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ACSS' Representation Program: Delivering Positive Results for Members

ACSS' Representation Program helps members in two ways: representing individual members and groups of members, usually based on classification. ACSS assists hundreds of individual members per year who are going through various work-related issues that are unique to each person. In addition, ACSS also helps larger groups of Excluded Employees as a whole.

Group Representation

Since 2019, ACSS has been meeting quarterly with CalHR's Deputy Director and Chief of Labor Relations Paul Starkey. These Quarterly Meetings are designed to discuss statewide issues impacting supervisors and managers and to keep CalHR on track with ACSS' proposals. In the past few years, ACSS and CalHR restructured how CalHR responds to ACSS' proposals by assigning individual Labor Relations Officers (LRO) to each Bargaining Unit. These LROs are responsible for administering supervisory and managerial employee issues related to a Bargaining Unit. This new method has led to a quicker and more efficient resolution of salary issues and grievances.

In recent quarterly meetings with CalHR, ACSS has discussed issues such as: salary proposals related to class consolidation issues; salary compaction issues; and Special Salary Adjustments (SSAs) for supervisors and managers.

Typically when SSAs are provided to rank-and-file employees,



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ACSS' purpose is to advocate for and represent its members.

CalHR provides increases to related supervisors and managers "as appropriate." But with the December 2023 implementation of salary adjustments, many supervisory and managerial classifications did not receive the expected SSAs. Since early 2024, ACSS continued to meet with CalHR over salary proposals and received responses on a rolling basis. Most of the responses were positive with CalHR agreeing to provide SSAs to various classes of supervisors and managers to avoid salary compaction. In most instances, the increases were also retroactive to July 1, 2023. As a result of these efforts, nearly 1000 ACSS members realized salary adjustments that were initially not provided by CalHR. While many salary adjustments have been resolved, some classifications are still experiencing salary compaction and equity issues. With seven of the state's 21 bargaining units entering bargaining this spring, ACSS will continue to advocate for needed salary increases and seek swift resolutions.

Meet & Confers

When a department intends to implement proposed changes that impact the working conditions of supervisory employees in a geographic area, state law provides that ACSS gets notified of the proposed changes. The process of discussing these proposed changes with CalHR or departments impacting a job classification or department on a statewide basis is called a "Meet & Confer" process. During this process, ACSS also reaches out to impacted members to inform them and gather feedback.

Currently, ACSS is meeting and conferring with CalHR over the Staff Services Manager Series Class Consolidation issue. ACSS is advocating to protect pay, status, and ability to promote for these affected members. We additionally proposed that the class consolidation be expanded to cover other classifications in need of salary equity. Those discussions with CalHR are on-going and ACSS' advocacy on this issue will continue.

Individual Representation

ACSS has a team of experienced Labor Relations Representatives (LRRs) and Attorneys who provide direct representation to members in disciplinary appeals, grievances, investigative interviews and other issues impacting the terms and conditions of employment for individual ACSS members. In a typical year, we handle

between 200 and 300 formal representation cases for members. These include dismissals, demotions, suspensions, salary reductions, rejections on probation, merit issue complaints, grievances and other appeals. However, these "formal" cases are only a small fraction of member inquiries fielded on a daily basis by the ACSS' representation staff.

ACSS continues to achieve favorable outcomes for members in discipline cases and grievances. We continue to settle most discipline cases with significant penalty reductions and removal of negative documents from members' official personnel files, allowing ACSS members to move on in their state civil service careers. However when an equitable settlement cannot be reached, ACSS representational staff have proceeded to full hearings before Administrative Law Judges (ALJ) to resolve these appeals from discipline on the merits.



A few of the 2024 highlights where ACSS provided Individual Representation services for Members: A member was served with a demotion from their Information Technology Manger position. Following a twoday hearing, the decision of the ALJ revoked the adverse action in its entirety. Our member was returned to the IT Manager position with full back pay and with no record of discipline.

A member was served with a demotion from their Staff Services Manager I position to a Staff Services Analyst, resulting in a salary reduction of over 42 percent. Following a three-day hearing, the ALJ reduced the penalty to a 12-month temporary demotion to the top step of Associate Governmental Program Analyst. Our member received the difference in back pay and will soon return to an SSM I position.

A member was served with a dismissal. Following extensive discovery and hearing preparation, the State Personnel

Board (SPB) appeal was favorably settled. The dismissal was withdrawn and the member returned to work in a similar classification with significant backpay. This allowed the member to continue to work and accrue service credit to maintain their retirement plans.

A member at the Department of Corrections and Rehabilitation was served with a rejection during probation. When rejected during probation, an employee has a mandatory reinstatement right to their "former position." This member's reinstatement right was to a different institution over 400 miles away. ACSS quickly researched the reinstatement statutes which allow a mutual agreement to modify the former position. After the hearing, the Warden agreed to allow this member's reinstatement to a position at the institution – saving her state civil service career.

Know Your Rights

Our professional Labor Relations Representatives and Attorneys are always on hand to inform you of your rights as a state supervisor, manager, or confidential employee, as well provide advice for you if you experience a difficulty in your career.

We also have additional **brochures** and **informational materials** on our website that may help guide you through issues you may encounter:

- Your Road Through Probation
- How to File a Grievance
- Leave Policies and Programs
- Out-of-Class Claims
- Writing Rebuttals
- Civil Service Protections
- Informational Interviews
- Bill of Rights/Meet & Confers

These brochures can be found on our website at <u>www.ACSS.org/Know-Your-Rights</u>

Purpose and Mission

ACSS' purpose is to effectively advocate for and represent its members. Our mission is to ensure that all excluded employees receive fair and equitable representation, compensation, and benefits. As an ACSS member, you have an advantage with ACSS on your side. If you are experiencing a difficult time in your career, ACSS is here to guide you through the process. You are not alone. Our members are grateful to have ACSS on their side to provide representation and help resolve their workplace issues at any level.

Membership with ACSS is vital, even when your job is going well. You can never predict when something is going to go wrong in your career. ACSS is here to help you through those difficult situations when they arise. If you are not a member yet, join today! Visit www.ACSS.org/Join.

Lobby Day 2025 was a huge Success!

On March 19th, ACSS Leaders met with Legislators at the Capitol.

At Lobby Day, ACSS Members sat face-to-face with Assemblymen and Senators at the Capitol to educate them about the issues that are affecting the careers of Managers, Supervisors and Confidential Employees. Representing the voice of all ACSS Members, we urged Legislators to support telework and oppose the Return to Office order. We also continued to lobby for the resolution of salary compaction. Our presence was noticed, our message was strong, and our voices were heard. These leaders of ACSS are excluded employees just like you and we thank them for volunteering their time on this day to fight for the rights of ACSS Members in-person.

This is what ACSS is all about!



For more information on Lobby Day, visit www.ACSS.org/LobbyDay.

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