



# POC and Creating a New Bargaining Unit: Q & A

## What is the severance process?

The first step is gathering signatures. A petition for severance must be filed with the Public Employees Relations Board (PERB) by the end of November. This petition must have at least 50% + 1 of all Unit 7 Peace Officers.

This petition will be reviewed by PERB, and at that point CSLEA and any others will be allowed to express their opinion on severance. POC is confident that the administration will express support for the creation of a Peace-Officer-Only unit.

If the PERB agrees that a severance may take place, within two months there will be an election on the issue, open to Unit 7 Peace Officers. Only after this election will the severance be complete.

## Who will be in the new Bargaining Unit?

The PERB will make the ultimate determination of who comprises the “community of interest”. It is anticipated that all Peace Officers in the following affiliates will be included:

- Association of Motor Vehicle Investigators of California
- Association of Special Agents — Department of Justice
- California Association of Criminal Investigators
- California Association of Food and Drug Investigators
- California Association of Fraud Investigators
- California Association of State Investigators – Alcoholic Beverage Control
- California Fish & Game Wardens Association
- Hospital Police Association of California
- State Park Peace Officers Association of California
- Fire Fighter, Fire Marshal, and Emergency Services Association

## Who is in favor of this severance?

The 200-strong Fish & Game Wardens Association and the 400-strong State Park Peace Officers Association have come out in favor of severance – both affiliates have been placed in trusteeship by CSLEA. Other affiliate boards have not come out in favor yet, but there is widespread grass-roots support from members of all affiliates.

## How long will this process last?

It depends on the opposition offered by CSLEA. Once the petition has been certified by PERB the severance election will be held within two months. If the will of the membership is strong, everything times out well, and CSLEA doesn't fight it, a new bargaining unit could be at the negotiating table next spring. If CSLEA fights this action it is unknown how long it will take for the unit to be finalized.

## How will 2008 bargaining be affected?

If the severance is completed with minimum opposition POC will bargain for themselves in 2008. If the severance is not complete and Unit 7 Peace Officers are still under CSLEA for the 2008 negotiations it's hard to speculate. DPA can hold discussions with members of any association at any time, which CSLEA discourages. However, only the exclusive bargaining unit, either CSLEA or POC, will be able to negotiate and come to an agreement with the State.

## What is POC?

POC is veteran Unit 7 members who know that a Peace-Officer-Only union is better for Unit 7 Officers, and that there is a different way of doing business. POC is growing, with participation from all affiliates.

## **Who is POC affiliated with?**

POC is not affiliated with anyone and is 100% independent. It was created to move forward with the creation of a new bargaining unit and the creation of a new, transparent union. There are claims that groups like the Teamsters will descend on an un-represented group of State employees. Any other group would have to receive a majority vote of the unit to become the new bargaining agent. Why would a group that just voted to create it's own unit vote for someone else to represent them? The POC will represent it's people.

## **Who are the POC Officers?**

The current POC Officers are Bob Orange, President; Jerry Karnow, Treasurer; and Steve Stiehr, Secretary. These are the minimum offices required to be in place for incorporation and their occupants are placeholders. Once the new bargaining unit is in place the POC Board, consisting of the affiliate presidents, will elect officers.

## **How will the POC work?**

POC's draft bylaws are available in the downloads section of [www.peaceofficers.org](http://www.peaceofficers.org). This is a draft version only, and will not be formalized until a new bargaining unit has been created, a board of directors representing all affiliates has been seated, and the bylaws have been reviewed, modified, and approved by the board.

## **How will bargaining be handled?**

The POC will have an open system for affiliates to make their own case on their own merits, and no affiliate will be denied a seat at the bargaining table. Collective bargaining will still take place and the entire membership must still ratify the contract. POC may hire a consultant for the bargaining process - each affiliate will be advised of every detail, every step of the way.

## **What will POC dues be?**

It is anticipated that POC dues will be about \$5 per month less than current CSLEA dues.

## **How will dues and other resources be distributed?**

The POC will have a small office staff and possibly labor representatives paid for from dues money, and a Political Action Committee will be funded from dues money (see below). Each affiliate will receive a portion of the dues money to use as they see fit – this will be significantly more than the affiliates currently receive. The exact formulas will be determined once the POC board has been seated. State granted release time, currently used by full-time CSLEA representatives, will be distributed equally to all affiliates.

## **How will a Political Action Committee be addressed?**

A PAC will be created with a small portion of the dues funds. The expenditure of PAC funds will only be done after majority approval of the POC board. Each affiliate will be free to lobby and educate in any way they see fit provided that they are in compliance with the law, that they do not reference the POC, and that they do not reference other affiliates groups or job classifications.

## **How will legal defense be handled?**

POC will most likely contract with PORAC for legal defense, though several private firms have also expressed interest. This will be decided by the board. POC may hire in-house labor representatives – this will be decided as the board and the bylaws take place. There is no danger of being without representation.

## **Where can I get more information and a severance card?**

Go to [www.peaceofficers.org](http://www.peaceofficers.org) for information and to download a severance card.

## **Why is this a good idea?**

The biggest obstacle to collective bargaining within Unit 7 is the makeup of the unit. Peace Officers have a naturally strong bargaining position but make up only 40% of the current unit - with majority rule on the contract, Peace Officers must bow to the will of the non-sworn members. A new bargaining unit makes sense. The representation offered by CSLEA can be improved upon: all affiliates can have an equal voice and equal access to resources, and Union operations can be transparent with input from all.