

# THE CASE BRIEF

*CASE Newsletter*

## SUPREME COURT STRIKES DOWN FAIR-SHARE UNION FEES NATIONWIDE

The Supreme Court issued its decision in *Janus v. AFSCME* on June 27, deciding that non-members who benefit from their union's representation and contract, will no longer have to pay dues for their union's collective-bargaining services. Although non-member dues, called fair-share dues, were not used for political purposes, the court ruled that the dues violated the 1st Amendment's free-speech protections. This presents a daunting problem for CASE and all unions nationwide, since collective-bargaining for each and every member of a bargaining unit takes resources, and now each member of our bargaining unit is not required to pay for the collective-bargaining process.

Although individual members of Bargaining Unit 2 may save a little money every month by opting-out of union dues, this will hurt CASE at the bargaining table where our salaries, benefits and working conditions are decided. This will in-turn hurt everyone in the bargaining unit, including

those who have opted-out. That's why CASE is asking our unit to stick together in this tough political climate, so that we will have the clout to continue improving salaries, fighting unfair management policies, and protecting our pensions.

Our membership level is critical to the CASE Political Action Committee. We must



negotiate with the governor for our contracts and lobby the legislature to approve those contracts. There are thousands of special interests fighting for access to the politicians and seeking the allocation of limited funds. All our recent successes are the direct result of our strategic and selective political engagement and use of PAC funds. Unlike some unions, we don't spend PAC money

on various hot button issues of the day or get involved in partisan issues. We only contribute to California politicians who support our core beliefs regarding pensions, wages, health care, and working conditions.

In the past, we have represented all members of Bargaining Unit 2 in discipline, grievances and bargaining regardless of membership status with CASE. However, the State Legislature is considering amendments to the Dills Act, which defines our scope of representation, and soon those services may not be available to non-members. Ensure your place in the union by becoming a CASE Voting Member and guarantee your access to CASE's legal expertise and support.

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## STATE BAR FINGERPRINTING MEET-AND-CONFER

CASE is pleased to announce that we have successfully negotiated an agreement with the State in which each department employing Unit 2 members will pay for the new fingerprinting requirement mandated by

the State Bar. After the State Bar enacted the regulation requiring new fingerprints for all active attorneys, the State initially changed its Human Resources Manual to specifically exclude payment of the special fee and require all state employed attorneys and judges to pay their own fees. CASE demanded that the State meet and confer over the issue. We ultimately prevailed in convincing the State to cover the cost of the fingerprinting fee for all Unit 2 attorneys and judges where active state bar membership is a condition of employment. CASE argued that the fingerprinting is required to maintain the right to practice law and



should be considered a one-time special dues payment rather than a fee that is voluntarily incurred such as the Justice Gap Fund.

For those of you unaware of the details of the fingerprinting requirement,

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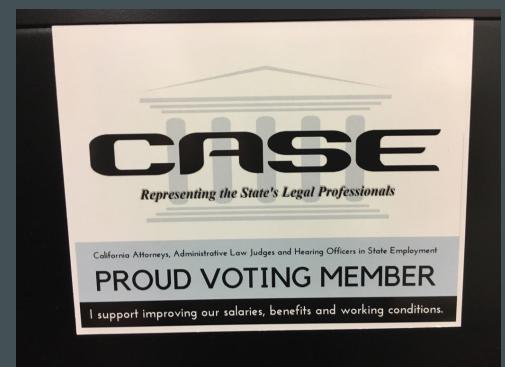


## ASSEMBLY BILL 119 UPDATE

Last June, the Senate approved Senate Bill 119, which requires departments to notice the exclusive representative (union) of any bargaining unit of any new employee orientation that includes their members. It also gives union access to our member's contact information. Initially, the state was not providing this information after the bill was passed, but after working with CalHR and the State Personnel Board,

information is finally coming in. However, some departments have still not complied with the bill and we are still missing vital information from many of our members.

CASE communicates with its members through email for the most part, so if you haven't been receiving our global emails, be sure to update your email address with us. Additionally, we have been sending out Voting Member magnets to our members'



home addresses, so please make sure we have a current mailing address on file for you as well. The better we can communicate with our members, the better we can represent you. To send your information to CASE, please email us at [info@calattorneys.org](mailto:info@calattorneys.org).

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## RESIGNATION VS. DEPARTMENT TRANSFER

If a member is transferring to another department in state service they should not resign from state service. Some departments ask for a resignation. This is inappropriate because a resignation could affect

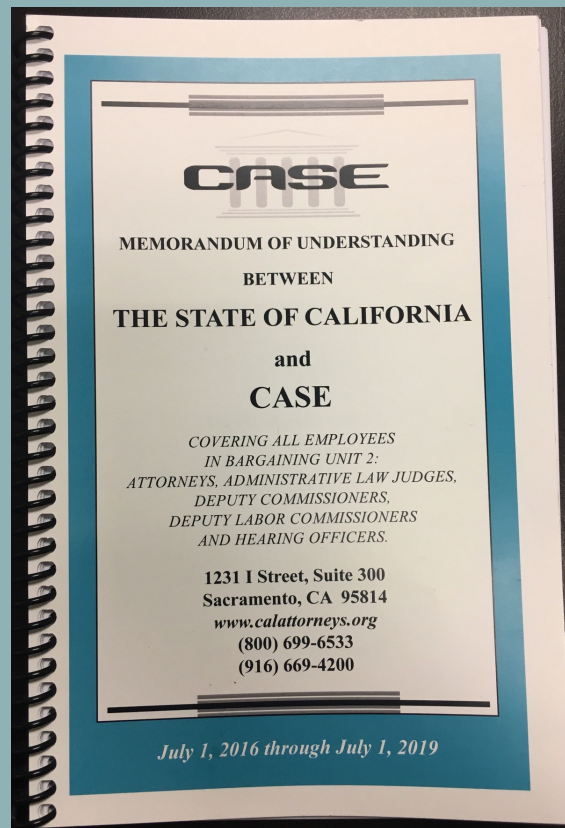
important benefits that are determined based on hire dates. If a member is in the process of transferring but has been asked to submit a resignation please contact the CASE staff at (800) 699-6533 to determine how to resolve

the issue. Note that once an employee notifies their department that they will be transferring, their current department has the right to place a 30-day hold on the transfer.

## BARGAINING UNIT 2 RAISE AND UPCOMING EVENTS

On July 1st, a 4% pay raise goes into effect for everyone in our unit. This is the third year of raises that the CASE Board negotiated two years ago in a three-year contract that Voting Members overwhelmingly supported. We should all see the higher salaries in our August 1st paychecks. This contract would not have been possible without the effective bargaining power provided by the Voting Members of Unit 2. For those who are not Voting Members, please join the majority of your colleagues to help protect our prior gains and strengthen our bargaining power for the future. Go to [calattorneys.org/sign-up](http://calattorneys.org/sign-up) to sign up.

Successful bargaining requires teamwork and effective communications between Unit 2 members and the CASE board and staff. As part of our ongoing efforts to improve communication, CASE is having an open house this summer; to meet



with our members in a casual setting, get to know each other, and talk about critical issues. Our open house will take place on Friday, August 17th from 11:00 a.m. to 2:00 p.m., complete with a light lunch and beverages. CASE officers, directors, and staff

will be there and will be happy to take suggestions and answer any questions you may have about CASE. We love connecting with our members and feel this is a great opportunity to exchange ideas, get to know each other better, and get more involved with our members.

If you would like to get more involved with CASE, we have one more local representative (shop steward) training this year, in Los Angeles on September 21st. We will cover a wide variety of subjects in the training, including workplace issues, contract benefits, grievances, MOU highlights, and more. Following the training, attendees will be certified as CASE local reps. and will be permitted to represent and advise colleagues in the workplace. To sign up for the training, first fill out a local rep. application at [calattorneys.org/local-rep-app](http://calattorneys.org/local-rep-app), then RSVP on our website at [calattorneys.org/local-rep-training](http://calattorneys.org/local-rep-training) or on our Facebook events page.



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## STATE COVERS FINGERPRINTING

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we encourage you to visit the State Bar website for details about your obligations at this link:

[calbar.ca.gov/Attorneys/Attorney-Regulation/Fingerprinting-Rule-Requirements](http://calbar.ca.gov/Attorneys/Attorney-Regulation/Fingerprinting-Rule-Requirements). In summary, all active attorneys licensed in California must be re-fingerprinted so that the Bar can monitor both past and subsequent criminal history information. The deadline for completion is April 30, 2019, but reminder notices will begin going out as early as August 6, 2018. Once all the details for each department are released, CASE encourages all members to complete the fingerprinting as soon as possible to ensure there is no interruption in your ability to practice law.

All attorneys licensed in California will be charged two separate fees. For Unit 2 members, the State has agreed to pay for both fees as follows. The first fee is the print “rolling” fee (aka LiveScan). This can be done by a variety of public and private vendors and there are links on the State Bar webpage that have dozens of vendors in all the major metropolitan areas. You can also search for vendors in your geographic area here:

[oag.ca.gov/fingerprints/locations](http://oag.ca.gov/fingerprints/locations). According to the bar, the rolling fees range from as low as \$5, to as high as \$75, with the average being \$33 according to the Bar. The State has agreed to reimburse Unit 2 members up to \$35 for this fee, meaning our members will be encouraged to use the lower-cost vendors. The second fee is a flat \$49 to pay for background check and ongoing monitoring by DOJ and FBI. The State will fully reimburse for this fee.

Note that procedures will vary among departments. For some departments (perhaps the majority), members will be expected to contact a vendor of their choice and submit for reimbursement of both fees. Other departments may contract with vendors and have them come to the workplace to roll/scan everyone’s prints. While our members at those departments will be encouraged to be at the office on the day or days that the printing occurs, those who cannot be present can still go to their own private vendor and seek reimbursement up to \$35. In either case, the State will still pay the \$49 fee, although some departments will do so directly and others will reimburse our members. Full details will be forthcoming soon from each department.

## GRIEVANCE TIMELINES

In the event that our members feel that their MOU rights have been violated, we would like to educate our members on the timelines for the formal grievance procedure. The first step is to have an informal discussion with your supervisor. CASE suggests emailing your supervisor to request a meeting, so that you have your request in writing. You must request this informal discussion within seven calendar days of the MOU violation. CASE suggests that members send an email to their supervisor with the suggested wording “I am requesting an informal grievance discussion per Section 7.6 of the MOU.”

If you are unable to solve your grievance through an informal discussion, then you may file a formal grievance within 21 calendar days of the MOU violation, or 14 calendar days following the informal discussion, whichever is shorter. Following the filing of a formal grievance, the state has 14 calendar days to respond in writing to the grievance.

It is important for our members to know these timelines so that they can file their grievances in a timely manner. If we are to be effective in enforcing our contract, it is imperative that we operate within these timelines. If you feel that your MOU rights have been violated, please contact the CASE office at (800) 699-6533, or look up your local representative at [calattorneys.org](http://calattorneys.org) using the directory on the front page.

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## CASE UNION MEETINGS AROUND THE STATE OF CALIFORNIA

Starting this year, we have been meeting with our members in various departments around the state and receiving your feedback and suggestions. We have learned many ways that we can represent you better and ways that we can improve our communication. We plan to continue these meetings on an ongoing basis

as we attempt to visit every department with CASE Members.

To see when CASE will visit your department, please contact us at (800) 699-6533. If we do not have one scheduled for your office, we can work with you to schedule one.

## JOIN THE FIGHT

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We ask you to join the fight to improve salaries for all members, strengthen our healthcare, and protect our pensions. Voting Membership is only \$60, the second lowest among the 21 state bargaining units. Now more than ever, we need to work together to ensure we speak with a strong, unified voice. We look forward to working with you.




## RETIREMENT PLANNING SERVICES THROUGH AMERIPRISE

CASE would like to announce a new financial planning service available to our Voting Members who are nearing retirement. After long and successful careers with the State of California, our members will collect their well-deserved pensions and retirement benefits from CalPERS. We would like to offer our members some guidance on how

to manage their retirement finances properly so that you can fully enjoy your retirement without worry.


CASE is offering a retirement planning service through our financial advisor, Craig V. Parker of Ameriprise. He has given us exceptional advice on money management, so we are excited

When you have the right financial advisor, life can be brilliant.



**Craig V. Parker**  
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Managing Director  
1420 Rocky Ridge Dr, Ste 200  
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916.787.5647  
[Contact me today ►](#)

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to extend his services to our members at a special, negotiated rate. For more information, or if you would like to sign up for the program, please contact Craig Parker, financial advisor, at (916) 787-5647. This offer is only available to Voting Members of CASE.

## MEET THE CASE STAFF

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