



# THE ORGANIZER

The official publication of Laborers' International Union of North America, Local 777

8,400 PUBLIC EMPLOYEES IN PUBLIC SERVICE

## City of Los Angeles

### Outrageous Termination Rescinded!

When Solid Resources Supervisor Joel Zuniga was terminated for misuse of authority, deliberately withholding information, and lying to management about his family relationship, Local 777 Representative Victor Gordo immediately appealed the decision. The accusations were based on an incident involving discipline of a subordinate who was a distant relation.



Joel Zuniga

At the Civil Service Hearing, it was clear that the subordinate didn't qualify as a relative, nor could the City produce evidence proving that Joel did anything inappropriate, despite the City using its chief litigator from the City Attorney's office.

The government defines in its Family and Probate Code the family line succession, and does not consider nephew-in-law as a family member. Testimony from the department director also revealed there was no policy in writing about supervising subordinates that are family members!

Joel was reinstated with full back pay! The hearing examiner was so appalled that the City terminated Joel with such a lack of evidence, and at the way they handled the whole situation, that he wrote in his decision that they went after Joel "like a tiger after red meat." One

*(Continued on page 8)*

## Riverside Court

### Illegal Health Plan Imposed

When the Superior Court of California, Riverside County, notified Local 777 members working in the Court that they were going to UNILATERALLY impose a new health insurance plan, no one could believe it! The Court implemented this plan without notifying or bargaining with the Union and Local 777 has filed several Unfair Labor Practice charges.



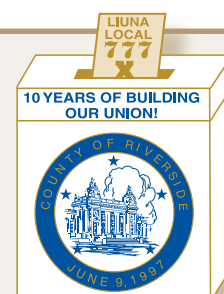
*Local 777 members protesting at Court facilities in Indio on December 6.*

This new healthcare plan is costing our Court members several thousands of dollars in additional out-of-pocket expenses. Local 777 has been battling the Court over this for several months, including going to a mediator with no success. The Court had several options for more affordable health coverage, but chose not to offer them without explanation. Local 777 is working very hard to fight this injustice, and is now

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**CELEBRATING  
10 YEARS OF STRONG  
REPRESENTATION!**

See page 3 for details.



## • Illegal Health Plan Imposed

(Continued from page 1)



*Protesting at Riverside Superior Court on November 30.*

working closely with David Jones, Chairman of the Judicial Committee, as well as the office of the Administrative Office of the Court to find some way of making our members whole for this violation of the law.

As we go to press, the Court has agreed to meet to try and resolve this issue.

## A Full Year's Worth of Competency Back Pay

After receiving Customer Service Support competency pay for three years, User Technical Support technician Michael Gardella's competency pay was removed for no apparent reason. After two years of trying to resolve the issue, to no avail, Mike decided to seek assistance from Local 777 Representative Linda Jefferson. Linda was able to assist Mike in figuring out the process



*Mike Gardella*

he needed to follow in order to find the policy to remedy the situation.

Although the County agreed that the removal of the pay had been an error, there was disagreement over the date on which the pay should have been restored. The outcome was in Mike's favor. Mike will be receiving a full year's worth of competency backpay. "This was a long, difficult process, but well worth the effort," reports Local 777 Representative Linda Jefferson.

## Overtime Distribution Resolved

Insurance Biller Jacquelin Jones-Haynes felt that there was favoritism in the distribution of overtime. When she asked for the Policy and Procedure regarding overtime, she was told that it was at management's discretion. Jacquelin and her Union Representative were able to resolve the issue at a first step grievance meeting, when the hospital management agreed to distribute overtime according to job classification on a volunteer basis, and a new policy for overtime will be written and implemented.

## Evaluation/Reprimand Resolved

Wanda Cordero, Office Assistant II in the HIV/AIDS Office of the Community Health Agency, filed a grievance when she received a below standards performance evaluation, along with a written reprimand because of the evaluation.

She contacted her union representative Kathie Delgado, who filed a grievance. The grievance was resolved at the Step II meeting, resulting in the removal of the written reprimand and the rescinding of the evaluation.

## Scheduling Issue Resolved

Julissa Nungary, CMA, was late to work one day and so her supervisor told her that she could no longer work a 9/80 schedule. Julissa contacted her Union Representative and filed a grievance. The issue was resolved in the first step grievance meeting, where the County agreed that she would remain on the 9/80 schedule, and that a schedule change should not be used as a disciplinary action.

## Out of Class Grievance Resolved

Aydee Bauder-Pineda, Office Assistant II at the Riverside County Regional Medical Center, had been performing the work of a Medical Records Specialist II for three years without being properly compensated. At the first step grievance meeting, Aydee and her Union



*Aydee Bauder-Pineda*

Representative successfully presented their case and Aydee will receive back pay for part of the time worked out of her classification.

## Med Cert Victory

Michelle Meier, Health Services Assistant in the Community Health Agency, was placed on med cert, even though she had approved FMLA leave. A grievance was filed and was resolved at the Step II meeting, after management realized that Michelle had only 5 absences during the prior twelve months — after it was pointed out that her FMLA leave should not have been included.

## Riverside County

### **Bad Evaluation Rescinded**

Last year, Shawn Burrell, Secretary I with the Riverside County Children and Families Commission (First 5 Riverside), received a performance evaluation rating her “below standards” overall. Shawn contacted LIUNA representative Sala Ponnech to see what could be done about it. LIUNA filed a grievance on Shawn’s behalf.

The department initially rejected the union’s arguments that the evaluation should indicate that Shawn met standards overall. LIUNA then advanced the grievance to the next level: a hearing before a Human Resources staff member. While noting that certain performance areas might require improvement, the hearing officer noted that an overall rating of “below standards” cannot be based on single incidents alone or performance problems the grievant had remedied or resolved before the evaluation was issued.

The hearing officer ordered the department to rescind the evaluation and write a new one. The new evaluation showed that Shawn met standards.

The key to winning this grievance was evidence. When asked about advice for other employees who may be facing the same difficulties she overcame, Shawn stated, “If you feel things are going wrong at work, start documenting. Keep copies of emails, work records, whatever! Documentation is critical. If you feel unfairly treated and you can prove it, contact the union.”

## City of La Quinta

### **Parity Rates Implemented!**

During the last round of bargaining, it was agreed that the City of La Quinta would do a parity study and the parties would then bargain over its implementa-

tion. After the study was done, meetings took place, and the results were very gratifying for the employees. Everyone received pay increases, between 1% and 18.5%!

The City has also agreed to do a classification study, and La Quinta Chapter President Angela Guereque reports, “We are confident that the classification study will result in additional wage increases as well.”

## Lake Elsinore

### **Skelly Violation Results In Huge Back Pay Settlement**

Local 777 won a big victory in a recent case in Lake Elsinore when an arbitrator ruled that the City violated the Skelly process during the investigation of a terminated employee. The violation took place when the manager who recommended the discipline also served as the Skelly officer!

Your Skelly rights require that before an employee can be disciplined, the employee is entitled to have the opportunity to respond to the charges before the employer can impose the discipline. Case law on this issue stipulates that the hearing officer be a “reasonably impartial noninvolved reviewer.”

As a result of this violation, the City was ordered to pay the affected employee \$8,000 in back pay.

## City of Los Angeles

### **Promotion Grievance Resolved at LAX**

A grievance was filed when four Senior Security Officers- Booker Heads, Izorre Petrus, Sophia Mackey and Rafael Perez — were denied the opportunity to apply for vacancies in the Traffic Division, which includes more money in bonus pay.

Acting Chief Brian Walker approved the grievance at the third level review, which allowed the four the opportunity to bid for the Traffic Control Unit positions. Because of the bid agreement language in place at LAX, only three Officers are permitted to transfer units at a time, so Officers Heads, Mackey and Perez took the opportunity to bid on the Traffic position, and all three of them received it. Officer Petrus sacrificed for his co-workers and waited until the next bidding period to transfer over.

## City of Los Angeles

### **Overtime Grievance Resolved**

When LAX Senior Security Officer Gary Zannella found out he had not been paid for overtime for one of the days he worked, he contacted his union representative, who filed a grievance. At the first step grievance meeting, the parties agreed there had been an error and Gary was given his overtime pay.

## **Mark Your Calendar!**

**We’re going to be celebrating 10 years of representing Riverside County members on Friday, June 8 from 3 p.m. to 7 p.m. with food, prizes, and magic for the kids! PLUS — Get a firsthand look at the LIUNA-sponsored NASCAR race car! This special event will be held at our Riverside building.**



# Local 777 Steward Training A Big Hit!



Rocco Davis, Regional Manager & LIUNA Vice President



**Los Angeles Airport Police Members:** (Left to Right) Lt. Don Wilson, Airport Security Services; Jennifer Grondahl, Local 777 Representative; Rupert Staine, Airport Police Officer; Lt. Rick Hill, Airport Security Services; Los Angeles City Councilmember Janice Hahn; Lt. LeeAnn DeBerry, Airport Security Services; Fred W. Lowe, Local 777 Business Manager; and Airport Police Officers Rose Crutchfield, Manny Portillo, and Marshall McClain.



Local 777 Attorney Glenn Rothner

Local 777 recently held their Annual Steward and Leadership Training in Riverside. Nearly 80 members attended, coming from all the public agencies represented by Local 777. There were many speakers at the two-day event, and topics included Ergonomics, Workers Compensation, Past Practice, Stress Management, Airport Police issues (including a great presentation by Los Angeles City Councilwoman Janice Hahn), Wellness, and Financial Planning.



Thank you Local 777 stewards who attended!



Janice Hahn, L.A. City Council-member, speaks on the need to keep Airport Police separate from LAPD



Sandra Brown Local 777 President



Jamie Becker, Behavior Health Care Coordinator, and Walter Jones, Occupational Safety and Health Division Associate Director, LIUNA Health & Safety Fund of North America



**Scholarship Winners** — In the evening, the Annual Scholarship Award Dinner was held, honoring the scholarship winners. Pictured above are Local 777 Vice President Jack Mosqueda (fourth from the left) and Local 777 President Sandra Brown (far right) along with the scholarship winners who attended the dinner. The full list of scholarship winners includes: Therese Hunter, Grambling State University; Lanetia Gaines, Western University of Health Sciences; Amber Aguirre, Thomas Aquinas College; Candice Bell, Cal State University San Bernardino; and brothers Michael and Richard Hernandez, attending Cal Poly Pomona and Cal State Fullerton, respectively. The winners each received \$1,000.00 based on their essay submissions on "The Importance of Unions in 2006." Congratulations!



Patrick Henning, Legislative Advocate, LIUNA Sacramento Legislative Department



Victor Gordo, Local 777 Political Director/Union Representative discusses the role of "Past Practice"



Dr. Dave Williams, Wellness Coordinator, County of Riverside



Stephen Switzer Local 777 Staff Director

**City of Los Angeles**

**Victory for Airport Custodial Supervisors**

The Construction and Maintenance Division of Los Angeles World Airports (LAWA) attempted to implement a new policy that would require Custodial Supervisors to supervise Laborers who monitor and repair both mechanical and computer related problems related to the Baggage Monitoring System throughout the Central Terminal area of the airport.

The only problem with the plan is that Custodial Supervisors do not supervise Laborers.

Local 777 Representative Jennifer Grondahl requested that LAWA Meet and Confer on the issue. In the meeting, it was agreed that this responsibility would instead be given to the Airport Maintenance



*Kyle Shepherd  
Airport Custodial Supervisor*

nance Supervisors, who already supervise Laborers in other areas of the airport.

**LIUNA Convention**

Once every five years delegates to the Laborers' International Union are elected by the membership, and last fall twenty-seven Local 777 members attended. There were over 2,000 delegates that attended throughout the United States and Canada.

The speakers, including Presidential hopefuls, shared a lot of relevant information, and the four days of convention seemed to fly by.



LIUNA President Terry O'Sullivan and LIUNA General Secretary-Treasurer Armand Sabatoni were both re-elected without opposition, reflecting the member satisfaction over the great job they are doing. Also elected unanimously were LIUNA Vice-Presidents Rocco Davis and Mike Quevedo from the Pacific Southwest Region, which Local 777 is part of.

See more photos from this event on our website at [www.liuna777.org](http://www.liuna777.org). Click on the link under "23rd LIUNA Convention" on the right side of the main page.

**Airport Police**

**Ontario Victory**

When Airport Police Officer Ben Spolarich and his wife adopted a new baby, Ben took family medical leave. While he was out on leave, the City failed to pay his medical payments. Local 777 Representative Jennifer Grondahl filed a grievance and the Union prevailed. The City agreed that it was inappropriate and repaid the monies owed to Ben and his family.

**City of Los Angeles**

**Termination Rescinded!**

Gregorio Veracruz, Sr. Detention Officer, was terminated after 29 years of service with a clean record. Local 777 Representative Victor Gordo represented him through the entire disciplinary appeals procedure. After being off work for two years, the Civil Service Commission reinstated him. Veracruz will receive over \$100,000.00 in back pay! Welcome back!

**City of Los Angeles**

**Notice to Correct Withdrawn**

Refuse Collection Supervisor Ruben Ramirez received a Notice to Correct Deficiencies for the misuse of City equipment. He was accused of making personal copies on a City copier, even though the City could produce no witnesses who saw him using the machine. He filed a grievance with Local 777 Jennifer Grondahl, who took it all the way to the final step. The Department finally agreed just before arbitration, and pulled the Notice to Correct from his personnel file.

**Health Care by the Numbers**

**6.6 Million** – Estimated Number of Californians without health insurance

**19.4** – Percentage of California's population without health insurance

City of Pasadena**Shift and Staffing Issues Resolved!**

In the Pasadena Police Department, the issue of allowing shift trades between employees has always been difficult. Through the Meet and Confer process, Local 777 Representative Jennifer Grondahl worked closely with members working at the Communications Center to come up with a policy to ensure that the trading is done fairly.

After the issue was resolved, Representative Grondahl received a letter from the Pasadena Police Department thanking her for her efforts that helped create the environment paving the way for this agreement.

The problem of being able to take breaks due to understaffing was also resolved at the Communications Center. Representative Jennifer Grondahl and the Police Specialist V employees came up with a creative way to deal with the issue, by proposing the Department combine the two fifteen minute break periods and the thirty-minute meal period to create a one-hour break period during each twelve hour shift.

Both agreements were added to the Communication Center Operations Manual.

Airport Police Officers**New LAAPOA Executive Board Elected**

A new Executive Board was recently elected for the Los Angeles Airport Peace Officers Association Chapter of Local 777. The following are the new Board members: President Burt Davis, Vice-President Manny Portillo, Secretary Mike Dear, Treasurer Rose Crutchfield, Van Nuys Director George Jarvis, Ontario Directors Clint Beacom and Frank Santiago, LAX Directors Charles E. Pierce, Jeff Shelton, Tarek Azmy, and Rodney Rouzan.

**777 MEMBERS SAVE \$\$**

You can save money with free notary service and entertainment discount tickets!

City of Los Angeles**15-Day Suspension Withdrawn!**

When Sergeant Dale Horton received a 15-day suspension based on the accusation of making statements that could have been interpreted as retaliatory or threatening, he was shocked. A grievance was filed and on the second day of Sergeant Horton's Civil Service Hearing, Local 777 Representative Victor Gordo demonstrated how ridiculous the charge was, causing the Department of Airports to completely withdraw the suspension.

City of Los Angeles**Flex Schedules Agreement**

Principal and Senior Detention Officers in the LAPD were finally able to negotiate the option to work a 3/12 or 4/10 schedule. Congratulations and thanks to the hardworking negotiating committee, consisting of Dave Yuen, Reynaldo Tenort, Juan Aragon, Patrick Thompson, Jose Jimenez and Representative Victor Gordo.

City of Pasadena**Pension Enhancements Agreement!**

A coalition of unions was formed to work on adding CalPERS enhancements for the Pasadena City miscellaneous employees, including 2.5% at 55, increasing survivor benefits, military buy back, sick leave conversion, as well as having the EPMC count as PERSable income for retirement calculation purposes.

As we go to press, a dispute has arisen between the unions and the City as to the proper and full reporting of the EPMC to CalPERS. It appears that the reason there is a problem is because the City has failed to adopt Internal Revenue Code section 414(h)(2) that allows the City to fully report the 8% EPMC to CalPERS. Meetings are being set with the City Councilmembers and all of the unions are united and determined to resolve this issue.

City of Los Angeles**New LA Chapter Board Members**

The Los Angeles Chapter Board has added two new members, Senior Animal Control Officer II Keith Kramer and Principal Security Officer Leeann DeBerry. They were replaced two vacancies on the Board just before negotiations begin for a new MOU. Welcome Aboard!

**YOU ASKED FOR IT!**

**So, mark your calendar! The Local 777 Annual Holiday Party will be held at Dodger Stadium, on December 8 from noon to 4 p.m. Details to follow.**



## The Lowe-Down

by Fred Lowe

Business Manager/Secretary-Treasurer

Two significant events took place recently, which once again show how misplaced priorities are when it comes to the needs of working families.

The first was the Governor's appointing a "Blue Ribbon" committee to look at future public employee pension obligations. Once the Committee finishes its "job" we can expect another attack on our pensions, as is happening in many other states – both to public and private sector workers.

Now let's talk about the other event that took place recently – the treatment our veterans received at the Walter Reed Army Medical Center.

In January of 2006, Walter Reed awarded a five-year, \$120 million contract to a company called IAP Worldwide Services for base operations support services, including facilities management. The company is led by Al Neffgen, who testified on July 22, 2004 — at the time as Chief Operating Officer of Government and Infrastructure for the Americas Region at KBR, a subsidiary of Halliburton - regarding overcharges for fuel imported into Iraq and excessive billings for troop support services, such as laundry, housing, and food services.

IAP itself was the subject of congressional examination for problems it encountered in the delivery of ice to the Gulf Coast Region following Hurricane Katrina.

Prior to the award of the contract, there were over 300 federal employees providing facilities management and related services at Walter Reed. Many of these Federal employees retired or transferred when the contract was awarded to IAP, and by February 3, 2007, the day before IAP took over facilities manage-

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**IMPORTANT UNION NEWS INSIDE!**

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## MEMBERSHIP MEETING!

**DATE/TIME: TUESDAY, MAY 22, 2007 – 6:00 P.M.**

**PLACE: MAX WARREN CENTER  
4000 TENTH STREET, RIVERSIDE**

**PURPOSE: QUARTERLY MEMBERSHIP MEETING  
FOR ALL LOCAL 777 MEMBERS**

**FOOD AND DRINK PROVIDED!**

ment, the number of support personnel had dropped to under 60.

Yet instead of hiring additional personnel, IAP apparently replaced the remaining 60 federal employees with only 50 IAP personnel.

In September 2004, the Army determined that the in-house federal workforce at Walter Reed could perform support services at a lower cost than the bid received from IAP Worldwide Services. IAP then protested the determination and the Army Audit Agency was directed to reevaluate the bid and, lo and behold, reversed themselves and awarded the bid to IAP.

It is not easy to watch corruption this blatant go unpunished. Nor is it easy to watch the devastation on television night after night in Iraq where 500 billion dollars of our tax money has been spent, while affordable healthcare and decent

pensions are being sacrificed in this country as a result.

• **Joel Zuniga**  
(Continued from page 1)

example of this took place during the lunch break the day of the hearing when the City had three armed LAPD Detectives attempt to detain and serve Joel with a restraining order for allegedly making threats to other employees.

The hearing officer did not allow the arrest to take place — which was clearly an attempt to intimidate Joel just as he was about to testify in his own defense. The restraining order was later found by a judge to have no merit, and was thrown out.

This was a huge victory for Joel—welcome back!