



Newsletter

WE MAKE SANTA CLARA COUNTY HAPPEN
AMERICAN FEDERATION OF STATE, COUNTY, & MUNICIPAL EMPLOYEES, AFL-CIO

Local 101 Officers:

- **President:**
Carlos Gaona
- **Vice-President:**
John Carlson
- **Treasurer:**
Vacant Position
- **Secretary:**
Ingrid Bella

Chapter Presidents:

- **City of Gilroy**
Gary Muraoka
- **City of Morgan Hill**
Mario Jimenez
- **City of San Jose (CEO)**
Trish Glassey
- **City of San Jose (MEF)**
Yolanda Cruz
- **City of Santa Clara**
William Ware
- **Gardner Family Health Network**
Lupe Macias
- **Luther Burbank School District**
Mary Lewis
- **Oak Grove School District**
Tony Kraylevich
- **San Jose Unified School District**
Jim Rouse
- **San Lorenzo Valley Water District**
Michael Legg
- **Santa Clara Valley Water District**
Donna Howe
- **Town of Los Gatos**
Gary Cordeiro
- **Valley Transit Authority**
John Carlson

Issue 13

September - 2009

ATTENTION



CHAPTER ELECTION NOTIFICATIONS ENCLOSED

AROUND OUR LOCAL

Future Changes

Please be advised that the Local 101 office will be moving - location to be announced at a later date. This change is tentatively effective October 12th 2009.

The Business Agents will remain in the building; however, they will move to the space next door, all contact information will remain the same. These changes were mandated by the Council 57 Office in an effort to save money during these tough economic times.

Please be patient with us and please be assured that these changes will not affect services rendered.

Public Pensions Support Vital Services, Stimulate the Economy

July 13th, 2009

This column by AFSCME President Gerald McEntee originally appeared in the [USA Today opinion section](#).

Public pensions offer good value for taxpayers. In addition to providing modest but secure retirements for public employees — emergency responders, firefighters, health care workers, teachers, police officers and more — defined-benefit pension plans help provide vital public services and stimulate the economy.

The average annual benefit for a public worker, who has spent a career working for our communities at modest salary, is about \$20,000. On average, taxpayers fund only 25% of the pension benefit; employee contributions and investments make up the rest.

While a handful of public pension plans are experiencing funding shortfalls, most are working well. Employers should be required to make regular contributions. That would solve the problem of shortfalls and protect a system that works for employers, employees and taxpayers.

Some proposals would only make matters worse. States that have experimented with private accounts, for example, saw lower investment returns — nearly a 50% reduction. Florida, Nebraska, North Dakota and West Virginia all tried private accounts. They left taxpayers footing the bill. When private retirement investment plans fail, they leave retirees more reliant on governmental financial assistance. That costs taxpayers more in the long run and hurts our communities.

Public pensions create almost \$360 billion in economic activity and 2.5 million jobs. Shifting to a private system would have a dramatic and detrimental impact on local economies because businesses depend upon the stimulus of investment income from public pension systems. In California, switching to a system of private accounts could cost citizens \$7.6 billion. Experimenting with a system of private accounts could put vital public services at risk and cost taxpayers significantly more for at least 10 to 15 years.

All Americans should have retirement benefits that they can count on, not the gamble of privatized 401(k)s run by the same Wall Street bankers who drove our economy into the ditch. Pensions are proven and critical tools to provide public services, stimulate the economy, secure retirement for public employees, and provide the best value for taxpayer dollars. Pensions work, so let's preserve them and create retirement security for everyone who works hard for a living.



Our deepest fear is not that we are inadequate. Our deepest fear is that we are powerful beyond measure. It is our light, not our darkness, that most frightens us. Your playing small does not serve the world. There is nothing enlightened about shrinking so that other people won't feel insecure around you. We are all meant to shine as children do. It's not just in some of us; it is in everyone. And as we let our own lights shine, we unconsciously give other people permission to do the same. As we are liberated from our own fear, our presence automatically liberates others.

Nelson Mandela

CHAPTER NEWS

Santa Clara Valley Water Dist.

Officer Nominations & Election

Nominations will be taken at the October Membership Meeting scheduled for Wednesday, October 7, 2009 at the Old Board Room in the Administration Building, 12-1 p.m. Nominations will be taken by e-mail from Wednesday, October 7, 2009 through Thursday, October 15, 2009 by 5 p.m. The Election Committee members and chair will be selected at the September Membership Meeting (September 2, 2009).

The election will take place from Monday, October 26 to Monday, November 16, 2009, with votes being counted on Tuesday, November 17, 2009.

Should a run-off election be necessary, it will take place from Monday, November 30th through Wednesday, December 16, 2009, with votes being counted on Thursday, December 17, 2009.

AVAILABLE POSITIONS

PRESIDENT

VICE-PRESIDENT GRIEVANCE

VICE-PRESIDENT BENEFITS

All are for 2 year terms

Submitting nominations:

A. Be present at the October Membership Meeting or send an e-mail to Elizabeth Hayes by 5 p.m. on Thursday, October 15 (ehayes@valleywater.org).

- i. At the meeting, announce a nomination and the office you are nominating for.
- ii. If by e-mail, list your name, the individual you're nominating, and the office of nomination.

B. Nominations will not be accepted after 5 p.m. on Thursday, October 15, 2009.

C. Both, nominator and nominee are required to be members of the Employees Association for at least six (6) months to meet eligibility requirements.

Accepting Nominations:

A. Nominees can accept or decline at the meeting. B. E-mail nominations – the election committee will contact the nominee to confirm acceptance, if the nominee does not reply, it is considered an acceptance to run. C. A nominee may only run for one of the offices listed above.

D. After all nominees have been confirmed to be eligible, candidates will be requested to provide a candidate's statement not to exceed 150 words. If no statement is received by the deadline, the ballot will go out stating "no statement received."

City of San Jose—MEF

Notice of Election

Nominations for the offices of President, Vice President, Chief Steward, and Treasurer (2 year terms) will be taken at the October 9 MEF General Membership meeting, held at 6:30pm at San Jose City Hall, 5th Floor, Room T-550. If you cannot attend the meeting nominations can be made by fax to 408-998-0451 addressed to Walter Lin, Election Chair, by 5:00 p.m. Wednesday, October 7, 2009.

The ballots will be mailed on November 10th and must be received by mail at the Local 101 post office box no later than December 8th.

Ballots will be counted at City Hall (Room TBA on the MEF website) the evening of December 9th. If no candidate receives a majority, a run-off election will be held for that office or seat.

Ballots for the run-off election will be mailed on December 16th and must be received by January 12th with ballots being counted that evening, 5:00 pm (Room TBA on the MEF website)

Elections results will be posted on the MEF website (www.mef101.org) on December 8th and reported by the election committee to the Board at the December 10th meeting. Upon acceptance of the report, those elected will be installed in office immediately.

Each candidate whose name appears on the ballot has the right to have present an official observer of the candidate's choosing (who must be a member of the union) when the ballots are counted. A candidate may not serve as his/her own observer nor as an observer for any other candidate during the period when the ballots are counted.

The MEF Election Chair is Walter Lin from ESD, Gerry Chappuis from Public Works, and Peggy Elwell from the Library. This Committee was appointed and approved by the MEF Executive Board at the August General Membership meeting.

Questions regarding election procedures should be referred to Walter Lin, Committee Chair at 408-393-3167.

City of Morgan Hill

The Chapter will be conducting an election for the offices of Chapter President, Vice-President, and Secretary Treasurer during the months of October and November. Nominations will be held at a meeting to be scheduled in October with, if necessary, an election scheduled during the month of November.

VTA

Schedule for Upcoming Meetings

Executive Board

October 7th	2:30 pm
November 4th	2:30 pm
December 2nd	2:30 pm

Stewards Council—Room C118

September 17th	Noon—1pm
October 15th	Noon—1pm
November 19th	Noon—1pm
December 17th	Noon—1pm

Gardner Family Health Network

The Chapter will be conducting an election for the offices of Chapter President, Vice-President, and Secretary Treasurer during the months of October and November. Meetings will be scheduled at each of the five clinics during the month of October to accept nominations for each of the three offices. If two or more candidates are nominated for any of the officer positions, an election will be scheduled during the month of November at each clinic.

Luther Burbank School District

The Chapter will be conducting an election for the offices of Chapter President and Vice-President during the months of October and November. Nominations will be held at a meeting to be scheduled in October with, if necessary, an election scheduled during the month of November. If two or more candidates are nominated for either of the officer positions, an election will be scheduled during the month of November.



City of Gilroy

Membership Meeting

October 21st Noon—1:00 pm
 November 18th Noon—1:00 pm
 December 16th Noon—1:00 pm

San Lorenzo Valley Water District

No News to report for this Chapter.

City of Santa Clara

Membership Meeting—Water Yard

September 30th 5:00 pm
 October 28th 5:00 pm

Oak Grove Unified School District

Brown Bag Meeting

September 23rd 9 am—11 am
 Transportation

Membership Meeting-MOT Conf. Room

September 24th 9:30 am—11:00 am
 September 24th 3:30 pm—4:30 pm
 Bring suggestions for
 2 negotiation items

November 9th 9:30 am—11:00 am
 November 9th 3:30 pm—4:30 pm
 Chapter Officer Nominations

December 10th 9:30 am—11:00 am
 December 10th 3:30 pm—4:30 pm
 Chapter Officer Election

Town of Los Gatos

No News to report for this Chapter.

San Jose Unified

The Chapter will be conducting an election for the offices of Chapter President, Executive Vice-President, and Secretary Treasurer during the months of October and November. Nominations will be held at the Chapter meeting on October 7. If two or more candidates are nominated for any of the offices, and election will be scheduled during the November membership meeting.

City of San Jose—CEO

Officer & Delegate Nominations & Election

Nominations will be taken at the October Membership Meeting scheduled for **Thursday, October 8, 2009** in the Council Chambers, 12:10-1 p.m. or may be submitted by petition with 5 member signatures to a member of the Election Committee by 5 p.m. on Friday, October 30, 2009. The Election Committee members and chair will be selected at the September Membership Meeting (September 10, 2009). The election will take place Thursday, November 12, 2009, at our regular membership meeting from 12:10 to 1 p.m. with ballots being counted immediately following.

AVAILABLE POSITIONS

**PRESIDENT—VICE-PRESIDENT—SECRETARY
 TREASURER**

(if position approved in advance)

4 AT-LARGE MEMBER DELEGATE POSITIONS*
 (All are for one-year terms)

*ONLY ONE MEMBER FROM THE SAME CLASSIFICATION MAY BE ELECTED TO THE AT-LARGE MEMBER DELEGATE SEATS. IF MORE THAN ONE CANDIDATE FROM THE SAME CLASSIFICATION IS NOMINATED, THE MEMBERS WITHIN THAT CLASSIFICATION SHALL BY SECRET BALLOT DETERMINE WHICH CANDIDATE'S NAME SHALL APPEAR ON THE FINAL BALLOT.

Submitting nominations:

Be present at the October Membership Meeting (10/8/09) or submit a petition with 5 member signatures to a member of the Election Committee by 5 p.m. on Friday, October 30, 2009.

At the meeting, announce a nomination and the office you are nominating for.

If by petition, list the individual you're nominating, and the office of nomination.

Nominations will not be accepted after 5 p.m. Friday, October 30, 2009.

Nominee is required to be a member of the Employee Organization for at least six (6) months to meet eligibility requirements.

Accepting Nominations:

A. Nominees can accept or decline at the meeting

B. Nominations by petition: the Election Committee will contact the nominee to confirm acceptance. If the nominee does not reply, it is considered an acceptance to run.

C. A nominee may only run for one of the offices listed above.

D. After all nominees have been confirmed to be eligible, candidates will be requested to provide a candidate's statement (not to exceed 150 words) by a date to be determined by the Election Committee. This statement will be included in a mailing to members. If no statement is received by the deadline, the member mailing will go out stating "no statement received."

Announcements

Local 101 Executive Board Meeting

Thursday, September 17, 2009 – 6:30 PM

Thursday, October 15, 2009 – 6:30 PM

Santa Clara Valley Water District (Annex)
1020 Blossom Hill Road
San Jose, CA 95123

CHAPTER MEETINGS

City of San Jose (CEO): 2nd Thursday of Month
September 10th, 12:10 pm, SJ City Hall Wing 120
October 8th, 12:10 pm, SJ City Hall Wing 120

City Of San Jose (MEF): 2nd Thursday of Month
September 10th, 6pm, SJ City Hall, Tower 5th Flr
October 8th, 6pm, SJ City Hall, Tower 5th Flr

City of San Jose CEO & MEF Legal Trust:
1st Thurs of month, SJ City Hall Tower 3rd Flr

San Jose Unified: 1st Wednesday of Month
September 2nd, 5:30 pm, Location TBA
October 7th, 5:30 pm, Location TBA

Santa Clara Valley Water: 1st Wednesday of Month
September 2nd, 12:00 pm, Admin. Room B108
October 7th, 12:00 pm, Admin. Room B108

The Following Chapters Meet as Needed

City of Morgan Hill
Gardner Family Health Network
Luther Burbank School District
San Lorenzo Valley Water District
Town of Los Gatos

Remember Your—Weingarten Rights

The US Supreme Court has ruled that the National Labor Relations Act gives workers the right to request Union Representation during investigatory interviews by Supervisors, security personnel, and other Managerial staff. These are called Weingarten Rights.

An investigatory interview occurs if:

1. Management questions you to obtain information.
2. You have reasonable apprehension that your answers could be used as a basis for discipline or other adverse action.

You **MUST** ask for Union Representation either before or during an investigatory interview. Management **does not** have to remind you of your rights. If your request is refused and management continues asking questions, you may refuse to answer. Your employer is guilty of an unfair labor practice and charges maybe filed for denying your right to Union Representation.

What to do if called into a meeting with Management?

Read this statement: "If this interview could in any way lead to my being disciplined, terminated, a letter of reprimand and/or affect my personal working conditions, I respectfully request that my Union Representative, Officer or Steward be present at this meeting. Until my Union Representative arrives, I choose not to participate in this discussion."

If you are still denied representation, do not participate in any discussion during the meeting. Tell you supervisor, "Sorry I can't comment on your questions without a union leader being present." When you leave the meeting, call your Union Steward, Officer, or Representative **immediately** to take further action.

AFSCME Local 101
District Council 57

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San Jose, CA 95112
Phone: 408-998-2070
Fax: 408-998-0451

First Class Mail
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Permit No. 937

On the Web
www.afscme57.org

Mark Your Calendar

CaIPERS

AFSCME supports JJ Jelincic

**Ballots will be mailed to
CaIPERS participants only -
September 4th.**

Please Cast Your Vote.

Your Vote Counts!!

**Please mark you calendar
for your Chapter's Election.**

**If you have moved and have
not updated the Local data-
base, please call today. Up-
dating your information will
ensure that you receive your
ballot in a timely manner.**