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We reach from the Pacific Ocean to the Sedona Desert
Attention 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 agree their cases before a three person panel rather than a lone decision maker. The panel consists of 2 people - 1 appointed by the Union, 1 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 or whom both sides have agreed to hear 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 conducted.

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 30 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 substitution of past hearing trials.

Within 30 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 we 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 an 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 affect 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

Attention Riverside County Members (September 1, 2017)

Most of you have received a memo from Mike Stock, the County HR Director, as well as memos from your departments regarding the strike action that SEIU has planned for next Wednesday and Thursday.

As I have said repeatedly, next week's activities are not in any way associated with LIUNA or our current bargaining situation. And, according to SEIU, it is not even related to their own bargaining situation. Rather, it is related to a separate, similar Practice Charge related to safety concerns affecting some of their members. We have been extremely clear about this, which is what makes Stock's memos, as well as the other memos that the departments have issued, so wildly inappropriate.

Even though we are at impasse, our contract remains in full effect. Our MDU is very clear on the circumstances which allow management to require a physician's note from one of our members after an absence. You bargaining to be sick on days when another union is on strike is not one of those circumstances.

In this regard, our position is that next week is no different than any other week for our members. If you are sick, you should call in sick. If you call in sick and are seen regarding to activity inappropriate for someone claiming to be sick, you will be subject to discipline. That is the case 365 days a year, every year.

It is a position that requiring any LIUNA represented employee, not subject to the requirements of the Medical Certification Program, to provide a physician's note after an absence, is a violation of our contract.

We have notified the County of our position regarding this matter. If the memos are not withdrawn, and if, after an absence during the period of SEIU's strike, any member of ours is required, who would not otherwise be required to do so, to provide a physician's note, we will immediately file with PERB.

So, if you happen to be sick on Wednesday or Thursday of next week, and you are required to show a note from the physician, then please notify our office immediately.

Over the next couple of days I will be posting more about the impasse process and what we can expect in terms of the timeline of events, including strikes and other aggressive job actions.

This is all I'm going to post for today, except to wish all of you a peaceful and safe Labor Day weekend.

In Solidarity,

Stephen Switzer, Business Manager

PS: If you don't know what the Medical Certification Program is, then you are not on it.

Riverside County Bargaining Update (August 30, 2017)

This afternoon we received word that the County has declared impasse with LIUNA. To describe this as an outrage would be far too gentle a term. The proposal that they rejected outright says that they contained not one penny but for two modest increases to the flex benefits. The Board can vote to give themselves a raise, but not to give you a modest increase in your ability to afford health insurance for you and your families. Unconscionable is the only word that comes to mind.

This of course demonstrates the contempt with which we are regarded by the County. Clearly, the County does not appreciate everything you do to maintain the life of our communities and the services you provide. But, even though the County will not let just how bad the work is that you perform, they're pleased that they're not in a very grim situation. However, on how right that we will aggressively assert we move forward into the impasse process.

We will make a formal request for the County to engage in mediation. They are not required to do so, and frankly I don't believe they will agree to do so. Also, next next week we will have our Strike Practice Charge filed with PERB. This charge will detail the County's refusal to bargain with us in good faith.

We are also going to take them to Fact Finding, where we will, in a very public way, require not only the County's consent to proceed for the principles of good faith and fair dealing, but also require the County to be in the financial situation that they were in. Unlike mediation, the County has no choice but to go through this process, much of which will prove to be quite embarrassing for certain elements within the County. And you can be assured that we will do everything we can to make that process as uncomfortable as we possibly can for them. Our lawyers have already been preparing for this.

After fact finding the County can choose to impose the terms and conditions of their last, best, and final offer. And that is when we can legally engage in strike actions. We are actively preparing for that as well. Without going into the particulars of our strategy, some of you will be contacted regarding participation in the most serious actions we have planned. There will also be opportunities to participate in less serious actions such as rallies, pickets, and other actions that are designed to be disruptive to the County in various ways.

As I said, while this is serious, we do have rights, and we do have time. This is a long way from being over. I believe that we as a Union have always tried to be reasonable, and for the most part that has served us well. Clearly the County has decided to pursue a path that is unreasonable. Well, I would say to the County that we are able and willing to go down that path with them. I would also tell them to remember that this was their choice.

Over the next few days we will be working with our attorneys to put the bargaining timeline on a list of this, and we'll also be posting more in the coming days.

So, stay angry, focused, and determined. Remember, there are more than 7,000 of us. There is power in that.

As always, I appreciate how patient people have been through this, and I am confident as well of all of demonstrating the resolve and toughness necessary to carry us through to a fair contract.

In Solidarity,

Stephen Switzer, Business Manager

Riverside County Bargaining Update (August 29, 2017)

As many of you know, SEIU announced their plans to go on strike starting on September 18th. The fact is simple: people are wondering when we were going on strike with them, and I thought I'd address that question here as I'm sure it's a question many of our members are asking.

We currently have a proposal before the Board of Supervisors (BOS). We believe that there is a real opportunity for us to get a deal that makes sense. The BOS should be discussing that proposal before they are in closed session. I honestly don't know at this point what their response will be. They could reject the proposal with a declaration of impasse, they could accept the proposal outright, or they could make a counter offer. Obviously we are hoping for one of the latter two possibilities.

To be candid, I am more than a little surprised by SEIU's announcement. The County has not declared impasse with them, and has not attempted to impose terms and conditions, which makes the announcement premature at best. To announce a strike before impasse is declared, and while there is still a chance of getting a deal, would be tactically stupid on our part. We will not engage in any strike activity until we are certain that we will not get a deal that we can live with. And we certainly would not consider a strike before the County has declared impasse. Until we are at impasse there is still hope to make a deal. (Actually, even after impasse is declared, deals are frequently made. It is not unusual, for instance, for a deal to be reached during the fact finding process.)

Going on strike is a very serious undertaking, which requires a great deal of sacrifice from the membership. Accordingly, we will not ask you to engage in strike activities unless we truly believe there is no other way to get a deal done.

That being said, it is of course prudent to prepare for every scenario, including the worst cases. If you've been to our membership meetings, you are aware, (at least in general terms) the sort of actions we are planning.

The most important consideration in this discussion is the work being of our membership. If it becomes clear that the only way to assure our members' well being is through a strike, you can be sure that we will engage accordingly.

I understand that this is a stressful process for everyone, but we can't allow the "noise" of a negotiation to determine our course of action. We will continue to proceed guided by one concern only: How does this affect our members?

I am not sure when I will hear back from the County, though I would expect that that something by next week. As soon as we know anything, I will report back. As always, please feel free to call me if you have any questions or comments.

In Solidarity,

Stephen Switzer, Business Manager

Note: Our members only "ask" at all meetings means that only members' answers at other tables shall be admitted.

Click for August 17, 2017, Bargaining update

Click for August 1, 2017, Bargaining update

Click for July 12, 2017, Bargaining update

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Click for May 10, 2017, Bargaining update

Click for May 4, 2017, Bargaining update

Click for March 22, 2017, Bargaining update

Click for March 15, 2017, Bargaining update

PREVIOUS UPDATES

Our MDUs to date are available on this site from the following Menu:

LIUNA 777 Memoranda of Understanding

When you click the title of the MDU you want, it will download to your computer as a PDF document (in which you will need the Adobe Reader application).

You can download this application here:

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