

LOCAL 790



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JOSIE MOONEY
Executive Director

BILL A. LLOYD
Deputy Executive Director

MARY ANN TURLEY
Deputy Executive Director

SERVICE EMPLOYEES
INTERNATIONAL UNION
AFL-CIO, CLC

100 Oak Street
Oakland, California 94607
(510) 465.0120
Fax: (510) 451.6928

1390 Market Street
Suite 1118
San Francisco, CA 94102
(415) 575.1740
Fax: (415) 431.6241

2131 Capitol Avenue
Suite 204
Sacramento, CA 95814
(916) 441.2771
Fax: (916) 441.4596

37 Hunter Square Plaza
Stockton, CA 95202
(209) 463.3283
Fax: (209) 946.1382



February 12, 2001

John Stroh
District Manager
SJCM&VCD
7759 South Airport Way
Stockton, CA 95206-3918

RE: Formal Complaint Regarding Sick Leave Conversion

Dear Mr. Stroh,

I have had the opportunity to speak with several of our members from all Union represented units regarding the above referenced subject.

There is a great deal of concern and no small degree of confusion on the subject of precisely which benefits are covered by Section 4.2 SICK LEAVE, (C) at the time of retirement. There seems to have been a number of changes in the practice over the years, going from 100% coverage for retirees + spouses: medical, dental, vision; to a change of practice somewhere back in 1994 which specifically excluded the spouse for any retiree benefits. I am most interested to know the manner in which these, or any other, changes were communicated to the employees.

What each of these members reports, however, is that Section 4.2(C) has always been represented to them as covering the total range of health benefits at the time of retirement, for purposes of sick leave conversion; not medical only. My understanding is that current District practice is to recognize sick leave conversion only toward the medical benefit.

It is upon this basis that we are filing this complaint in accordance with District Policy Number 2180 (2180.42). The Union is alleging that the practice of the District has been that Section 4.2(C) covers the range of health benefits (medical, dental, vision) at the time of retirement, for the purpose of sick leave conversion on behalf of all affected members. This interpretation of the section would also constitute our remedy.

I realize that there is another complaint covering this same provision, filed with the District Board, by Richard Swartzell, the former District Entomologist. I would propose to hold this complaint in abeyance until such time as a decision is rendered by the District Board in Mr. Swartzell's case. It may be that the District Board's interpretation of

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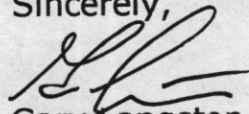
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this language is the same as our own. In that case, we would drop this complaint. In the alternative, we could schedule a meeting to discuss the complaint and try to resolve it sooner as opposed to later. However, with the District Board debating and discussing this very issue, it seems prudent to me that both sides wait to see what their interpretation of this section is. Please let me know.

In the mean time, I am requesting any and all documentation you may have which you feel demonstrates the current District practice in this matter. As mentioned above, I am genuinely curious as to the method used to inform the employees of what looks to be several changes in practice since this language was first adopted.

Sincerely,



Gary Langston
SEIU Local 790

CC: Duane Bridgewater
Mary Iverson
Jim Sheffield