



# COURT GAZETTE

## San Diego County Court Employees Association

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### SDCCEA Board of Directors 2005

Kay Elbik - President  
Carol Albrecht - 1st Vice President  
Amy Shillingburg- 2nd Vice President and  
CIPELC Representative  
Lance Brown - Secretary  
Doug Carlson- Treasurer  
Frances Mercer - Historian

Cindy Schmidt      Warren Smith  
Adrienne Aron      Pat Seavey  
Joann Pickrell      Alison Blackwell  
Irene Elguira      Laura Llamas



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### From the Desk of the President



Happy New Year Everyone!

I hope that everyone had a safe and happy holiday season. Your Association will be sending out a "Negotiation Survey" at the end of January, in fact, you may have already received it. Please take the time to fill it out and return it in the stamped, return address envelope included with the survey. This is your chance to let the Negotiation Team know what is most important to you as we enter negotiations this year. Some of you have already been emailing us with your thoughts and we really appreciate your input. Your Negotiation Team members are Amy Shillingburg, Ken Holland, Adrienne Aron, Joann Pickrell, Carol Albrecht, Lance Brown, Silvia Casillas-Houseman, Warren Smith and myself, along with Jeff Carr and Richard Castle (Association Council). Once we receive the surveys your Negotiation Team will review them to see what areas of concern are most important to the membership. We are very much looking forward to meeting with the Court to commence negotiations, which will probably start in early April.

If you have a question, comment, or concern please contact Jeff Carr, Labor Relations Manager 619.264.6685 ext 204. Since Mr. Carr is our only labor relations personnel you may have trouble reaching him so leave a message on his voice mail and he will get back to you as soon as possible. You can also contact me at 858.541.5369 or any other board member and we will relay your concern to Jeff so that you are contacted within a reasonable timeframe.

*\*\*\*There is a Supervisors meeting set for January 20<sup>th</sup> to allow our supervisory members an avenue to express some of their overall concerns and hopefully arrive at some resolutions. We encourage all supervisor members to attend this very important meeting. If any supervisor member would like more information please contact Warren Smith.\*\*\**

Thank you again for your continued support. We look forward to a new year of representing you, our valued membership.

*Kay Elbik  
SDCCEA President*





## THE LABOR RELATIONS MANAGERS REPORT

By Jeff Carr

Happy New Year to each of you. We have a very busy year ahead of us. Some of the more challenging issues will include negotiating a new contract and the need for your assistance in fighting off the legislative assaults you will see coming out of Sacramento this year which will be threatening your retirement benefits. These are issues that will require your assistance.

In addition I would like to review the subject of your rights to representation when you are asked to come to a meeting by your boss. First of all, as you know, we represent the General Unit and the Supervisors Unit. If a Supervisor is called into a meeting with their boss then they have a right to representation under the same circumstances. What are those circumstances? First you must ask what the nature of the meeting is. The boss isn't always going to mention this when they ask you into this meeting. The burden of asking that question is on you. They will then tell you the nature of the meeting. From their response you must determine if you are entitled to representation. If the meeting is investigatory then you have the right to be represented in that meeting. You must ask for your Union representative, as they usually won't remind you of that. Of course one must be a member to be entitled to our representation. So if they are going to ask you questions then you can choose to have representation. You just have to let the boss know that you need time to contact and secure representation. They will grant you that time. Now, there are also times when you do not have a right to representation. If the meeting is not investigatory or disciplinary in nature you don't have a right under the law to demand representation. If the boss is just going to present you with a document such as your evaluation you are not entitled to representation. Once in a while emotions might also play a part in the pre-meeting discussion about representation. There might be a disagreement regarding the question as to representation. If the boss tells you that you are not entitled to a Rep. and you feel that you are, we always recommend that you inform the boss that you will attend under protest and that you will be contacting your Union and telling them exactly what occurred and you will consider filing a grievance. That's the way to handle that situation. If you refuse to attend the meeting based on what has occurred you can place yourself in harms way and you might be charged with insubordination because the boss felt that you did not comply with their direct order. So always ask what is the nature of the meeting first and then make your determination on asking for representation. If you have any doubt please call us right away and then we can directly advise you as to the correct course of action.



### *Transitions...*



**Are you the shy and retiring type? Maybe just the retiring type... If you are planning on retiring or perhaps are just leaving the court, be sure to let your family at SDCCEA know.**

**Like moving, it's a big step that requires planning. Along with turning off the power and disconnecting the phone, remember to "turn off" your dues. It's a simple process, but it must be done in writing. Let your Association know at the address shown on this newsletter of your intentions and we will promptly act to discontinue any deductions. Although the process may take up to 2 pay periods, your timely request will ensure that you can focus on your new horizons without looking back. We in turn will happily add your name to the rolls of those members who have "graduated" to alumni status. Happy trails!**



### ***Special Article from a Workers Comp. Attorney Mr. Scott A. O'Mara***



#### "I WANT A REAL DOCTOR AS MY TREATER"

Patients want and need a doctor that has sincere concern for their health, a physician whose goal is to help patients improve and hopefully recover as rapidly as possible through utilization of the many modalities of care and treatment now available. In the year 2004, our California Legislators and the current Governor pressed through last-minute legislation which directly impacts the patient-doctor role in work related injury cases. Unfortunately, the resulting changes now place patients at risk of receiving less than adequate care, and place physicians at risk of providing less than standard care and thereby subjecting themselves to discipline by the Medical Board of California.

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**SDCCEA  
BOARD OF DIRECTORS  
MEETING MINUTES  
JANUARY 5, 2005**



Present: Kay Elbik, Jeff Carr, Lance Brown, Carol Albrecht, Amy Shillingburg, Frances Mercer, Irene Elguira, Cindy Schmidt, Pat Seavey, Warren Smith, Laura Llamas, Alison Blackwell, Dick Castle Excused: Doug Carlson, Adrienne Aron, JoAnn Pickrell

**Report of Officers -**

Kay calls the meeting to order at 6:05 p.m.

Lance reads the minutes of 11-29-04. The minutes are approved as read.

Cindy reads the Treasurer's report. The report is filed as read.

The Labor Relations Managers written report is reviewed and discussed.

**Report of Committees -**

*Social Committee* - tabled.

*By-Laws Committee* - Kay asks for input on the previously amended by-laws. Cindy makes a motion to approve the proposed amended by-laws as written. The by-laws would continue to exclude previously suspended Article IX, but include the ability of members to have access to Association financial documents by appointment only. Pat seconds the motion. The motion carries unanimously.

*Membership Committee* - tabled.

*Security Committee* - tabled. Jeff has contacted Karol Plaskon regarding the committee, and received a letter from Steve Love stating that the committee does still exist, but has been proceeding without the Association's input. Jeff will continue to address this issue.

*CIPELC report* - Amy provides minutes to the Board of the last CIPELC meeting held on 12/3/04, where she was elected secretary. Jeff discusses the possibility of the Association voluntarily increasing their dues to CIPELC, and this issue is tabled to the next board meeting. Pat makes a motion to allocate up to \$700.00 per month to Amy and Jeff for January and February 2005 for all travel, meal, transport, and lodging expenses in relation to CIPELC meeting attendance in Sacramento. Amy seconds the motion. The motion carries, with one nay vote. The next CIPELC meeting is scheduled for Tuesday, 1-11-05 in Sacramento. Amy requests reimbursement for CIPELC expenses from December 2004, totaling \$268.00. Francis makes a motion for reimbursement. Pat seconds the motion. The motion carries unanimously.

*Promotional Items Committee* - tabled.

*Date for Supervisor's meeting* - The Board discusses the upcoming supervisor's meeting scheduled for Thursday, 1-20-05 at 5:30 p.m. at the Coco's on Balboa and Genesee Ave. The Board agrees that this should be a "members only" meeting and Warren will email the supervisors with the invitation. *Update signature card for check signing* - Kristin provides the card for updating, and Cindy will deliver the card to Doug for his signature.

**Unfinished Business**

*Budget Committee report* - Cindy states that a tentative budget has been prepared as a result of the recent budget meeting with Jon Hayes. The Board agrees to allow Jon to explore alternative investment opportunities besides the current Association savings accounts, and to give a review at a future date. The next meeting of the committee is scheduled for Wednesday, 1-12-05 at 5:00pm at the Association office downtown.

**New Business -**

*Blood drive* - Jeff states that he contacted Karol Plaskon regarding the Association sponsoring their first blood drive in February at the Central Division, in conjunction with a similar drive that MEA is conducting, and that he received the approval. After some discussion, Pat makes a motion to have Jeff pursue the planning of a blood drive. Irene seconds the motion. The motion carries. *Discuss negotiation questionnaire* - Jeff provides a rough draft of the proposed negotiation questionnaire to send to the membership. The Board is to email any suggestions for improvement/inclusion to Jeff. The questionnaire will go out by the end of January, with a return date of mid-February. Cindy makes a motion to provide members with a self-addressed, stamped envelope to return the questionnaires, and the funds for sufficient postage to mail them out, and have them returned. Pat seconds the motion. The motion carries, with one abstention.

*Good to Great Leadership Training* - Jeff discusses the upcoming Good to Great Leadership Training class, scheduled for January 21<sup>st</sup> from 2:00pm to 7:00pm, and January 22<sup>nd</sup> from 9:00am to 3:00pm, and encourages everyone to attend.

**Open Forum -**

Kay discusses a request for reimbursement from a former member, who wished to terminate his Association membership; the vote is tabled as to this request until the next board meeting. The Board discusses a proposed written membership termination process, but defers the issue to an email vote until Warren can review and rewrite the proposal. Kay discusses the need for more prompt reimbursement to Jeff for the purchase of meals for meetings. After some discussion, Pat makes a motion to allow Jeff to become an authorized user on the Association credit card account. Francis seconds the motion. The motion carries. **Website redesign** - Jeff states that he has received a bid for the new website from Fuelhouse, in the amount of \$3800 for website setup. Jeff will report on other bids as they are received. Jeff states that he has begun looking into salary/benefits comparisons from other courts to be used in the negotiation process.

Adjourn- The meeting is adjourned at 9:46pm. The next Board meeting is scheduled for Wednesday, February 2, 2005, 6:00pm at MEA