

**From:** Liz Bettencourt  
**Sent:** Friday, August 17, 2012 3:14 PM  
**Subject:** President's Message - August 17, 2012

Members,

Lots to share and catch you up on this week. I know this is pretty long, but our Officers and Stewards have done great work this week on your behalf and it is timely to share it with you now.

### **Uniform Tax Grievance**

As was previously reported, the Union grieved the uniform tax that was implemented by management in June. The crux of this grievance was that management failed to comply with the contract and meet and confer on a change in past practice. While the uniform policy and the district uniform ordering system has always indicated that the uniform allowance was considered taxable income, it had never enforced this part of the policy because there was an IRS exemption in place for uniforms. In May of 2011, there was an independent company IRS review that indicated the type of exemption would be revoked and this promoted the District to review its tax compliance. In January 2012, the District was notified that the exemption indeed was revoked and only uniforms under a very specific definition were considered exempt from income tax.

It is EA's position, that when the IRS Regulation changed, Labor Relations should have notified the Union about the change and how they planned to implement the tax and the reason for the retroactive tax for 2011. Management conceded that they had violated the contract regarding meeting and conferring with us, and waived the grievance hearing. **Ingrid Bella and Janell Hillman** represented the Union at a pre-settlement meeting instead on August 15 where the issues pointed out in the grievance were discussed in order to resolve and improve things going forward. Management will ensure that any future changes in past practice related to employee's pay, benefits, or working conditions are properly notified to the Union and an opportunity to meet and confer is provided. Additional improvements to how the uniform tax will be handled going forward were also discussed including a line item on pay stubs, and an explanation of how the tax is deducted. More information on this will be forthcoming.

EA will also meet with Labor Relations on the Uniform Policy in general as there are changes in practice that are occurring without proper notice which is affecting our members' effective use of this reimbursement. Please direct any questions to Ingrid or Janell directly.

### **Translation Pay**

The Translation Pay Program was implemented in July 2012. If you provided translation services from January 2012 to July 2012, you can document those services on the form (located at <http://www.aqua.gov/forms/fcforms> under Benefit Forms - Translations Services Pay, and submit it to payroll for retroactive pay after your manager approves it. Going forward, if you provide translation services for the District, submit the approved form to payroll to be paid \$75 for the month in which services were provided. Thanks to **Mala Magill and Ingrid Bella** for their work to get this implemented.

### **SCVWD Board Races**

The EA Board has had an opportunity to put into action one of our strategic initiatives (Influencers and Decision Makers) to engage in seeking out union-friendly candidates for the upcoming board seats. This year, the South Bay Labor Council scheduled their endorsement meetings earlier than normal and notice to Local 101 was very last minute. Since we did not have time to prepare an endorsement meeting for Local 101, each chapter was given direction to meet with candidates in their jurisdictions. The EA Board

pulled together meetings with two potential candidates, one for District 2 (Judge's seat, for which he will not seek reelection) and one for District 5 (Kwok's seat) in order to at least get information in time for our monthly Local 101 Executive Board meeting which was held Thursday evening.

At last night's Local meeting the Chapters were given an additional couple of weeks to hold their own endorsement process and report back to the Local. This will help us because we have learned there are now two candidates running against the incumbent in District 5 and three candidates running for the District 2 seat. We are contacting all the candidates to complete the Council 57 candidate questionnaire and we will post the date/time of interviews so that members interested in participating in the endorsement meetings may attend.

The South Bay Labor Council (responsible for county-wide endorsements) held their endorsement meeting Wednesday night for Water District board Seats. The endorsements will need to be approved by the Executive Board of the SBLC before they are official. We will let you know their official endorsements later this month.

In addition to the races for open seats, we have started to identify potential candidates for the likely-vacant Gage seat, which will be appointed by the Board if he wins his bid for Mayor in Gilroy. We will have more information on this later.

I want to thank the Officers who worked with me, taking their own personal time on very short notice to make this all happen: **Tom Drinkard, Mala Magill, Dave Matthews, Jan Ortiz, Michele Keefhaver, and Cathy Paramo**, with special thanks to Ingrid Bella for her help in coordinating the candidate meetings.

*Have a great weekend!*

*Liz Bettencourt*

**President, Employees Association**

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