

AUG 13
2014

UNION UPDATE

STATE COMPENSATION INSURANCE FUND

SCIF auditors win million-dollar OT settlement

Organizing effort pays off for current and former State Fund employees

After a statewide organizing effort and successful litigation in federal court, the State Compensation Insurance Fund (SCIF) has agreed to pay more than \$1 million to settle claims for unpaid overtime and interest.

The win affects nearly 300 current and former SCIF auditors whose claims go back five years. It's not yet clear how much each member will receive, but SCIF has set aside \$1.1 million to cover the claims.

"This is a great example of a group of members who organized and prevailed because they knew they were right and stuck with it—even years after they left state service," said Tamekia N. Robinson, Local 1000 vice president for Organizing/Representation.

The issue stems from SCIF's refusal to pay auditors for time worked before and after traveling to field audit locations. These auditors spent most of their work time in the field and would generally start their day making phone calls and sending emails from home before driving to private businesses to perform audits. For years, State Fund failed to include time spent driving to and from audits as time worked for the purpose of calculating overtime, even after a committee of Local 1000 members pointed this out.

SCIF auditors, who work throughout the state, began organizing around the issue in 2011. With the help of Local 1000 union representatives, they sent a letter to SCIF demanding back pay. They then met with SCIF management and insisted on a change in pay practice and back pay.

Each time, management refused to acknowledge SCIF had violated the terms of our contract as well as federal law. With the help of Local 1000, both current and former employees worked with a private attorney to sue SCIF in federal court in 2013. SCIF agreed to settle all the back pay claims. A federal judge approved the settlement plan on July 21.



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~ Tamekia N. Robinson, Vice President for Organizing/Representation



Local 1000 endorses

Theresa TAYLOR for CalPERS

Watch for your ballot **August 29**

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"THIS BILL COULD SAVE LIVES"

LVN LEADS WORKPLACE EFFORTS TO BAN MANDATORY OVERTIME

Michael Strauss became a licensed vocational nurse (LVN) because he wants to help save lives. He became a Local 1000 steward two years ago for the same reason—to save lives.

Working at Salinas Valley State Prison, Strauss has organized his coworkers in support of banning mandatory overtime. "This bill could save lives. Mandatory overtime is dangerous for health care workers, for patients and for the general public," he said.

Strauss is just part of an aggressive effort to pass AB 2155 by members at prisons, veteran's homes, mental hospitals and developmental centers up and down the state. As the bill worked its way through the Assembly, nurses and nursing assistants collected nearly 300 cards and letters in support of the bill's passage.

AB 2155 passed the state Assembly in June, and is currently in suspense before the Senate Appropriations Committee.

Kim Cowart, chair of Bargaining Unit 17, and Rionna Jones, chair of unit 20, testified in hearings about the impacts of mandatory overtime on patient care and employee well-being. They shared stories of nurses required to work a double shift without notice, or being exhausted after working multiple mandated double shifts.

As the fight to pass AB2155 continued, more nurses shared their stories, and a collection of nearly 50 "real stories of mandatory overtime" was used to lobby members of the Senate.

Banned in private sector

Mandatory overtime for nurses in the private sector was banned in 2001. AB 2155 would extend the protection to the public sector. Exhausted health care professionals are more likely to make mistakes, endanger patients or hurt themselves on or off the job.

Strauss, who lives near the Salinas Valley prison, has often let exhausted colleagues sleep at his home because they were too tired to drive all the way home after working double shifts.

"My job requires me to be mentally alert at all times so I can provide proper care to those entrusted to me," said Strauss. "How can the same people who



Michael Strauss

"Mandatory overtime is dangerous for health care workers, for patients and for the general public."

~ Michael Strauss,
Licensed Vocational Nurse,
Salinas Valley State Prison

force me to work mandatory overtime until I can't think straight expect me to provide 100 percent quality care to patients? It just doesn't make sense."

Have a Question?
Your union is here to help!
Call your Member Resource Center

Monday through Friday
from 7 a.m. to 7p.m
toll free **866.471.SEIU (7348)**

