

# THE FULL-COURT PRESS

VOLUME 1, ISSUE 3      JULY/AUGUST 2007

## A MESSAGE FROM THE PRESIDENT



*by Amy Shillingburg*

Over the past few months your Board of Directors has met challenges head on, and has grown dramatically.

You may be aware of all the exciting changes that we have made, but

if not, let me share some of the highlights. We have moved into our very own office located in the Kearny Mesa area. This gives us a central location to provide services and support to our members. We have also hired our first full time employee, Wayne Palica. Wayne will take the helm as our Labor Relations Manager. His vast experience and dedication to court employees will be a valuable asset in our future dealings with the Administrative Office of the Courts.

One of the other exciting things happening is our partnership with ILS Insurance Services. Your Board has entered into an agreement with ILS to offer important in-

surance products and other benefits to our membership. ILS is a leader in the area of employee benefits, and specializes in working with large labor organizations like ours. They pride themselves in providing outstanding customer service, and products that meet the needs of their clients.

To kick off this new partnership, ILS will offer UNUM's Long Term Care Insurance program. Enclosed with this letter is information about the UNUM LTC program, and a schedule of lunch time meetings at each of the courts. These meetings will have staff from ILS and UNUM on hand to answer any questions and help you fill out the paperwork. You will also be receiving additional information throughout the year about other products and services that ILS offers.

With your continued support the SDCCEA Board of Directors will continue to grow and become the professional organization that we as court employees deserve.

## LABOR RELATIONS MANAGER'S REPORT

*by Wayne Palica*

### **The Importance of Communication**

As the Executive Officer of the Superior Court of San Diego, Michael Roddy has many responsibilities. Keeping an open line of communication between Court Management and your association leader-

ship is a responsibility we feel is absolutely essential. It may seem like a simple task for any executive to regularly communicate with an employee union, but my experience proves that not all executives make communication with labor organizations a high priority. Fortunately, here in San Diego, we have an Executive Officer

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## INFORMATION UPDATE

Let us know if you have moved or changed any of your contact numbers!! We want you to keep you informed on current issues affecting you and your fellow members. Without your correct information you may miss out on important news and updates. Email Wayne Palica at [wpalica@SDCCEA.org](mailto:wpalica@SDCCEA.org) anytime a change occurs to your home or work contact numbers.

Thank you!

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LEGISLATIVE ADVOCATE,  
KAREN KEESLER

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MEMBER

BYLAWS BRITTANICA

### Board of Directors 2006-2007

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#### Staff

Wayne Palica, Labor Relations  
 Manager

## MANAGER'S REPORT

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whose actions confirm that working and communicating with SDCCEA is a priority. During the most recent budget meetings in Sacramento Michael Roddy called me during a very crucial time in the process. His assurance of the Court's financial position as well as his commitment to the dedicated employees he oversees was extremely helpful to me, our lobbyist and your leadership in deciding that supporting the budget allocations proposed by the Administrative Office of the Courts (AOC) was in the best interest of our 1,000+ members. That one phone call allowed us to move ahead quickly and without reservation and bring to a close a process that entailed several days and numerous phone calls with various court unions and our lobbyist, Karen Keeslar. Mr. Roddy's actions toward the SDCCEA membership, was greatly appreciated and we look forward to keeping the lines of communication open.

### Your Right to Representation

I have received several calls concerning your right to representation related to meetings with your supervisors. The information is a general explanation of when and under what circumstances you are entitled to representation, but if you have any questions, call the SDCCEA office for further information.

As explained here, your right to representation extends to investigatory interviews. Some supervisors refer to these as "fact finding" meetings. Anytime you are called into a meeting and have a reasonable belief that discipline or other adverse consequences could result from what you say, you have the right to request representation. An investigatory interview occurs when a supervisor questions you to obtain information that could be used as a basis for discipline or asks you to defend your con-

duct. Your supervisor has no obligation to advise you that you are entitled to representation, but many are professional enough to tell you in advance.

Not every management-initiated discussion is an investigatory interview. For example, a supervisor may talk to you about the proper way to perform your job. Even if the supervisor asks questions, this is not an investigatory interview because the possibility of discipline is remote. The same is true of routine conversations to clarify work assignments or explain safety rules. Nevertheless, even a routine discussion between you and your supervisor can change its character if the supervisor is dissatisfied with your answers. If this happens, you can insist on the presence of a union representative before the conversation goes any further.

When you make the request for a union representative to be present management has three options: (1) it can stop questioning until the representative arrives. (2) it can call off the interview or, (3) it can tell you that it will call off the interview unless you voluntarily give up right to a union representative (an option you should always refuse.)

You are not entitled to representation when a supervisor calls you to the office to merely announce a warning or other discipline. Such a meeting, however, can be transformed into an investigatory interview if the supervisor begins to ask questions to support the decision. At this time you need to inform the supervisor you want a representative present.

Remember that if you reasonably believe your meeting could lead to any negative consequence invoke your right to representation. It is better to error on the side of caution. If you have questions about your right to representation or any other matter call me at 858-565-2232

### MOVIE TICKETS!

EXCLUSIVE MOVIE TICKET  
 PRICES FOR SDCCEA  
 MEMBERS!

AMC GOLD - \$7.75  
 REGAL PREMIER - \$7.25  
 KIRKORIAN - \$6.75  
 PACIFIC - \$5.75

CALL 858-565-2232  
 FOR MORE INFORMATION

### CLASSIFIEDS

#### PUPPIES FOR SALE

SHIH TZU – Adorable 8 week old pure breed puppies for sale, 2 males/2 females \$500 call 619-698-4876 (home) or 619-441-4463 (work) Deborah

## SDCCEA LEGISLATIVE CORNER



By Karen Keeslar,  
SDCCEA Legislative  
Advocate

The leaders of SDCCEA are dedicated to improving the salaries, benefits and working conditions of court employees in the San Diego court system. They know that the Superior Court relies largely on funds from the state budget to pay for your salaries and benefits. The funding for local trial courts is determined by lawmakers in an increasingly competitive and political environment. SDCCEA has been very involved in negotiations in the State Capitol with legislators, the State Administration and the California Judicial Council to protect and enhance local court funding.

The funding of local trial courts in California has significantly changed in the past decade. In 1997 the legislature enacted the Lockyer-Isenberg Trial Court Funding Act (AB 233, Statutes of 1997 – Chapter 850) which shifted the major responsibility for funding the trial courts from the counties to the state. The Trial Court Funding Act was intended to end the dysfunctional and unstable system of funding that left the trial courts unable to meet the needs of the public. With the Act, funding for the Judicial Branch was consolidated at the state level, giving the Legislature authority to make appropriations and the Judicial Council responsibility to allocate funds to local trial courts. Additionally, the Act provided counties with a tremendous amount of fiscal relief by capping their financial responsibility for trial

court operations.

While the 1997 Trial Court Funding Act improved the funding of courts, there was broad acknowledgement that the Act did not achieve the goal of providing stable and sufficient funding for trial court operations. The budget process was significantly changed again in 2004 with the enactment of SB 1102 (Chapter 227, Statutes of 2004) which changed the process for budgeting trial courts from the traditional state process in which annual adjustments are separately requested and approved based on demonstrated need to a formulaic funding process. Specifically, the law requires use of the year-to-year growth in the State Appropriations Limit (known as “SAL”) to adjust the trial court budget every year. The language requires that the SAL growth factor be applied to trial court operating costs, excluding judicial officer salaries and benefits. This establishes a minimum funding level for the courts which can be provided from any combination of the three revenue sources: the state General Fund, filing fees and surcharge revenues, and the fixed county contribution.

Use of the SAL growth factor was thought to benefit the trial courts for three reasons. First, it was intended to provide stability and predictability to trial courts during periods of state fiscal crisis. Second, it was believed that more predictable funding for the trial courts would improve the process for adjusting local court employee salaries. Specifically, use of the SAL would allow local court administrators to know how much they could expect to receive from the state prior to negotiating salary increases with local court employees. Finally, since the trial court funding program represents the vast majority of Judicial Branch

spending, using SAL also provided a greater degree of financial independence and flexibility for the Judicial Branch.

State law requires that funds come off the top of SAL to pay for court security costs and local trial court employee retirement rate changes. The Judicial Council then identifies its own funding priorities to address specific programs or costs to be funded out of the SAL. For example, in the current year, the Judicial Council prioritized a portion of SAL to fund under-resourced courts. Another Judicial Council priority was to allocate SAL funds to courts that cannot meet pre-2006 standards for Conservatorship programs. Those items are deducted from the overall amount available under the SAL formula and the remaining funds are distributed to all local courts as discretionary funds under the “Inflation and Workforce Allocation.”

SDCCEA leaders carefully reviewed the Judicial Council’s proposed budget for SAL allocations this year. There were concerns about the amount of money coming out of SAL for the Judicial Council priorities and questions about whether there would be enough money for the San Diego courts in the state budget. **Our absolute imperative was to ensure that the San Diego court system had sufficient funds to pay for negotiated salary increases.** Our efforts in the State Capitol and at the local level paid off when Michael Roddy (Chief Executive Officer of the San Diego Courts) confirmed on June 5, 2007 to Wayne Palica (SDCCEA Employee Labor Relations Manager) that San Diego Courts will have sufficient funds to meet their contractual obligations as it relates to negotiated wage increases.

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WE'RE ON THE WEB

[WWW.SDCCEA.ORG](http://WWW.SDCCEA.ORG)

### CALLING ALL MEMBERS

#### TRANSFER POLICY

IF YOU HAVE HAD ISSUES IN THE PAST OR ARE CURRENTLY FACED WITH ISSUES CONCERNING THE TRANSFER POLICY THE ASSOCIATION WOULD LIKE TO HEAR FROM YOU. PLEASE CONTACT US VIA EMAIL AT [INFO@SDCCEA.ORG](mailto:INFO@SDCCEA.ORG) OR AT (858) 565- 2232.

## LETTER FROM A MEMBER

*This was sent to SDCCEA President Amy Shillingburg*

I am a long-term employee. I just wanted to let someone know how nice it is to have a Labor Rep who seems genuinely concerned about our employees and is willing to work with them. Obviously I'm speaking about Wayne Palica. I've recently had to contact Wayne to help me with some

problems I was having. He made himself accessible to me when I had questions and concerns and also attended 2 meetings with me. I truly believe that if he hadn't attended the meetings the outcome would have been much less desirable. It's so good to know that there is someone available who will stand up for the employees. It seems that the union made a great decision in hiring Wayne.



Open house at SDCCEA's new office!

## LEGISLATIVE CORNER

*(Continued from page 3)*

The SAL budgeting process has both positive and negative ramifications. The good news is that courts have been receiving annual discretionary increases from the state budget to pay for local court operations. The bad news is that SAL has created a ceiling on the amount of money from the state budget and the struggle has become fierce to secure funding for competing trial court priorities. Our fight for court funding from the state is far from over. Court security costs are going up at a much higher rate than the SAL growth factor. We are facing new cost pressures within SAL to help pay for the transfer of California's 451 court facilities from the counties to the state.

There are other cost pressures that could cut into the discretionary funds that courts receive from the state budget SAL allocation.

The good news this summer is that SDCCEA was successful in the state budget negotiations to secure enough money to pay for negotiated salary increases for its members. SDCCEA is at the front of the fight to protect your salaries and benefits and to secure adequate funding for the San Diego courts. Your participation in SDCCEA provides a loud voice in the State Capitol for San Diego court employees.