



EA VOICE



Message from the President

I would like to thank everyone who participated in voting on the new MOU between the EA and the Air District. It was truly impressive to see that roughly 75% of the EA members took the time to cast their vote. As you may already be aware, the MOU was approved by 68% majority and, with the approval of the Air District's Board of Directors, took effect July 1.

With the contract negotiation's concluded, the EA Board will now focus much of its attention on the Air District Building move and the various impacts that may be encountered in the process. In addition, the EA is aware that Classification Studies are overdue for many of the represented job classifications. I can assure you that the EA will work to see that these studies are resumed and completed as required.

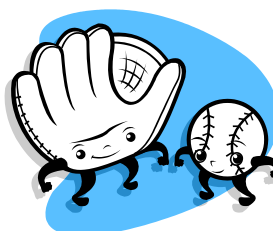
Beyond these matters, I would like to take the opportunity to stress how important it is for everyone to utilize their stewards. If you encounter any issues or need help understanding the MOU, for whatever reason, please contact your steward or another EA Board Member. There have been occasions where individuals have gone to their "friends" for assistance in these matters and have received inaccurate information. While I cannot fault anyone for helping out a fellow employee, please understand that your EA representatives should always be the go-to people when it comes to handling these issues.

On the social front, it was awesome to see everyone who came out to the A's Game and tailgate on June 21. Big thanks to the Social Committee and everyone who helped with the set-up, BBQ, and take-down. As an added bonus, the A's were able to pull off a win in the 11th inning!

Also, don't forget to join us at Cull Canyon Park in Castro Valley on August 23 for the Annual Summer Picnic. We have a super fun day planned for everyone and I look forward to seeing all of you and your families!

Best,

Paul Grazzini
EA President



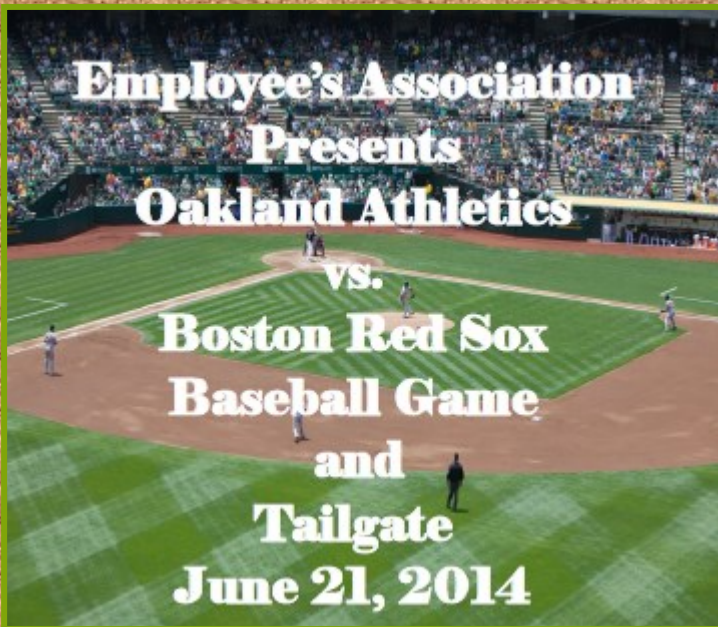
Inside this Issue:

Front Page	1
Ball Game	2-3
Summer Picnic	4
Skelly Rights	5
Treasury	6
Legal/Law	7
Contacts	8

On June 21st, the Employee's Association hosted a tailgate party at the O.Com Coliseum. Members Sheryl Wallace, Victor Douglas, Chris Coelho and Terri Levels did a fantastic job organizing this event. Master Chef Ron Carrey grilled up some yummy burgers, hot dogs, something-bigger-than-hotdogs & tasty veggie burgers to a crowd of hungry EA members, friends and family. After everyone was happily stuffed, they moseyed into the game. AND WHAT A GAME! The Oakland Athletics Defeated the Boston Red Sox in Extra Innings! "Let us root, root, root, for the home team, if they don't win it's a shame". No shame here, The A's beat the Red Sox, 2-1, with a walk-off single in the 10th. Thanks to all of you who supported this event.

Photos on Pages 2-3

The Oakland Athletics Defeat the Boston Red Sox in Extra Innings! “Let us root, root, root, for the home team, if they don’t win it’s a shame”. No shame here the A’s beat the Red Sox, 2-1, with a walk-off single in the 10th. Thanks to all of you who supported this event. - EA Social Committee





Air District Employee's Association Picnic—August 23rd, 2014

SATURDAY, AUGUST



Help the EA Social Committee Plan the Summer Picnic!

Contact:
Sheryl Wallace,
Committee Leader
Next Meeting: 7/24 3-4PM



- CARPOOL IS ENCOURAGED
- PLEASE INFORM STAFF WHEN YOU RSVP IF YOU WILL BE NEEDING BART PICK UP/DROP OFF FROM BAYFAIR STATION. A PRE-SCHEDULED PICK UP/DROP OFF MAY BE SCHEDULED DEPENDING ON THE NEEDS. DETAILS WILL BE PROVIDED AT A LATER TIME
- FOR OTHER TRANSIT AND DRIVING OPTIONS, VISIT 511.ORG

CULL CANYON
 18627 Cull Canyon Road
 Castro Valley, CA 94546
“Footbridge Backyard Area”

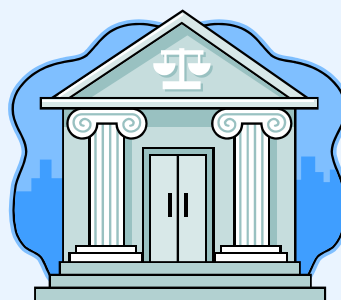
Question: What Are “Skelly Rights”?

Skelly rights refers to the due process right to notice an employee of an intended disciplinary action. The right includes the right to obtain a copy of materials on which the action is based and an opportunity to respond orally, or in writing, to an impartial reviewer prior to discipline being imposed.

The term “Skelly rights” comes from a decision of the U.S. Supreme Court in *Skelly v. State Personnel Board*, 15 Cal. 3d 194 (Cal. 1975). In that case the Supreme Court ruled an employee had a property interest (14th Amendment/Due Process) in continued employment and hence could not be deprived of his job without the observance of due process.

Prior to any significant discipline; employees must be provided with the charges against them and an opportunity to present their side of the issue in an informal setting.

Due process, however, does not require that the employee be given a full evidentiary hearing prior to imposition of discipline. It does require that the employee be accorded certain procedural safeguards before the discipline becomes effective. The term Skelly is thus considered synonymous with pre-discipline hearing procedures.



Who has Skelly Rights?

- Those who successfully complete probation and are considered classified, permanent, civil service, and/or merit system employees.
- Employees who are not considered probationary, temporary, or At-Will.
- Management and confidential employees.

Learn more: http://cityemployeesassociates.com/My_Skelly_Rights.html

What Triggers Due Process?

- Demotion
- Suspension w/out pay / reduced pay
- Involuntary unpaid leave of absence
- Job Abandonment
- Specific Layoffs (Pretextual)
- Separation because of inability to accommodate disability

Treasurer Report

Balances as of 7/9/2014



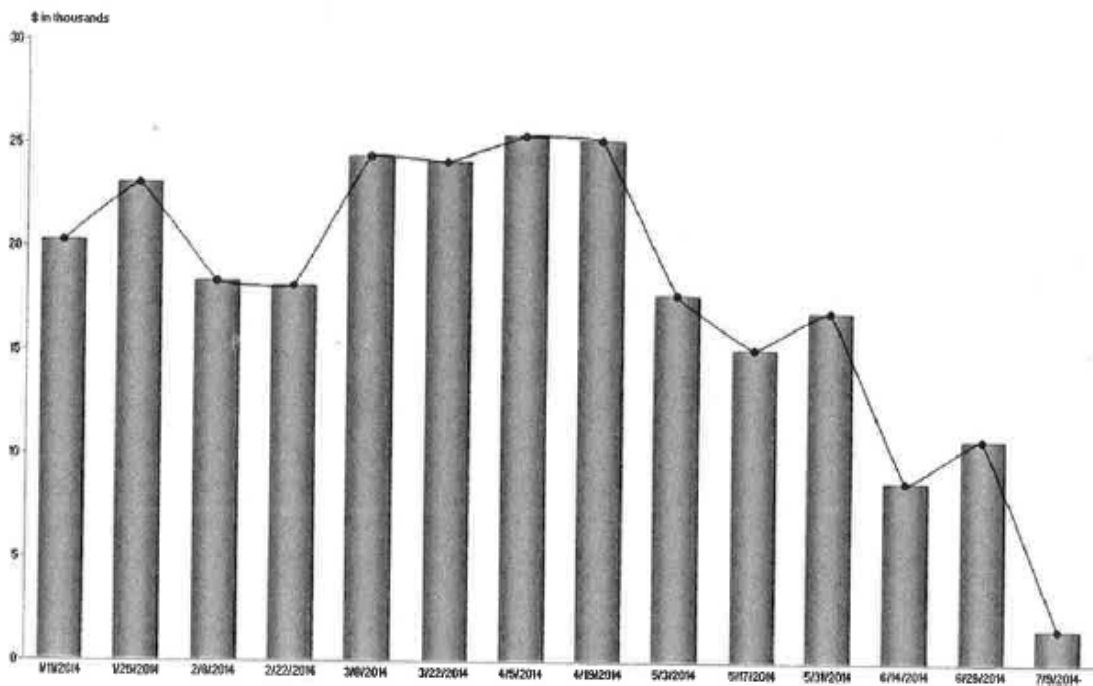
Treasurer Report July 9, 2014

EastWestBank Standard Business Checking \$5,700.58
 EastWestBank Money Market 6 Check Option \$42,883.77
 EastWestBank CD \$100,980.36
 SFFCU Regular \$5.02
 SFFCU 12 MO Term CD 124 \$101,735.15
 SFFCU 12 MO Term CD 124.1 \$101,249.12



Total Balance: \$367,092.33

January 2014- Present Balance



Mission Statement

To **ASSIST** in the maintenance of the higher standards of public service.

To **IMPROVE** the wages, hours and working conditions of its members.

To **REPRESENT** its members as a bargaining unit on all matters affecting the welfare of the members, including but not limited to wages, hours and other terms and conditions of employment.

To **UNITE** all employees who are members of the Association for the purpose of maintaining, protecting and advancing their interest, both individually and as a group; and to foster and advocate professional competency and proficiency of its members.

To **FOSTER** a better understanding and cooperation between the Association and the District.

www.eavoice.org

Spotlight: Arbitrator Decides on SAPA

On June 14, 2014, Arbitrator Matt Goldberg issued a decision regarding a grievance the Employees' Association filed on May 2012.

At the heart of the issue was the union's contention that: A) The Air District did not have the authority to unilaterally reclassify bargaining unit positions; and B) the Air District did not have the authority to unilaterally modify existing bargaining unit job classifications without mutual agreement from the union.

In April 2012, after the Air District was unable to successfully negotiate (with the union) the reclassification of three vacant bargaining unit positions – two vacant Supervising Air Quality Inspector positions and one vacant Secretary position – and turn them into three Senior Advanced Project Advisor (SAPA) positions that were earmarked to work exclusively as software programmers for the Production System, the Air District decided to reclassify the positions anyway. Furthermore, the Air District changed requirements within the SAPA job classification for the purposes of recruiting software programmers. This constituted multiple violations of the MOU in the union's opinion.

The union filed a grievance on May 2012 and the case was heard before arbitrator Matt Goldberg. Mr. Goldberg submitted his written decision on June 14, 2014. Mr. Goldberg stated that although the Air District did have the authority to reclassify the vacant bargaining unit positions, they did not have the authority to modify the class specifications without mutual agreement from the union.

The EA's website (www.eavoice.org) has a link to the arbitrator's full written decision.

- From Will Saltz, EA's Business Agent

EA By-Laws Committee: Help Out!

The EA Board is forming a Constitution and By-laws Committee to do a periodic review of principles and procedures by which the Employee Association is run. Do you have experience on any type of governing board? Are you curious about the governance of the Employee Association? Come and join fellow employees and have a Voice in how the Employee Association is Governed!

1st Meeting is set for Tuesday 7/29/2014 at 12 PM
Location to be determined.

Please Contact John Foster at jfoster@baagmd.gov or at extension 4727 if you are interested in joining, even if you cannot make the first meeting.

Meet your EA Board Members & M&C Team

EA Board Members

President:

Paul Grazzini

Air Quality Inspector II, In the Field

Vice-President:

Christopher Coelho

Air Quality Inspector II, In the Field

Treasurer:

Matthew Serier

Administrative Analyst, 4th Floor, Main Office

Corresponding Secretary:

Tina Landis

Administrative Analyst, 4th Floor, Main Office

Recording Secretary:

Christopher Rumm

AQ Instrument Specialist II, In the Field

Professional Stewards:

Kurt Malone

Senior AQ Meteorologist, 6th Floor, Main Office

Franklin Dickey

AQ Case Settlement Specialist

7th Floor, Main Office

Technical Stewards:

In-Field:

Robert Schusteritsch

Air Quality Instrument Specialist II

In House:

John Foster

Air Quality Specialist II, 4th Floor, Main Office

Inspection Stewards:

Arnold Argao

Air Quality Inspector II, In the Field

Patricia Barnes

Air Quality Inspector II, In the Field

Clerical Steward:

Ruby World

Accounting Assistant II, 4th Floor, Main Office

Meet & Confer Team:

Robert Cave (Captain)

Senior Air Quality Specialist

Paul Grazzini

Air Quality Inspector II

Christopher Coelho

Air Quality Inspector II

Will Saltz

Air Quality Specialist II

Michael Wall

Supervising Air Quality Specialist

Derek Klein

Programmer Analyst II

Tina McRee

Supervising Air Quality Specialist

Kurt Malone

Senior AQ Meteorologist

Ruby World

Accounting Assistant II

Business Agent:

Will Saltz

Air Quality Specialist II

Committees:

Safety Committee EA's Reps:

Joseph Driste & Ron Pilkington

Social Committee Leader:

Sheryl Wallace

By-Laws Committee Leader:

John Foster

EA Voice Editor:

Ruby World



Ask

for EA Representation
if You Suspect Disciplinary
Action During a Meeting
with Your Manager...It's
Your Right!

Your EA Steward can ac-
company you into any
meeting with the District
that could lead to discipli-
nary action but you must
speak-up before or during
the meeting;

**ASK FOR YOUR
STEWARD!**

To learn more, please refer
to the MOU, EAVoice.org
and/or Google the
Weingarten Act.

When in doubt, contact
your Steward or the EA
President/Vice President
ASAP.

BAAQMD
Employees Association
P.O. Box 420434
San Francisco, CA 94142
Email: info@eavoice.org

www.eavoice.org

<http://tinyurl.com/EAVoiceFB>
FACEBOOK PAGE—LIKE US!