

Riverside County Members (September 8, 2017)

Actually, this isn't going to be so much an update as a brief discussion of our next steps in the impasse process.

Currently we are waiting to hear whether the County will agree to attempt to resolve our differences through mediation. The Board does not meet again until Tuesday, so we don't expect to hear anything before then.

In the meantime, we have 30 days from date of the County's declaration of impasse to file for Fact Finding. Unlike mediation, Fact Finding is not optional for the employer. Fact Finding is very much like an arbitration, but with some key differences. Notably, the parties argue their cases before a three person panel rather than a lone decision maker. The panel consists of 3 people—one is appointed by the Union, one is appointed by the employer, and one neutral person is jointly selected by the Union and the employer. Since neither the Union's nor the employer's panel choices are likely to be unbiased, it is the neutral panel member who is the true decision maker. This person also functions as the chair of the panel.

The hearing is supposed to occur within 10 days of the appointment of the Panel Chair, which rarely happens. It would be highly unusual for an arbitrator on whom both sides have agreed to have any availability within 10 days. Since we are somewhat at the mercy of the schedules of the available arbitrators, it is impossible to know exactly when the hearing would be scheduled.

The decision, or "findings," are to be issued within 30 days of the appointment of the Panel Chair. Again, this is unlikely because it is highly probable that we will not have a date scheduled within 10 days of the appointment. Also, it will likely be necessary to schedule more than one day for the hearing. It is probable as well that extensions will be granted for the submission of post hearing briefs.

Within 10 days of the decision being issued, a public hearing on the Panel's

findings must be held. After that, the Board will either accept or reject, in whole or in part, the decision of the fact finder.

If, after that hearing, the County were to impose the terms and conditions of their Last, Best, and, Final Offer, we are then officially without a contract and are legally permitted to engage in strikes and other similar job actions. The County can only impose terms for up to 12 months, and they are required to begin bargaining with us again before they adopt their next budget.

Currently, I believe that the Fact Finding process is on average taking just under 90 days from the selection of the neutral to the final public hearing. Based on my description of

the process, you can imagine that any number of things may effect a longer or shorter process. In any event, this is a process that takes some time.

Until that process is exhausted, everything in our contract remains unchanged.

Please feel free to contact me with questions regarding this or any other matter.

Also, please try to attend our meetings this month. We discuss our plans in much greater detail than we do in more public forums.

In Solidarity,

Stephen Switzer, Business Manager