and again, and again, and take what the State’s been sticking to CSLEA.

In addition, putting aside the fact that CSLEA does not want to hurt the governor’s feelings . . . (when they do not seem to care about Peace Officer feelings), we pose the question ‘why does Richard Carrillo, the DMV Investigator’s Board Member, respond that CSLEA is taking legal action against furloughs’ when questioned on the issue by one of his members? – “We are engaged in the court process, as well as the political process. All resources are being deployed.” – (Richard Carrillo)

Finally, if by some miracle CSLEA could get a contract with the administration (because even a broken watch is right two times a day), it would be supremely doubtful that the Republican Legislators would allow a 2/3 vote to approve any MOU that conveyed pay or benefits to the non-sworn members of bargaining unit 7 - which is exactly what happened to SEIU.

When it comes to winning the severance election, nobody is a stronger advocate for [P.O.C.](#) than the leadership of CSLEA. I know that Peace Officers clearly have a separate community of interest from non-sworn members, and I know that a Peace Officer union will be in a much stronger position than one comprised of a majority of non-sworn members.

We look forward to representing you.

Sincerely,

Chris Lewis

President

Special Labor Day Message
 Value of CSLEA membership shines through again

By Alan Barcelona
 CSLEA President

127th anniversary of Labor Day
 That really is not such a long time
 ago, as historical measurements
 go. *The History Channel's*

provided cheap labor to
 employers and laws against child
 labor were not strongly enforced.
 With the long hours and terrible

"This is why I believe the strategy of suing and antagonizing the governor's office, which some some unions are employing, will not pay off in the short or long run." - Alan Barcelona (Sept. 2009)

From Page 1 (President's message, cont.)

for the state of California. Seventeen states have now issued faring as one method for closing their budget deficits. The governor of Rhode Island is even threatening to shut down all of government for 12 days and farough 81 percent of his state's workforce. California is not alone. The hurt is everywhere.

On occasion, I do hear those arguments that unions were a fine counter force for the Industrial Age, but we now live in a Technological Age, where the microchip has made independent contractors out of millions of workers.

To this, I say read the story about the hospital police officer on page 4 of this CSLEA alert and let me know if you think the Technological Age has changed the inter-relationship of management and labor, or hasn't to human, one bit.

In spite of the unprecedented challenges facing public employees unions everywhere, I am proud to report that yours has achieved some big victories, and you can find them here in the present, not in a distant past.

Results, not rhetoric.

CSLEA legislative consultant Craig Brown secured a meeting with Department of Personnel Administration Director David Gibb and persuaded him of the vital importance of our CHP dispatchers to the public safety of Californians. As a result, the dispatchers, who had been on furlough since March, were

removed from the furlough order, as of Sept. 1. You can't just phone up and book a meeting with the director of the DPA. That door was opened for two reasons only: The status Brown has and the respect CSLEA has earned with DPA for our honest and above-board conduct in past contract negotiations. I cannot emphasize enough the importance of that second credential, which CSLEA has purposely built over the years and fights to maintain. This is why I believe the strategy of suing and antagonizing the governor's office, which some unions are employing, will not pay off in the short or long run.

We wish them the best, but we will continue to travel a different road that ends in a welcoming handshake across the bargaining table, even though we will not always get what we want.

Attorney in a flash

Also last week, two CSLEA-member Special Agents and a Special Agent Supervisor for the Department of Justice were involved in a shooting while performing dangerous surveillance on a methamphetamine lab in San Bernardino County.

Although the potential for criminal exposure is rare in officer-involved shootings, it is present, and the investigation of such incidents only adds to the stress an officer is already under from having to use lethal force. This is why CSLEA in 1990 created its Legal Defense Fund, which uses a panel of attorneys

EXTRA!

IMPERIAL VALLEY PRESS

Narcotics raid

The Imperial County Narcotic Task Force was the front-page headline on August 26. The ICNTP is led by CSLEA-member Special Agents from the Bureau of Narcotic Enforcement at the California Department of Justice.



Q: "When is AMVIC & CSLEA going to stop sitting on their hands and start going to bat for its employees?" - BU7 AMVIC Member

A: "We are engaged in the court process, as well as the political process. All resources are being deployed." - CSLEA Vice President - Richard Carrillo (Sept. 2009)

On: Thu, Sep 10, 2009 at 2:20 PM, Wagner, Christopher K. <[redacted]> wrote:

Hi Richard,

I am curious to know why you continue to send out this type of information regarding the success stories of other unions favorable court rulings in regards to furlough days and back pay? When is AMVIC & CSLEA going to stop sitting on their hands and start going to bat for its employees?

Chris Wagner

From: Richard Carrillo <[redacted]>
 Sent: Thursday, September 10, 2009 4:36 PM
 To: Wagner, Christopher K.
 Subject: Re: State fund employees are off furlough. Immediately.

Hi Chris,

You might have missed the articles I sent out that do give information about our victories. I send out many many news clips.

Currently CSLEA members have been on the winning side. DOJ Agents, Investigators in constitutional offices are not furloughed. CHP dispatchers, our more recent victory got them off the furlough.

All victories to end this problem are great news. I am very happy for all state employees that are freed from this injustice. From their victories we learn. Also, many members have family in other unions.

I look forward to any suggestions that you may have to solve these issues. We are engaged in the court process, as well as the political process. All resources are being deployed.

Richard

Supporting Links:

[The unabridged CSLEA Alert Vol. 8 \(September 4-September 18, 2009\)](#)

[The unabridged Carrillo e-mail Exchange](#)

Edelen - Lewis Proposed PERB Decision

Edelen - Lewis Case History

Resignation Letters and Joining Information

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