

# THE 411 ON 1021



## San Joaquin Court SEIU 1021 Newsletter

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### Welcome New SEIU Members

Sharece Atkins — Court Reporters  
 Sylvia Ferreira — Juvenile Delinquency—JJC

### KNOWING YOUR MOU & MAKING IT WORK FOR YOU

Did you know your necessary qualifying absences can be covered under the Family Medical Leave Act? Employees often fear discipline for taking time off work to care for themselves or others, which can cause extreme added stress in an already difficult situation. As a Court Employee, you have protections guaranteed to you under the Family Medical Leave Act. Employees are responsible for getting the proper documentation to certify themselves for FMLA and have every right to do so. Section 3.14 of your MOU outlines qualifications for FMLA and states: "Family care leave may be utilized in conjunction with the birth of a child of the employee, the placement of a child with an employee in connection with the adoption ... for the serious medical condition or illness of the employee, or to allow the employee to care for a parent, spouse, or child who has a serious health condition." **KNOW YOUR RIGHTS!** "An employee who takes such family care leave shall be returned to employment in the same or comparable position upon return from said leave." There are both intermittent and extended leaves. If you think this topic might apply to you, contact HR to discuss your needs and options. HR is here for your personnel issues and respects your confidentiality.



*SEIU Recognizes Our Members With 25 + Years of Service for the Court!*



#### 40+ YEARS

*Christine Alverson  
 Lupe Filipowski*

#### 30+ YEARS

*Diana Constancio  
 Gladys Varela  
 Belinda Bustos  
 Lauri Knowlton  
 Delfina Alcocer*

#### 25+ YEARS

*Tim Robinson  
 Carolina Villanueva  
 Alison Hieb  
 Rita Gomez  
 Antoinette Perez  
 Kellie Gaff  
 Abby Fields*



*Hope you're enjoying the three extra vacation days awarded to employees with 25 + years in our last MOU!  
**YOU DESERVE IT!***

### Message from the President

Are you familiar with the contract between you and the Courts? The Memorandum of Understanding, or as we call it the MOU, is a contract between The Superior Court of California, County of San Joaquin and SEIU 1021. SEIU 1021 meaning you, the members. This contract is set to expire next year. If you are not familiar with it, I would encourage everyone to take a look at it. You can easily find it on the Courts Shared U Drive under the HR folder, then under the MOU, Personnel Rules & Policies folder. There you will find the 2018-2020 OOT and PRO SUCCESSOR MOU - FULLY EXECUTED document. Soon we will begin working on the new contract. We will be asking all our members for suggestions as to what you would like to see the bargaining team bring up to management.

Last time we bargained we were able to achieve some of your suggestions. We received an increase on our cost of living (COLA) along with a one-time bonus, we were able to increase the vacation accrual for those members who have been here for over 25 years, and our translators received a nice increase in pay for providing that service to our customers. That issue hadn't been touched in over 10 years. These are only a few examples of what our bargaining team was able to accomplish on this contract.

I'm sure the bargaining team can tell you how exhausting it was. Let's not forget that this team is made up of all our own people. Our own coworkers are fighting for us, sometimes using their own time outside of work to come to these agreements, all while being met with opposition from the other side 99% of the time. I can imagine if we didn't have a union to fight for us, we'd all be working for minimum wage with less coverage on health insurance, and no dental or vision let alone life insurance or counseling services. I really don't want to go back to those days. Our members have worked so hard to get us where we are today, with the pay and benefits we deserve.

Let's start thinking about who we would like to see fighting for us. Anyone can be voted in as long as you have been a Union member for a year. No experience necessary.

The union provides us a voice on the job and fights for equality to ensure we all can live with dignity. We need to stand tall, stand together, know our rights and if we fight for the changes we want to see, we will be able to accomplish more.

# THE CHIEF'S BRIEFS



by Timothy Robinson, SEIU 1021 Chief Steward

## "Do You Know Your Weingarten Rights...? Well, You Better!"

As a kid, did you ever hear grownups utter the phrase, "A close mouth doesn't get fed?" How about, "The squeaky wheel gets the grease," or "Look both ways before you cross the street?"

Here's one for you..."I would like my shop steward present."

While I may be the acting Chief Steward for my fellow SEIU 1021 Court Employees, EACH ONE OF US is a "temporary steward" of a very important legal right. For most of you, this legal right was established long before your first day of school, much less your first day as a PUBLIC EMPLOYEE.

Unfortunately, many of you aren't even aware of this gift you've been given. Trust me, someday during your career as a public employee, you may have to invoke these rights. They are called your WEINGARTEN RIGHTS!

Our WEINGARTEN RIGHTS were established following a historic 1975 U.S. Supreme Court decision (National Labor Relations Board v. Weingarten, Inc.). Since that court decision, public employees have had the right to union representation during any investigatory or pre-disciplinary meetings.

If your supervisor should contact you in an attempt to obtain facts/evidence, to ask you to explain "your side of the story," or to procure an admission from you (orally or in writing), YOU WOULD BE WISE TO INVOKE YOUR WEINGARTEN RIGHTS!!

I say this because management is NOT LEGALLY REQUIRED to inform you of your own WEINGARTEN RIGHTS (and they probably won't). So, it is incumbent upon Y-O-U to be PROACTIVE!

Whenever your supervisor or manager asks to speak with you at any time during the workday, you may respectfully ask them the reason for this meeting. YOU ARE NOT BEING INSUBORDINATE or DISRESPECTFUL by simply asking the question. Remember when I said, "look both ways before you cross the street...?" If you have a reasonable belief or expectation that this meeting may lead to disciplinary action against you, invoke your WEINGARTEN RIGHTS!!

Magic words like "SHAZAM!" aren't necessary. Simply articulating, "I would like my union representative present" is sufficient to invoke your WEINGARTEN RIGHTS. The request for union representation can be made at any time during the meeting, but YOU HAVE TO MAKE IT!!

At that point, your supervisor is obligated to provide you with your WEINGARTEN RIGHTS. The meeting may be delayed or rescheduled until your union representative has been given the opportunity to privately consult with the employee. The contact numbers for your union representative are listed on this newsletter for you to contact us should the need arise.

In closing, I want to reemphasize that we are "TEMPORARY STEWARDS" of a legal protection that was passed down to us by previous generations of union workers who actually FOUGHT THE FIGHT to achieve this hard-earned right. As recompense, it is our obligation to TAKE FULL ADVANTAGE OF THE RIGHTS WE HAVE BEEN GIVEN!!



## ***LABOR MANAGEMENT COMMITTEE***

The Labor Management Committee (LMC) is comprised of members of both SEIU and Court Management and meets collectively to deal with issues agreed to be mutually important to Employees and the Court in order to collaboratively create the best work environment possible for all involved. If you have a topic, issue, or concern to bring forward to the LMC, please contact your Union Rep or a Steward to discuss your idea and get it on the agenda. Let's turn your vision into action. We, the employees, know best what policy and change is needed in our work area for the betterment of the ourselves, the court and the public. Who better to look to than you?

# MEET YOUR STEWARD



**Name:** Alison Hieb  
**Department:** Traffic Division

## Where you can find Alison?

You can find me at the traffic windows located at the entrance of the courthouse.

## How long have you worked for the Courts?

I have been working for the courts for 30 years and have been a steward for the past 4 ½ years.

## Why do you support your Union, SEIU 1021?

I have supported the union since I started working here because I was taught to stand together with your coworkers- your family during the day- for united we stand and not united we fall. When I first started, and the courts had their first walkout, I was scared as I didn't know what to do. I had never been involved with a union before. I wasn't going to do it because I was afraid to lose my job. My dad, who worked for the California Highway Patrol, sat me down and told me to do whatever I felt I needed to do, but in his experience, he said to stand with my fellow employees because that is how we win!!!! The courts, at that time we were with the County, didn't want to give us anything. We were working for pennies practically. Vacation and sick time was not what we have now. We had to fight for it. We've had to fight for everything we have. Standing together is what got that done. I thank my Dad for teaching me to believe and work hard. Things just don't happen while we are sitting down doing our jobs. Sometimes we have to get our hands a little dirty and do stuff to make our work lives better. United we stand!!!!

## Why did you become a steward?

I became a Steward to help make a difference and to help my fellow coworkers who need a helping hand along the way.



## SHOP STEWARDS

(MOU SECTION 1.5 F)

“Shop Stewards employed and recognized by the Courts may assist employees in resolving complaints and grievances at the lowest possible administrative level of review. Stewards will be allowed a reasonable amount of Court time to investigate, process and meet with management on a complaint or grievance.”

If you are interested in becoming a Steward, please contact Chief Steward Tim Robinson or SEIU Rep. Dennis Mallory

*“I learned so much more about how the Union works when one, and then two Shop Stewards began working in Manteca. They gave the staff so much more information about the Union than just filing grievances, but also enlightened us on how they fight for our raises, benefits, and so much more. And I’ve seen our working conditions get so much better in our location as a result of our Stewards’ fight for our rights.”*

**- Tracy Merritt, LPC III, Manteca Court**



# STRONGER TOGETHER



**On September 18th, 2019, SEIU Court Employee Members showed up for a noon Unity Break rally at the County Administration Building, showing support for our SEIU counterparts from the County of San Joaquin during their stalled contract negotiations. We steadfastly support San Joaquin County workers as they continue to demand a fair contract!**

**BE AN ACTIVE PARTICIPANT IN YOUR UNION ... BECOME A CHAPTER OFFICER, BARGAINING TEAM MEMBER, STEWARD OR CAT TEAM MEMBER**

**Elections will be held within the coming months for our Chapter Officers and Bargaining Team. Here is your chance to step up and help YOUR UNION come alive in the workplace.**

**Are you or someone you know interested in holding one of these elected positions?**

**Do you have ideas you would like to see become active language in your next MOU?**

**Experience YOUR UNION at work and give back by choosing to be a part of the team that is working to ensure a safe, equitable, and well-protected workplace for you and your coworkers.**

**OUR STRENGTH IS IN OUR UNITY AND ABILITY TO ORGANIZE!**

## MEMBERSHIP MEETING DATES

Your SEIU leadership teams will be holding important lunchtime membership meetings at all sites the second week of December. Be sure to attend and take this opportunity to learn more about YOUR Union and how it is working for you. You will also receive information on the Chapter and Bargaining Team elections and the upcoming contract bargaining. The current MOU expires in October 2020, but the planning begins well before that.

**JJC 12-9-19 12:00-1:00**

**LODI 12-10-19 12:00-1:00**

**STOCKTON 12-11-19 11:30-1:30**

**MANTECA 12-12-19 12:00-1:00**

## SEIU Contact Information

(Call or Email)

We are here for you

Rafaela Gutierrez, Courtroom Clerk - President

Tim Robinson, Courtroom Clerk - Chief Steward

Dani Jeitz, Accounting - Steward

Raelissa Grant, Courtroom Clerk - Steward

Monica Jones, Probate - Steward

Joyce Banek, Civil - Steward

Alison Hieb, Traffic - Steward

Carrie Barbano, Manteca - Steward

SEIU Local 1021 Field Representative:

Dennis Mallory

Cell: (209) 607-1540

Email: [dennis.mallory@seiu1021.org](mailto:dennis.mallory@seiu1021.org)

SEIU Local 1021

4226 Coronado Avenue

Stockton, CA 95204

Member Resource Center:

1-877-687-1021