Agreement between State Compensation Insurance Fund and Service Employees International Union Local 1000 Three-Year Strategic Plan

This agreement represents the full and complete understanding between the State Compensation Insurance Fund (State Fund) and the Service Employees International Union, Local 1000 (Local 1000) related to the closures and relocations contained in State Fund's "Three-Year Strategic Plan." This plan is described in a State Fund letter sent to Local 1000 on December 14, 2010.

Article 1 – Surplus Letters

All employees relocating in 2011 shall receive surplus letters by mid-May 2011. All employees relocating in 2012 shall receive surplus letters at least 120 days prior to their relocation date.

Article 2 – Verification of State Seniority

A. Employees shall receive written notice of their state seniority score for verification purposes. If an employee believes the date is incorrect, he/she shall provide written documentation supporting a correction to State Fund.

B. Employees who are relocating must have provided the documentation to State Fund by April 15, 2011. If the employee failed to provide the information by April 15, 2011, the employee shall have waived his/her right for a seniority score adjustment for this placement process. Local 1000 shall receive copies of individual employee requests to correct their seniority score.

C. State Fund shall correct the seniority list and post the list on Worksite. A copy of this list shall be sent to Local 1000 in an electronic format.

D. Employees shall have five business days from the time the list is posted to grieve an error in the date directly to the Department Head level in the grievance process. This is the final level of the complaint process. State Fund shall verify if there is an error and correct the seniority date within five business days.

Article 3 – Placement Process

A. State Fund shall provide to Local 1000 an electronic list of the number of permanent and limited term positions by classification and program that are relocating from

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one location to another. This list shall include the names and classifications of affected employees.

There must be enough positions available so that every Local 1000-represented employee will end up with a position in the same classification and time base he/she holds at the start of the selection process. This list shall be provided to Local 1000 a minimum of sixty days prior to each relocation, except for the July 2011 moves in which a thirty day notice will be provided. Once the list is provided to Local 1000, State Fund can add positions but cannot delete positions.

B. Each employee shall receive a written notice of involuntary transfer from State Fund at least sixty days in advance of the relocation date. This letter shall include a report-to-work date and an explanation of each employee's options.

C. When multiple work locations or moving dates are available as an option, employees in the following classifications may select, in order of seniority, any position in their classification, time base and program:

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CLASSIFICATION

Account Clerk II
Accounting Technician
Assistant Information Systems Analysts moving from Sacramento to Vacaville
Business Services Assistant
Business Services Officer (Specialist)
Computer Operator
Custodian
Digital Print Operator I
Information Systems Technician
Graphics Designer I
Key Data Operator
Lead Custodian
Mailing Machine Operator I
Mailing Machine Operator II
Management Services Technician
Microfilm Technician I
Office Technician
Office Assistant (General)

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Office Assistant (Typing)
Personnel Specialist
Personnel Technician I
Program Technician
Program Technician II
Stock Clerk
Support Services Assistant (General)
Word Processing Technician
Workers Compensation Insurance Technician

D. Program Technician positions that become available in Chatsworth will be offered as a location option to Program Technicians located in Burbank. Positions shall be selected in order of seniority.

E. Employees in classifications identified in "C" above, currently working in the Policy Programs and the Premium Audit Services Program shall be selected for the 14 new field offices/"store fronts" in order of seniority.

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F. Employees in classifications and at locations not addressed in paragraph C through E, above, will move with their office and function. Within a function, employees will be able to identify work location preference by seniority.

G. Prior to sending out the final notice to employees at a worksite, which will identify their new work location, the results will be provided to Local 1000.

H. Requests for accommodations for disabilities will be evaluated by State Fund on a case by case basis. In the event accommodations are made for individuals, those accommodations will be in addition to the number of positions on the list, described in "A" above.

I. The use of a retired annuitant or a limited term employee can not result in an employee with permanent status being disadvantaged during the selection process.

J. By mutual agreement between an employee and State Fund, an employee may choose to relocate prior to the official moving date. Early moves will not affect eligibility for State Fund's Relocation Reimbursement Program. Early relocation shall not subvert the seniority placement process.

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K. Employees transferring to another location, program or function shall be provided with the same amount of orientation and training time that would be provided to any other State Fund transfer.

L. Within thirty work days of the signing of this agreement, State Fund shall provide Local 1000 with a complete list of all the programs, and the functions within each program, in which Local 1000-represented employees currently work. This list will be utilized for the placement process. Subsequent changes to program or functions shall not adversely affect an employee's selection or hiring.

Article 4 – Employee Assistance Program

State Fund shall arrange with the EAP to provide workshops to all State Fund employees on a variety of issues, including general topics around managing change and coping with stress. Programs shall be provided at any worksite with approximately fifteen (15) participants. Employees who work in locations where workshops are not being held shall be permitted to attend a workshop in the nearest location where workshops are being held. Attendance at the programs shall not be deducted from the employee's allowed EAP face-to-face or telephonic counseling sessions. Attendance shall be on paid time.

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State Fund shall provide Local 1000 with the schedule of programs. In addition, State Fund shall provide copies of any internal memos to EAP regarding the implementation of the EAP for current employees and for employees who have accepted voluntary lay-offs.

The EAP also provides individual assistance for individual employees on job search techniques and resume writing.

Article 5 – Training to Assist Employees in Finding New Employment

A. State Fund shall provide training at each worksite affected by closure and relocations on the subjects listed below. Employees shall be provided paid time off to attend these trainings.

1. How to search the State Personnel Board's vacant position data base (VPOS) in order to access job opportunities;
2. Mock interviewing workshops; and

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3. Services provided through the Employment Development Department.

B. At each worksite affected by closure and relocations, State Fund shall provide a qualified individual to assist employees in writing their resumes and completing the state application process.

C. Upon the effective date of this agreement and through the completion of the office relocations, State Fund shall reimburse employees for pre-approved classes, tuition, books, and fees for certifications, credentials and/or licenses. In order to be eligible for reimbursement, employees must:

1. Be in the following programs/locations:
   a. Policy and Claims staff in San Diego, San Jose, Santa Rosa and Oxnard
   b. Information Technology staff
   c. Policy Claims staff in Sacramento and Glendale
   d. State Contracts claims staff in Oxnard
   e. Home office staff
   f. Claims Processing Center (CPC) staff in Burbank
   g. Policy staff in Redding, Bakersfield, Eureka, San Bernardino and Stockton
   h. Insurance Services, Bay Area Claims Services, and Corporate Claims staff moving to and/or from Vacaville.

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2. Complete and pass the classes and/or examinations and
   a. The classes and/or examinations need to be related to their current classification or
   b. The classes and/or examinations may be required to meet the minimum qualifications for a position and/or be competitive in obtaining employment in other state agencies and /or in the private sector.

3. Employees who began classes and/or obtained certifications, credentials and/or licenses between December 1, 2010 and the effective date of this agreement also will be entitled to reimbursement, even though they were unable to seek pre-approval.

4. Be employed by State Fund to receive the reimbursement.

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D. State Fund shall provide Local 1000 with a schedule of the trainings listed in "a" above. In addition, State Fund shall provide Local 1000 with any internal memos to supervisors regarding the implementation of the reimbursement program.

Article 6 – Job Searches, Testing and Interviews

A. Upon the effective date of this agreement and through the completion of the office relocations, all State Fund employees shall be given up to four (4) hours paid time off per month to:

1. Research, test, apply for and interview for lateral transfers with the state, and positions with other public sector and private sector employers;
2. Attend job fairs in the public or private sector;
3. Attend one-on-one job searching sessions with an EDD representative;
4. Participate in a class related to their current classification which may assist them in finding employment in other state agencies or in the private sector; and
5. Take an examination for a license, credential or certification which may assist them in finding employment in other state agencies or in the private sector.

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B. State Fund employees who are scheduled to be relocated in 2011 shall be given an additional four (4) hours paid time off per month to perform the functions described in "A" above. This time shall apply between the effective date of this agreement and through the completion of their worksite's office relocation.

C. For employees who do not have access to the intranet or designated work spaces to do job searches, State Fund shall use its best efforts to allow access to work stations with intranet usage.

D. State Fund shall allow access to the following job search sites:

http://www.usajobs.opm.gov
http://www.indeed.com
http://www.job.com/JobEmployment
http://www.careerbuilder.com
http://www.monster.com
http://www.simplyhired.com/
http://www.snagajob.com
http://www.beyond.com

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http://www.hound.com
http://sacramento.employmentguide.com
http://www.jobcentral.com
http://www.jobserve.us
http://www.jobster.com
http://www.linkedin.com
http://jobs.oodle.com
http://www.ontargetjobs.com
http://www.theladders.com
http://www.trovix.com
http://tweetmyjobs.com
http://www.usajobs.com
http://www.job.com
http://www.worktree.com
http://www.justjobs.com
http://www.caljobs.ca.gov

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Article 7 – Presentation on Employment Rights

A. State Fund shall sponsor a meeting at each worksite being relocated to another city over 35 miles on employee rights associated with layoffs. This would include, but not be limited to, general information on the Consolidated Omnibus Budget Reconciliation Act (COBRA), deferred compensation, re-employment rights, the Employee Assistance Program (EAP), unemployment insurance, and services provided by the Employment Development Department (EDD).

B. Employees who attend these meetings shall be provided paid time off to attend.

C. State Fund shall provide to Local 1000 a copy of the meeting schedule.

Article 8 – Re-employment Status

Employees who are laid-off will be placed on re-employment status, consistent with all applicable laws and rules.

Article 9 – Extended Employment Options

Employees who choose to separate in lieu of relocating may postpone their date of separation up to twelve (12) months by electing one (1) of the following two (2) options by June 1st of the calendar year in which their office is relocating:

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Employees may elect only one option. With fourteen (14) days notice, an employee may change their end date to an earlier date.

Extended Service Time

Employees will be able to use all available leave credits (except sick leave) to extend their service time and benefits, up to twelve (12) months following the date of the relocation, subject to the following conditions:

1. The employee shall request use of the leave credits in writing not to exceed the time period specified above
2. The request for use of the leave credits shall include the employee's written irrevocable resignation from their current position, effective the last day of the leave;
3. The employee shall waive seniority selection of location;
4. The employee shall waive relocation reimbursement;
5. Should the employee apply for a transfer within State Fund during this twelve-month time period, the employee would be considered after employees who are scheduled for relocation in 2011 and 2012; and
6. The employee may apply for transfers to other state agencies, but will not have surplus status for those positions.

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Leave of Absence

Employees shall be granted a leave of absence to seek or accept other employment for up to twelve (12) months following the date of the relocation, subject to the following conditions. At the employee's discretion, this leave may be a combination of paid and unpaid time.

1. The request for use of the leave credits shall include the employee's written irrevocable resignation from their current position, effective the last day of the leave;
2. The employee shall waive seniority selection of location;
3. The employee shall waive relocation reimbursement;
4. Should the employee apply for a State Fund transfer during this twelve-month time period, the employee would be considered after employees who are scheduled for relocation in 2011 and 2012; and

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5. The employee may apply for transfers to other state agencies, but will not have surplus status for those positions.

Article 10 – Responsibilities during Move

Unit 1, 4, 14, 15 and 17 employees will be responsible for packing their workstation materials for the transfer. Packed boxes and office equipment will be transported to the new location, where employees will be responsible for unpacking their materials. State Fund will provide boxes for the packing and transfer of workstation materials and personal items. However, the employees alone will be responsible for the care and transfer of personal items.

It is understood that an employee who needs assistance with packing and/or unpacking shall contact his/her supervisor or the Medical Management Unit with a reasonable accommodation request.

Article 11 – Worksite Inspections

A. State Fund agrees to provide Local 1000 a floor plan and seating chart with cubicle assignments of the worksites when available.
B. State Fund agrees to meet with union representatives for a walk through of the worksites at least two (2) weeks before the move.
C. Issues associated with the worksite inspections may be added to the agenda of a State Fund and Local 1000 Joint Labor Management Committee (JLMC).

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Article 12 – Paid Administrative Time Off

State Fund shall grant paid administrative time off to Unit 1, 4, 14, 15 and 17 employees who are relocating to a new worksite for the following reasons:

1. Within the first sixty (60) days prior to reporting to the new offices, State Fund shall grant paid twenty-four (24) hours of paid administrative time off for the purposes including, but not limited to, adjustment of child care, enrollment in school, elder care, medical care, transportation, etc.

2. For employees who move their residence, within the first six (6) months of reporting to the new office, State Fund shall grant sixteen (16) hours of paid administrative time off, in addition to any unused time off granted pursuant to number 1 above. This time off shall be used for the following purposes including, but not limited to, selling one's current home, traveling to the area of

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the new worksite, and/or physical relocation of the employee's principal residence to a point closer to the new office.

This time will not be unreasonably denied. Any denial shall be in writing explaining the operational need.

Article 13 – Payment of Accrued Time

Employees being relocated to another city 35 or more miles away shall be given the option to cash out up to 80 hours of accrued leave. Accrued time includes vacation/annual leave, holidays, compensatory time off and all personal leave programs prior to 2010. State Fund shall establish an administrative procedure for employees to request and receive payment of accrued time.

For 2011 relocations, cash out must be requested by May 31, 2011. For 2012 relocations, cash out must be requested between May 15 and May 31, 2012.

Article 14 – Relocation Assistance

State Fund shall provide direct billing for moving companies for all employees who are eligible for relocation reimbursement and request to use this service.

If corporate sponsored housing becomes available, State Fund shall provide this service for all employees who are eligible for relocation reimbursement and request to use this service.

Article 15 – Transportation Assistance

This article shall apply to all State Fund employees.

1. Existing State Fund Transit Coordinators will assist in educating employees requesting transportation assistance on organizing car pools, van pools and public transit routes.

2. State Fund will continue to encourage employees to use public transportation.

Article 16 – Scheduled Leave

A. State Fund shall honor any pre-approved sick leave and family-medical leave requests.

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B. State Fund shall make all reasonable efforts to honor all other approved leaves. In the event that it is not possible and pre-approved time must be denied, the denial reason cannot simply state, "Due to operational needs." The "operational need" shall be spelled out in some detail in writing.

An employee shall provide notice to the new supervisor in writing of any pre-approved leave within two (2) weeks after the employee's physical relocation. Denials shall be provided in writing within one (1) week following receipt of the notice.

Previously approved time shall not be denied, provided the employee relying on the approval can certify with documentation that expenses have been incurred to plan the leave.

Article 17 – Report Time Grace Period Adjustment

State Fund employees who relocate to a new worksite shall be granted a report time grace period on ten separate occasions within six months of their initial move to the new location in order to adjust to the following: weather conditions, school year schedules, traffic patterns, daylight savings time, etc.

Employees will neither be docked in their pay nor considered AWOL if, although late, they arrive to work within a reasonable period of time. Employees will be allowed to make up the time.

Article 18 – Alternate Work Schedules (such as the 3-12, 4-10 and 9-80)

State Fund will make every effort to keep existing alternate work schedules (AWS) in place for employees who are transferred/relocated and shall make every effort to accommodate employees' AWS requests.

Once the relocation is complete in Claims Processing Centers, the parties shall meet to discuss whether the AWS schedule and the days off need to be re-bid and the process to be utilized.

Article 19 – Ergonomic Work Station Evaluation

A. State Fund shall continue to provide previously approved ergonomic work station accommodations to employees in their new work locations.

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B. It is understood that an employee with documented disabilities may be unable to perform the full range of their duties until ergonomic adjustments have been completed.

C. Within 60 days of the move, and upon the request of the employee, State Fund shall provide a relocated Unit 1, 4, 14, 15 and 17 employee an ergonomic workstation evaluation by a trained evaluator. The evaluator shall provide the evaluation to State Fund and the employee in a timely manner.

Article 20 – Review of Move

Local 1000 and State Fund agree that, following the relocation of employees and upon request of either party, a meeting will be scheduled within 30 days of said request to discuss and address any areas of concern at offices impacted by the relocations/transfer of employees.

Article 21 – Continued Employment

Employees being involuntarily transferred geographically in this three year strategic plan will not be involuntarily transferred geographically or laid off within six months of their move.

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Article 22 – Resolution of Disputes

Any grievances regarding the interpretation and/or application of this letter of agreement shall be resolved through Article 6, Grievance and Arbitration Procedures, of the current Memorandum of Understanding between the State of California and SEIU Local 1000.

State Fund and Local 1000 agree to make every reasonable effort to expedite the processing of grievances related to the three-year strategic plan.

Article 23 – Clarification of State Fund's Plan to Fill Vacancies during the Three-Year Strategic Plan

A. Employees who are awarded transfers, whose worksite was scheduled to move in either 2011 or 2012, and who are eligible for relocation expenses, shall be eligible for relocation expenses as part of this transfer.

B. Employees who want to voluntarily demote will be considered with candidates eligible for appointment by list, transfer, or Training and Development assignments.

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C. For the purpose of applying for vacancies, claims adjusting in the policy program is considered the same function as claims adjusting in the state contracts program.

Article 24 – Loss in Compensation

Employees who are no longer eligible for a recruitment and retention differential or are being transferred to Redding shall be given the option to cash out up to 24 hours of accrued leave. Accrued leave includes vacation/annual leave, holidays, compensatory time off, and personal leave programs prior to 2010. This cash out is in addition to the cash out described in Article 13 of this agreement.

For 2011 relocations, cash out must be requested by May 31, 2011. For 2012 relocations, cash out must be requested between May 15 and May 31, 2012.

Article 25 – Time Period of this Agreement

This agreement shall not be precedent setting.

Each article of this agreement shall expire six months after the completion of each area office move unless a separate timeframe is included in an individual article.

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Article 26 – Release Time for New Employment

In the event an employee transfers to another department, State Fund shall release the employee as soon as possible.

Article 27 – Extended Job Search Option

Sixty days prior to the actual relocation date, State Fund will make every reasonable effort to provide the employee with 32 hours paid time off in excess of the time described in Article 6 of this agreement, provided:

- The employee has indicated in writing that he/she will not relocate;
- The employee has not found new employment; and
- The employee is eligible to be placed on a re-employment list.

Employees must request paid time off on a weekly basis and it must be approved by the supervisor.

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State Fund shall provide copies to Local 1000 of any internal memos to supervisors regarding the implementation of this section.

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