



San Luis Obispo County Employees' Association

1035 Walnut Street, San Luis Obispo, CA 93401
(805) 543-2021 - Fax (805) 543-4039 - Email: info@slocea.org

Dear County Employee:

On behalf of all of our members, congratulations on your new position with the County of San Luis Obispo!

SLOCEA represents your job classification on collective bargaining matters. Under our contract, SLOCEA and the County of San Luis Obispo have a "Fair Share"/Agency Shop Agreement in place for classifications in your bargaining unit. As a condition of employment with the County of San Luis Obispo, this Agreement requires bargaining unit employees to either join SLOCEA and enjoy the many benefits of membership or pay a Fair Share service fee for the representation we provide on your behalf pertaining to wages, hours and working conditions.

SLOCEA's current dues each pay period are comprised of a flat fee of \$3.00 plus 40% of one hour's pay. The Fair Share fee collected each pay period is 94.4% of SLOCEA's \$3.00 flat fee (\$2.83) plus 37.76% of one hour's pay ($0.944 \times 40\% = 37.76\%$). Here is a comparison of SLOCEA membership dues verses agency fees:

Employee's Hourly Salary:	\$9.00	\$10.00	\$15.00	\$20.00	\$25.00	\$30.00	\$35.00	\$40.00
Full Membership Dues:	\$6.60	\$7.00	\$9.00	\$11.00	\$13.00	\$15.00	\$17.00	\$19.00
Fee Payer:	\$6.23	\$6.61	\$8.49	\$10.38	\$12.27	\$14.16	\$16.05	\$17.93
Difference Per Pay Period:	\$0.37	\$0.39	\$0.51	\$0.62	\$0.73	\$0.84	\$0.95	\$1.07

We have enclosed a copy of the "Membership Dues/Service Fee Notice," also referred to as the "Hudson Notice," which explains the existing Agreement. An "Authorization of Payroll Deduction" form is also enclosed. You can become a full member and receive the many benefits we offer by checking the Association Membership box. If you decide to check either the Fair Share Fee or the Conscientious Objector box, or if we do not hear from you within 30-days of your hire date, the County will automatically deduct the Fair Share Fee from your paycheck.

We welcome any questions or comments you may have and encourage you to contact us at (805) 543-2021 or visit our website at www.slocea.org. We do hope you choose to become a member of SLOCEA and look forward to the opportunity to serve you.

Best Regards,

Ron Coleman
President

RC/sh
Enclosures

What Can SLOCEA Do For Me?

*Your Voice, Your Vote
Your Association!
Member-Governed
Since 1947*

Join Our Team Today!

BENEFITS SUMMARY OF SLOCEA MEMBERSHIP

Powerful Advocate

- Effective voice for San Luis Obispo public employees since 1947
- Full-time, professional staff with a successful track record for public employees

Local Control

- Completely independent employees' association—all dues money stays here in San Luis Obispo County and is not forwarded to outside union headquarters
- The members elect their Board of Directors and Negotiating Teams
- Only members vote to accept or reject Memoranda of Understanding (contracts)
- Local business office in San Luis Obispo, open to members on all business days

Grievance/Appeal Representation

- Professional, experienced staff to assist in resolving workplace concerns
- Successful track record in getting positions reclassified, suspensions rescinded, evaluations adjusted and disciplinary actions overturned
- Free consultation and confidential advice
- Free representation in the grievance/appeal process, through Civil Service Commission

Legislative Representation

- Member of a coalition of public employee groups with a full time, paid staff lobbyist in Sacramento
- Political Action Committee support for local non-partisan candidates based on strict policy guidelines & political activity on issues of interest to public employees

Financial Planning and Insurance

- Free financial planning services for members: 544-5311
- Free life insurance policy at no cost for all members
- Group rates for supplemental insurance and most premiums are payroll deductible

Scholarships, Funds and Bonuses

- Academic Scholarship Program annually awards up to \$3,000 for members and families
- Members Benefit Fund provides financial assistance in a time of an emergency situation
- Recruitment bonus for members up to \$30 per new SLOCEA member

Discounts and Services

- State-wide discounts for amusement parks, hotels, car rentals, vacation packages
- SLOCEA Discount Program booklet with valuable discounts to local businesses
- Free notary services, conveniently available at SLOCEA's office
- Discounted Legal Services Program: local attorneys, free consultation and document review with a 30% discount on most services thereafter

Current, Topical Information

- SLOCEA Web site, updated weekly, with current information: www.slocea.org
- "Hotline" mailed to members' homes when salary and/or benefit changes are negotiated & "Notice of Meeting" for general membership and bargaining unit meetings
- Monthly newspaper, *The County Blade*, mailed to all members' homes
- Access to up-to-date information on all employment issues available to members by simply calling the SLOCEA office at 543-2021 during business hours

YOU HAVE A RIGHT TO REPRESENTATION

Below are some of the statutes and court decisions under which the San Luis Obispo County Employees' Association (SLOCEA) provides representation and services:

Meyers-Milias-Brown Act (MMBA): State legislation enacted giving public employees the right to organize and to have an exclusive representative address issues of wages, hours and working conditions with their employing agency, i.e. county, city, community service district, water authority, etc.

Weingarten Decision: United States Supreme Court decision stating that employees are entitled to labor representation at any meeting between an employee and an employer when the employee reasonably believes that the meeting may ultimately result in disciplinary action.

Skelly Decision: State Supreme Court decision ensuring that employees are entitled to "due process" and an opportunity to respond to charges of misconduct before disciplined or dismissed.

Fair Labor Standards Act (FLSA): Federal law setting minimum requirements and standards for hours of work, including overtime compensation.

Family and Medical Leave Act (FMLA): Federal and state laws allowing employees up to 12 weeks annually of paid or unpaid leave for major personal and/or family illness or care.

Additional rights can sometimes be negotiated with an employee's supervisor. There are also many county rules and policies that provide county employees with rights in the workplace, such as:

Performance Evaluations: Employees have the right to appeal less than "satisfactory" performance evaluations. Employees also have the right to attach to the evaluation a written rebuttal refuting an overall rating, as well as any rating or comment contained within the evaluation.

Disciplinary Actions: Employees have the right to representation regarding any written or formal adverse action against them, including written counseling memos, work performance memos, less than "satisfactory" evaluations, and letters of reprimand. Members needing representation on such matters should contact SLOCEA immediately.

Grievances: A grievance is a claim or charge of misunderstanding, or difference in interpretation, or violation of provisions of Civil Service Rules, Personnel Policies, our memorandum of understanding (MOU), county policies or regulations including but not limited to administrative and/or departmental regulations which affect wages, hours, or other terms and conditions of employment; pursuant to our MOU, grievances must be filed within five (5) working days from the date of incident.

Violence in the Workplace: Employees must report all such instances immediately to their supervisor or higher authority. Members impacted by violence in the workplace should contact SLOCEA immediately.

Sexual Harassment: Employees must report all instances immediately to their supervisor or higher authority. Members impacted by sexual harassment should contact SLOCEA immediately.

Review of Personnel Files: Employees are entitled to review their departmental and/or county personnel file upon request and making the appropriate arrangements.

Rights in the workplace are yours.

For more information, contact your SLOCEA representative.

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MEMBERSHIP DUES/SERVICE FEE NOTICE

The San Luis Obispo County Employees' Association (SLOCEA) and the County of San Luis Obispo have implemented an agreement that requires employees in the Trades, Crafts, and Services, Public Services, Clerical, and Supervisory Bargaining Units to either join the San Luis Obispo County Employees' Association (SLOCEA) and become a dues-paying member with all the rights, benefits and privileges of membership, or decline membership in SLOCEA and instead pay to SLOCEA a Fair Share service fee covering the costs of representation for contract negotiation, enforcement and administration as permitted by law. Under limited circumstances, employees may be eligible for "conscientious objector" status permitting you to decline membership in SLOCEA and decline paying a Fair Share service fee to SLOCEA. Instead, a conscientious objector would pay an amount equivalent to a Fair Share service fee to a non-religious, non-labor charitable organization.

As a condition of employment with the County of San Luis Obispo, employees in the Trades, Crafts, and Services, Public Services, Clerical and Supervisory Bargaining Units must either become a **member of SLOCEA**, a **Fair Share fee payer**, or a bona fide **conscientious objector within thirty (30) days of their hire date**. If you do not elect one of these options, the county will automatically place you in the category of a Fair Share fee payer and collect those fees. An *Authorization of Payroll Deduction for SLOCEA Membership Dues or Fair Share Fees* form has been enclosed for this purpose. For your convenience, please return the completed form using one of the following: the enclosed self-addressed envelope; an inter-office manila envelope; or hand-deliver to our office located at 1035 Walnut Street in San Luis Obispo. We will process your application promptly and send you information on SLOCEA services and benefits that you will be entitled to should you choose to become a member.

Why Become a SLOCEA Member?

SLOCEA serves as your collective bargaining representative and is required by law to protect the interests of bargaining unit employees in matters related to wages, hours, and working conditions with the county. We strongly urge you to join SLOCEA because, as a dues paying member, you will have benefits and rights not available to you as a Fair Share fee payer. As a member, you have the right to participate fully in the internal activities of SLOCEA, including the right to vote in elections of your SLOCEA Officers, Directors and representatives; as well as the right to run for office and to hold positions of leadership. As a member, you also vote to accept or reject contracts or collective bargaining agreements covering your wages, your benefits and your working conditions. As a member, you have the right to attend SLOCEA meetings and to have a political voice here in the county and in the state capitol. These are important times for public employees and their families. The state legislature has before it several bills that will take away hard-earned public employee pensions and other benefits, as well as unfairly limit our ability to participate in the political process.

SLOCEA members also enjoy valuable discounts for insurance, legal services, entertainment and for local goods and services, in addition to free financial planning. Please see the enclosed document *Benefits of Full Membership* or visit the SLOCEA's website at www.slocea.org for more information.

Remember that SLOCEA's strength comes from active members whose dedication and efforts make it possible for SLOCEA to achieve better wages, benefits and other terms of employment in contract negotiations with the county.

If you want to become a member of SLOCEA, please complete the enclosed authorization form and return it to SLOCEA.

How Is the Fair Share Service Fee Calculated and How Much Is It?

The Fair Share fee has been calculated and designated based on SLOCEA's expenditures for collective bargaining, processing grievances, MOU (contract) administration and representation of employees in disputes relating to the MOU, as well as other relevant activities affecting the terms and conditions of your employment.

Certified Public Accountant Allen Monahan has completed an annual audit of SLOCEA's finances for the fiscal year ending December 31, 2010. His report verified that 94.4% of SLOCEA's total expenditures are "chargeable" to Fair Share fee payers in accordance with the legal definition of "chargeable." A copy of Mr. Monahan's audit is available for your review. Please call SLOCEA's business office at 543-2021 to make an appointment to review this audit during SLOCEA's regular business hours.

If you decline SLOCEA membership, you are nonetheless required as a condition of employment with the County of San Luis Obispo to pay a Fair Share fee each pay period. SLOCEA's current dues collected each pay period are comprised of a flat fee of \$3.00 plus 40% of one hour's pay. The Fair Share fee collected each pay period is 94.4% of SLOCEA's \$3.00 flat fee (\$2.83) plus 37.76% of one hour's pay ($0.944 \times 40\% = 37.76\%$). Here is a comparison of SLOCEA membership dues verses Fair Share fees:

Employee's Hourly Salary:	\$9.00	\$10.00	\$15.00	\$20.00	\$25.00	\$30.00	\$35.00	\$40.00
Full Membership Dues:	\$6.60	\$7.00	\$9.00	\$11.00	\$13.00	\$15.00	\$17.00	\$19.00
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The Fair Share fee is a legal and enforceable charge under both state and federal law, as interpreted and applied by the courts, including the United States Supreme Court (*Chicago Teachers Union v. Hudson*). Additionally, the law authorizes the County as your employer to deduct this Fair Share fee from your paycheck.

The criteria for determining the Fair Share fee has been approved by the courts and are considered when allocating the following "chargeable" costs and expenses:

1. Governing the Association.
2. Gathering information in preparation for the negotiation of collective bargaining agreements.
3. Gathering information from employees concerning collective bargaining positions and proposals.
4. Negotiating collective bargaining agreements (contracts, Memorandum of Understanding (MOU)).

5. Adjusting grievances pursuant to the provisions of collective bargaining agreements and otherwise enforcing collective bargaining agreements.
6. Ratification of negotiated agreements.
7. Public advertising of collective bargaining agreements and negotiations related thereto, as well as matters relating to representational interests in the collective bargaining process and in contract administration.
8. Purchasing publications used in negotiating and administering collective bargaining agreements.
9. Paying technicians and professionals in labor law, economics and other subjects for use in negotiating and administering collective bargaining agreements, and in processing grievances.
10. Membership meetings and conventions, including the cost of sending representatives to such meetings and conventions.
11. Expenditures for the publishing of those portions of flyers and newsletters that in part concern matters of bargaining and representation.
12. Impasse procedures, including fact-finding, mediation, arbitration and economic action so long as they are legal under state law. These costs may include preparation for strikes, slowdowns and work stoppages, regardless of their legality under state law, so long as no illegal conduct actually occurs.
13. The prosecution or defense of arbitration, litigation or charges to obtain ratification interpretation, implementation or enforcement of collective bargaining agreements and any other litigation before agencies or in the courts that concern bargaining unit employees and is normally conducted by an exclusive representative.
14. Legislative activities undertaken for negotiations, ratification or implementation of a collective bargaining agreement or to enhance or protect wages, hours and working conditions of bargaining unit members.
15. Operating and administrative expenses, salaries and benefits apportioned to chargeable items.
16. Lobbying and political campaigns related to negotiation, ratification or implementation of collective bargaining agreements.

The Fair Share fee does not include expenses, either direct or indirect, for the following **“non-chargeable”** activities:

- A. Political campaigns, “get out the vote” and voter registration activities.
- B. Supporting and contributing to charitable organizations, political organizations, candidates for public office, initiative measures, ideological causes and international affairs.
- C. Public advertising of the SLOCEA’s positions on issues other than negotiation, ratification, or implementation of collective bargaining agreements.
- D. Lobbying for purposes other than the negotiation, ratification or implementation of a collective bargaining agreement.

E. Organizing activities to obtain membership.

F. "Members only" benefits; such as group insurance, free financial planning, etc.

G. Litigation not related to bargaining unit matters, collective bargaining and representation.

The designated amount that the independent auditor has verified to be "chargeable" may be challenged once a year subsequent to the independent audit results. You must send a written letter expressing your challenge to SLOCEA within thirty (30) days following the distribution of the annual audit results. Upon receipt of your written challenge, SLOCEA will place the amount of the Fair Share fee deducted from your paycheck into an interest-bearing escrow account where it will remain until a decision has been rendered by an impartial arbitrator as described below.

As required by law, SLOCEA will pay for a qualified, impartial arbitrator, who will conduct a hearing and will rule on any challenge submitted during the 30-day period. SLOCEA will notify the arbitrator of any legitimate challenges submitted during that timeframe and the arbitrator will schedule a single hearing to resolve any such challenges pursuant to rules for impartial determination of union fees. Copies of these rules are available from the American Arbitration Association. The Arbitrator will notify you and SLOCEA of the date on which a hearing will be held. SLOCEA will bear the cost of the arbitrator's fees. However, each party is responsible for bearing the costs of their own representation/defense, including the costs associated with acquiring transcripts and any and all additional expenditures related to preparing and/or presenting its case. Attendance at the hearing is not considered to be authorized county business and each employee who attends must do so using personal leave time.

Please do not hesitate to contact SLOCEA should you have any questions regarding the audit or the Fair Share fee calculation. We would also welcome the opportunity to speak with you about the many benefits of becoming a SLOCEA member.

On behalf of the entire SLOCEA team, welcome to your new position with the County of San Luis Obispo. We look forward to your SLOCEA membership and the opportunity to serve you!

**SAN LUIS OBISPO COUNTY EMPLOYEES' ASSOCIATION
 AUTHORIZATION OF PAYROLL DEDUCTION
 FOR SLOCEA MEMBERSHIP DUES OR FAIR SHARE FEES**

Complete this form and return to SLOCEA at 1035 Walnut Street, San Luis Obispo, CA 93401.
 Please contact SLOCEA with any questions or concerns at (805) 543-2021 or visit our website at www.slocea.org.

LAST NAME		FIRST NAME		MIDDLE	
HOME ADDRESS (NUMBER, STREET, APT. NO.)			CITY	STATE	ZIP CODE
SOCIAL SECURITY #	HOME PHONE #		HIRE DATE	GENDER	BIRTHDATE
DEPARTMENT	HOME E-MAIL ADDRESS			WORK LOCATION	

AS A CONDITION OF EMPLOYMENT WITH THE COUNTY OF SAN LUIS OBISPO, YOU MUST SELECT ONE OF THE FOLLOWING:

- ASSOCIATION MEMBERSHIP:** I hereby apply for active membership in the San Luis Obispo County Employees' Association and agree to abide by all SLOCEA By-laws and Policies. I authorize appropriate deductions from my County wages for payment of dues and other programs that I may select. I also voluntarily authorize, at the discretion of the SLOCEA Board of Directors, the use of a portion of my dues for political action. (Political contributions are not tax deductible.) I understand that a portion of my annual dues is applied toward a yearly subscription to *The County Blade*.

- I choose not to have any portion of my dues allocated to SLOCEA's Political Action Committee. I understand that my dues will not increase or decrease because of this designation.

- FAIR SHARE FEE:** I hereby apply for Fair Share Fee status. I understand that the Fair Share Fee is that portion of SLOCEA dues that have been determined to be the chargeable cost of representation for contract issues and that I **do not** have access to SLOCEA member-only benefits, the right to attend meetings, hold office, and voting privileges. I authorize appropriate deductions from my County wages for payment of Fair Share Fees.

- CONSCIENTIOUS OBJECTOR:** If you are a member of a bona fide religion, body, or sect that has historically held conscientious objections to joining or financially supporting public employee organizations, you shall not be required to join or financially support SLOCEA as a condition of employment. You will be required, in lieu of dues, to pay sums equal to the Fair Share Fee to a nonreligious, nonlabor charitable fund exempt from taxation under Section 501(c)(3) of the Internal Revenue Code serving the residents of San Luis Obispo County, as designated by you from a list of organizations provided by SLOCEA. To claim Conscientious Objector status, please call SLOCEA to obtain the necessary paperwork. I authorize appropriate deductions from my County wages for payment of Conscientious Objector Fees.

EMPLOYEE'S SIGNATURE

DATE

RECRUITER'S NAME and DEPARTMENT (Must be a SLOCEA member)

<u>FOR SLOCEA USE ONLY</u>
Org: _____
Job Class: _____
B.U.: _____
Hire Date: _____

Dues paid to the San Luis Obispo County Employees' Association are not tax deductible as charitable contributions. However, they may be tax deductible as ordinary and necessary business expenses.