

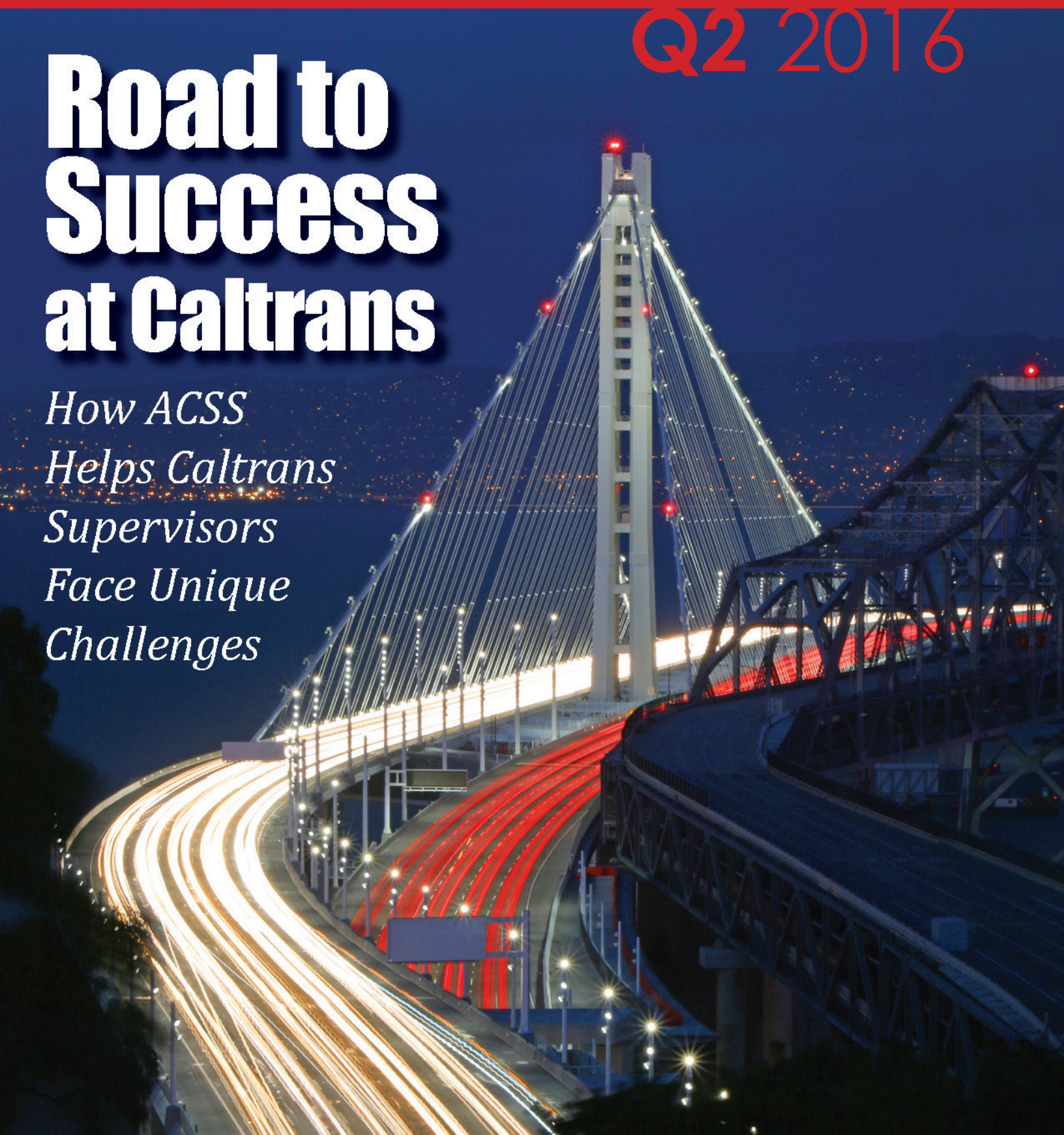


ACSSQUARTERLY

Q2 2016

Road to Success at Caltrans

How ACSS Helps Caltrans Supervisors Face Unique Challenges



SPOTLIGHT ON CALTRANS

From the dangerous, remote, two-lane highways that stretch across the wide-open spaces of Modoc County to the densely-populated, traffic-laden metropolis of Los Angeles, working for the California Department of Transportation (Caltrans) presents a wide range of challenges for its employees. As the largest association representing supervisors and managers across the State of California, ACSS helps members in Caltrans in a variety of ways.

HOW ACSS HELPS CALTRANS MEMBERS

ACSS helps Caltrans members in a variety of ways. Here are a few examples where ACSS has improved the working conditions for excluded employees of Caltrans.

In October 2015, Caltrans sent an email to all supervisors and managers alerting them of a major change in standard operating procedures – overtime hours when called back to work after working a full shift would now be logged as



Dawn Kerr and John Hubbs at ACSS Lobby Day 2016.

actual hours worked, instead of the standard 4-hour allotment. ACSS member John Hubbs, Maintenance Area Superintendent from Riverside, was concerned and immediately notified ACSS. Hubbs was concerned because “Supervisors have always gotten a minimum allotment of 4 hours of “call-back” pay for dealing with emergencies. Now we are being told that there is no longer a 4 hour minimum and if we spend an hour on an emergency, we only get paid an hour of overtime. This will have a huge impact.” ACSS discussed the issue with members in Caltrans and took steps to aggressively address the issue.

In analyzing the issue, ACSS determined this proposed new method of compensation for call-back pay was a violation of statute, regulations and CalHR policy. The matter was assigned to ACSS Labor Relations Representative Paula Negley who worked closely with Mr. Hubbs to resolve the matter. In December of 2015, ACSS filed a group grievance against Caltrans on behalf of Mr. Hubbs and all 655 affected excluded employees. After the Meet and Confer meetings with Caltrans, ACSS’ grievance was granted. Caltrans responded to the information given to them by ACSS by stat-

ing “We appreciate you bringing this matter to our attention. It was never our intention to unilaterally terminate any benefit which we have the authority to provide to our employees.” As a result, all Caltrans employees covered by the grievance were awarded back pay for prior call-back hours worked. With ACSS’ efforts, Caltrans reinstated the 4 hours of call-back pay policy.

In another example, an ACSS member working as a Dispatcher-Clerk Supervisor in the Bay Area, worked a long 12-hour shift at the Caltrans District Communication Center overseeing the dispatching staff. These Caltrans employees handle incoming information about lane closures, accidents and construction issues and then send out designated crews to those incidents. After her shift, the supervisor went to log her hours into the online Caltrans time-keeping system. The time-keeping system would not allow her to properly enter the 12-hour shift. She had to enter the 4 hours overtime as her own vacation time to make up for the difference. Feeling that this process was unfair and she contacted her ACSS Labor Rep, “I should not have to use my vacation time to balance the system,” she expressed. ACSS investigated the issue and discovered that the problem was due to incorrect programming of the online time-keeping system. ACSS filed a grievance on behalf of this member and all affected Caltrans excluded employees. Meet and Confer meetings between Caltrans and ACSS took place. In a milestone achievement, ACSS won the grievance. Soon thereafter, Caltrans fixed their time-keeping system so that employees could properly log their overtime hours without having to use their own vacation time to compensate for the difference.

Not only do ACSS members of Caltrans come to us seeking help in their individual career issues, but ACSS also continues to look out for the well-being of ALL Caltrans excluded employees to ensure fair working conditions and pay.

UNIQUE DEPARTMENT, UNIQUE CHALLENGES

Caltrans is a department that has a unique set of challenges. Many employees work overtime because of emergencies due to unforeseen events such as traffic accidents, power outages or inclement weather. In addition, many employees work on holidays because toll bridges and highways are in use 24 hours a day, seven days a week. Protecting and ensuring fair policies for hours, wages, and working conditions are especially important to Caltrans employees and ACSS.

Caltrans is also an extremely diverse department where the workforce is comprised of many different ethnicities. In Caltrans, minority races make up a majority of the labor force. Discrimination issues and Equal Employment Opportunity (EEO) issues are common situations that arise in Caltrans, in which ACSS Labor Reps can provide assistance to members on either side of these issues. In addition, ACSS encounters cases involving gender issues within the department. Unlike other state departments with a more even ratio, Caltrans is

different because only one quarter of employees are female¹. ACSS Labor Reps have expertise in helping file and also defend harassment cases, or other cases that may have a possible gender discrimination component, such as promotions, demotions or merit appeals.

Lastly, Caltrans is particularly unique because it is one of the only state departments to have a lengthy Anti-Bullying policy in the Workplace Violence Prevention section of their Employee Handbook. While most state departments issue a general workplace violence prevention policy, Caltrans elaborates on a zero tolerance policy for, "intentional acts that cause harm to others that may involve verbal harassment, threats, intimidation, assault, stalking, manipulation, blackmail or extortion. An imbalance of power between the aggressor and the victim is often involved." Caltrans managers and supervisors undergo training to recognize the warning signs of bullying and are also trained to procedurally manage situations that involve workplace violence.

The frequency of bullying and workplace violence issues in Caltrans, compared to other departments, may be attributed to power struggles between classifications, high-stress work environments, competition for promotions, or individuals with social distress issues working in close proximity. ACSS Labor Reps have the skills and expertise to successfully handle bullying and workplace violence cases. In Caltrans, Labor Reps commonly see cases in which a rank and file worker moves up in the ranks and becomes promoted to a supervisor, now supervising over those he once worked alongside. This imbalance of power can cause stress between the supervisor and the staff they supervise. Each case is unique and our ACSS Labor Reps are trained to recognize the characteristics of bullying in the workplace, appropriately manage the situation in a professional manner, and resolve the issues.

SALARY COMPACTION IN CALTRANS

ACSS continually fights to resolve salary compaction experienced by supervisors and managers in state service. There are many managerial and supervisory positions within Caltrans where salary compaction issues exist. There are 9 different excluded employee classifications in Caltrans (with more than 10 employees) that are affected by salary compaction in which pay differentials are less than 5% above those they supervise. The most egregious example of a compaction issue in Caltrans is the Caltrans Maintenance Supervisor I classification (6301), which makes only 4.9% more than the staff they supervise. A total of 458 Caltrans Maintenance Supervisors are currently experiencing this issue. According to the classification definition, Maintenance Supervisors make slightly more than their top leadworkers, however since they are an exempt position, they don't get the overtime or bonuses that their leadworkers do. Maintenance Supervisors usually end up working longer hours, and with more responsibilities than their leadworkers. With leadworkers acquiring overtime and bonuses, some of them end up making more than

their Supervisors at the end of the year.

ACSS is working hard with CalHR to resolve salary compaction. We have collected data of the most impacted classifications and presented it to CalHR for review. We are methodically attacking the problem by resolving the most egregious cases first. CalHR has been cooperative and is open and willing to work with us to resolve this issue. As always, ACSS will keep members updated with progress.

ACSS IS YOUR RESOURCE

Regina Jenkins, ACSS Labor Relations Representative whose expansive territory covers not only the San Francisco Bay Area but also all of the counties up the entire northern coast of California, says "The biggest challenge with Caltrans workers is that they are so spread out. They are rarely



Paul Arnold (upper right in the black hat), a Caltrans Maintenance Supervisor, attends ACSS Lobby Day 2016 and discusses important issues with legislators.

connected with other Caltrans employees and they don't know who to turn to when they have a labor issue. It's like each district is its own little isolated kingdom. They need to know that ACSS is THEIR resource." The benefits that Caltrans excluded employees receive from their ACSS Membership are a sense of feeling connected, networking with other Caltrans and excluded employees, feeling protected, and knowing that ACSS is available for guidance and support when they need it.

Dawn Kerr is a Caltrans Maintenance Area Superintendent who manages the Adopt a Highway program. She became a member of ACSS in 2015 and says, "ACSS is there for me. I called my Labor Representative recently about a couple of items and she replied promptly with sound advice. It is nice to have someone and an association that can be trusted. ACSS treats their members well, offers great legal information about State policies, and they support our concerns and take it to the Capitol."

If you are an ACSS member who is experiencing issues within your department, please contact your Labor Relations Representative. **Call us today at (800) 624-2137!** 🌸

¹According to the DOTgov public document on Affirmative Action Procedures, 2014 Calendar Year Totals




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ACSS Member Benefits

As an ACSS member, you are entitled to receive discounts on tickets, insurance, and many other exclusive savings! ACSS offers more member benefits than any other supervisory organization. Our Member Benefits program can improve your quality of life. Visit www.calcsea.org for more information on YOUR Member Benefits!



GET INVOLVED!

Come to your local ACSS Chapter's next meeting:

- 512 - Apr. 28 (Westlake Village)
- 507 - May 17 (Moss Landing)
- 509 - May 17 (Bakersfield)
- 514 - May 19 (Ontario)
- 511 - May 19 (Monterey Park)
- 502/503 - May 25 (Sacramento)
- 508 - May 26 (Stockton)
- 505 - June 2 (East Bay Area)
- 513 - June 3 (Orange County)
- 504 - June 7 (TBD)

For more info, visit www.ACSS.org/Events

Contact ACSS Headquarters:
(800) 624-2137 | acss@ACSS.org