

CAPE

California Association of Professional Employees

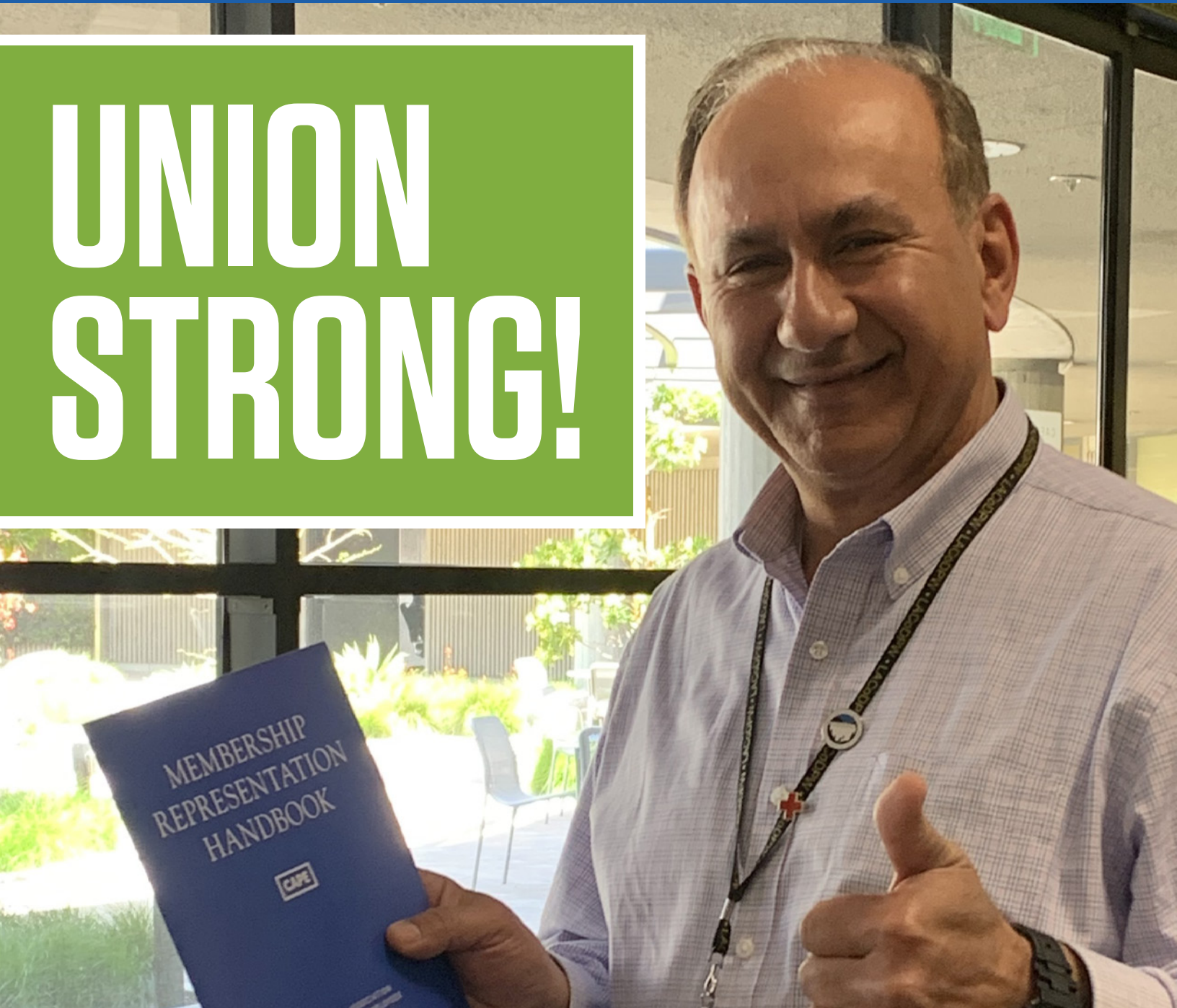
VOLUME 28

ISSUE 2

SPRING 2023

CAPEunion.org

UNION
STRONG!





Working people standing together to make history

Message from the CAPE President

By Carlos Clayton, P.E., President, California Association of Professional Employees (CAPE)

Unions are making big news these days. If you turn on a television, open up a newspaper, or even just take a drive through the city, you'll see unions in action all over the country.

As of my writing this article, the members of the Writers Guild of America are on strike fighting for respect for their professions, paths for career advancement, and a voice in how the impact of technological advancements will affect their jobs. Recently, the LAUSD teachers and SEIU Local 99 school staff workers were also forced to go on strike to sound the alarm about the widening wage disparity that education professionals are suffering. At the very same time, workers at Starbucks locations across the country walked out on strike, simply to have the chance to even vote to join a union without retaliation.

We are living through a pivotal moment in history where it is critically important to be a union member. As CAPE members, we've seen for ourselves the significance of the union difference, but we've also watched new hurdles arise that challenge our ability to effectively do our jobs. Last year, we negotiated a post-pandemic contract in a season when employers across the country were looking to make massive cuts to workers' benefits. Not only was it important for CAPE members to band together around our priorities, but we also made history by standing united with every union in the County—from CAPE and the partnering Coalition of County Unions all the way to SEIU—to support each other during our respective negotiations and show our collective strength. That strength fueled our CAPE

Bargaining Team to secure the largest one-year salary increase since 2006, brand-new telework protections, and so much more.

Now is not the time to sit on the sidelines.

We cannot simply take for granted the fact that, through our CAPE membership, we have a strong voice in our workplace. CAPE is a thriving and successful union, but that legacy can only be maintained with the continued strength, solidarity, and unity of CAPE members standing together. We are not simply CAPE members. We are CAPE. So, I encourage each and every member to take part in union activities, stay up to date on what's happening with our union, and continue to stand strong when called to action. We are making a difference, not just for ourselves, but also for working families across L.A. County and across the nation.



LET'S TALK TELEWORK

Telework was one of the key major victories we secured in our new CAPE contract last year. Now that L.A. County has ended the COVID emergency declaration, and with the federal government moving to officially end the national COVID state of emergency in May, it's time we take a deeper dive into how we move forward work-wise in a non-COVID world.

Top 5 FAQs about the new Telework article in our CAPE contract

1. What exactly does our contract say about Telework?

Our new Telework article commits the County to expand telework in all Departments, establishes selection criteria guidelines, establishes the County's responsibility for providing and maintaining materials and equipment, and provides for reimbursement to employees for required expenses incurred.

2. How does the Telework article of our contract affect me?

The new Telework article in our contract opens a path for our members to set a hybrid work schedule long-term. The article is based on operational needs and would allow each division to set its own office hours conducive to our work, as opposed to attempting to paint a one-size-fits-all approach that would risk our health and safety.

3. Can employees who were previously teleworking be required to come back to work?

The short answer is yes. Our new Telework article is based on operational needs. Supervisors will determine what type of office schedule is needed based on that operational need. If you have a question or concern about your assignment, you should first check in with your direct supervisor. If you feel you are unjustly being denied Telework, contact a CAPE Business Agent.

4. I never worked remotely during the pandemic. Does this mean I can start Teleworking?

No, not necessarily. There are a number of jobs that must be done in the office, field, and/or worksite locations. If you believe that your job functions can operationally and efficiently be completed in a telework hybrid schedule, you should first check in and discuss it with your direct supervisor. If you feel you are unjustly being denied Telework, contact a CAPE Business Agent.

5. Can I be reimbursed for the materials I bought so that I can telework?

It is County Management's responsibility to provide teleworking employees with the proper equipment needed to work remotely. If you are required to purchase specific materials or equipment, you must FIRST get authorization and approval from your supervisor. Employees who receive approval will be reimbursed for expenses incurred.

Winning at work: Members use new Telework article in our contract to secure important accommodation during Ramadan



By Belal Tabannaj
Principal Civil Engineering Assistant
CAPE Member, L.A. County Public Works

Being a part of a union means we have a voice in our workplace to stand up and advocate for ourselves and our coworkers. That's exactly what me and my fellow Muslim employees did when we requested a temporary religious accommodation to fully Telework during the month of Ramadan and were approved!

As one of the five pillars of Islam, Ramadan is a monthlong observance in the Islamic faith that involves fasting (abstaining completely from food and drink) every day from dawn to dusk, increased worship, engaging in additional prayers every night, and seeking nearness to and forgiveness from God. Given the physical and mental demands of daily fasting and nightly prayers and the need to stay focused on those religious obligations, Teleworking full-time allows Muslim employees like me to better manage our limited energy levels and observe our religious practices while allowing us to fulfill our daily job responsibilities in serving the public.

Together with our CAPE Business Agent, we built a plan and worked to find a solution. Utilizing ① the recently approved CAPE contract/MOU that secures expanded Telework opportunities, ② Title VII of the Civil Rights Act of 1964 that protects the right to religious accommodations, and ③ L.A. County DPW's "Work From Home" Guidelines—while also referencing the fact that Muslim employees were able to fully Telework the last three Ramadans between 2020 and 2022—I and other fellow Muslim employees were successfully granted our accommodation by HR and department administration.

We were successful, but it took work. It wasn't a smooth process and at times we were met with premature rejections (even some without justification), inadequate alternative accommodations (that required us to use our own time and negatively impact operations), and multiple interactive process meetings with department admin and HR. We hope this victory and what we endured to gather these accommodations set the precedent for similar religious accommodations going forward.

Understanding the types of workers' compensation claims

Prestigious law firm Ford & Wallach partners with CAPE to empower and educate members on workers' compensation • By Analisa Swan, Attorney, Ford & Wallach



On behalf of Ford & Wallach (F&W), and our Partners, Scott Ford and Cheryl Wallach, we are honored to partner with CAPE to fight for workers' rights. F&W is a leader within the legal specialty of workers' compensation and specializes in helping injured workers obtain the benefits they're entitled to through the California workers' compensation (WC) system.

All Ford & Wallach attorneys are union-affiliated and clerical employees are unionized. Partners Scott Ford and Cheryl Wallach are recognized experts within the field of California workers' compensation and serve at the highest officer and executive board levels of California's foremost attorney advocacy organization for injured workers, the California Applicants' Attorneys Association (CAAA). They are also certified specialists by the California State Bar in the practice of workers' compensation, are members of the American Federation of Teachers (AFT), and are professors for the Labor Studies Program at Los Angeles Trade Technical Community College (LATTCC). All F&W attorneys are members of CAAA, as well as the local chapter of

the Southern California Applicants' Attorneys Association (SCAAA).

In this article, I'll briefly summarize the two general categories of workers' compensation injuries that may be claimed: "Specific injury(ies)" occur on a specific date/time. An example might be slipping and falling, a motor vehicle accident, and/or having a workplace exposure to COVID-19 on a specific date; "Cumulative trauma injury(ies)" take place over time due to the repetitive job—for example, typing causing carpal tunnel in your wrists, exposures to chemicals causing breathing problems, and/or a hostile work environment resulting in emotional stress.

Workers' compensation consists of five main benefits, determined by the California State Legislature in statutes:

1. **The biggest workers' compensation benefit** is lifetime future medical care and medical treatment within the workers' compensation system.
2. **You may receive temporary disability (TD)** for the period off work due to the industrial injury(ies). TD is a monetary wage replacement

benefit of two-thirds of your average weekly wages subject to caps on the TD rate and length of time.

3. **Permanent disability (PD) is for a lifelong permanent impairment to a body part/medical condition**

found by a doctor(s) within the workers' compensation system. It is a monetary benefit subject to caps on the PD rate with the amount based on a percentage of impairment found by the workers' compensation doctor(s) that translates to a percentage of disability with a set monetary amount under the statutory law.

4. **You may be entitled to a supplemental job displacement benefit voucher (SJDBV)** of

\$6,000 if you are found by a workers' compensation doctor(s) to be a Qualified Injured Worker (QIW). QIW means that you are physically or for some other medical reason unable to return to your pre-injury job. If you receive the SJDBV, you may also qualify for a one-time payment of \$5,000 from the Return To Work Supplement Program (RTWSP).

5. **If you pass away due to an industrial injury**, your financial dependents may be entitled to workers' compensation death benefits set by statute.

We can help you find a doctor(s) in the workers' compensation system who will advocate for you in your workers' compensation case.

In addition to legal excellence, F&W is very active in grassroots activism. You might have seen us rally at picket lines, or read about our efforts in Sacramento, where we often advocate for pro-labor laws by the California Legislature. Other ongoing efforts include championing for workplace safety, supporting pro-worker candidates and elected officials, and more.

Whether you have suffered a catastrophic career-ending injury or an injury that allows you to continue working, we are here for CAPE members. For a complimentary consultation, or for more info about how to protect your rights, call (213) 380-3140 or visit www.FordWallach.com.



Ask a Business Agent

How do I go about getting an Additional Responsibilities Bonus?

Louie Rada

CAPE Business Agent

Any full-time, permanent employee will be entitled to additional compensation for the performance of additional responsibilities if they meet certain guidelines and are either:

1. Performing all the significant duties of a higher-level class for more than 20 consecutive working days; or
2. Assigned to a special project or assignment that requires the performance of additional duties and carries additional responsibilities beyond those typically allocated to the employee's class. The special project or assignment may be in addition to, or instead of, the employees' regular assignment. The assignment of additional duties normally performed by incumbents of the employee's class would not qualify for additional compensation.

The additional compensation shall begin on the first day the additional responsibilities are assigned by

management and shall end on the day the additional responsibilities are no longer performed. Approval is required by the Division Chief, Director, Chief of Personnel Services, and the Chief Administrative Office. The employee must perform (or will perform) the additional work for a significant period of time. Employees filling in for another employee during vacation, sick leave, bereavement leave, jury duty, etc., of 30 days or less would not qualify for additional compensation. The amount of bonus for represented employees is two standard salary schedules.

The Union advises that when filing for Additional Responsibilities Pay, make sure to use all documentation to support the claim, such as your PEs (Personal Evaluations) showing your regular duties to compare them with additional responsibilities that may not be addressed in your evaluations. Make sure to have the exact dates when you started performing the additional responsibilities.

Process for how to file

- Contact your immediate supervisor and notify them of your intent to file for "Additional Responsibility Bonus Pay"
- The requesting division will submit a "Request for Personnel Action" (also known as the "Blue"), with prior approval by the subdepartment's director, to the Chief of Personnel Services for review and approval
 - **Justification to support the request will be prepared by Personnel Services**, to be submitted, along with the "Blue," to Management Services for processing
 - The "Blue," together with the justification, will be submitted by Management Services for signature; then the justifications will be submitted to the Chief Administrative Office "CAO" for approval
 - The Chief Administrative Office will notify Management Services if the request is approved or denied
- Management Services will then notify Personnel Services for processing into the payroll system if the request is approved; if the request is denied, Personnel Services will notify the employee and the appropriate division in writing



What's ahead for the California State Legislature?

CAPE political roundup

By Matt Siverling, CAPE Political/Legislative Specialist

CAPE DELEGATE CORNER
★ ★ ★
Political Action Team

The first major test for legislation introduced in 2023 is now in the books. The Legislature introduced 2,920 bills into print during the eligible period of time earlier this year. This is the largest number of measures introduced in a single year in over a decade. The large volume of bills forced the policy committees to begin their work earlier than usual and has resulted in tighter scrutiny of ideas from Leadership and Committee Chairs that many bills may not be ready for prime time.

Attention will now turn to the Appropriations Committees, which measure the cost of bills and determine whether to move, amend, or hold them based on that price tag. If bills have any measurable cost, they will be referred to the "Suspense File," which is a holding place to allow the Appropriations Committees to track the total impact of the entire package of bills in their possession. Measures will either be held, passed, or passed with amendments to address concerns about cost. This is typically a difficult bottleneck for many bills, and usually results in around one-third of them being held for the year.

After this key hurdle, the action moves to the Assembly and Senate Floors, where bills will be presented by their Authors to the entire membership in each House. With few exceptions for urgency bills and bills that amend the Constitution, measures need 41 votes in the Assembly and 21 if they are on the Senate Floor. The last day to move off the House of Origin Floor is June 2, which will mark the halfway point for the 2023 Legislative Session.

Things move much more quickly after the first half of action. Looking at a calendar, bills have from January 1 until June 2 to work their way through the House of Origin. Once they reach the second House, they have only six weeks until the July 14 adjournment for Summer Recess and then four weeks from August 14 until the end of Session on September 14 to navigate the entire opposite House process. This forces quick decisions and collisions to produce final outcomes.

Two major issues to keep a close eye on are the upcoming negotiations on the 2023 State Budget and the recent, very public demonstrations of the power of public labor unions in Sacramento. The two are tightly entwined, and we are keeping a close watch on the results of the impending battle over the fiscal priorities of the State.

By all accounts, California's financial health has worsened with each analysis, with estimates showing anywhere from \$23 billion to \$30 billion in deficits. The expected deficit is a far cry from the \$100 billion surpluses California had in the previous two budget cycles and represents the feast-or-famine reality of California's progressive tax system. There are many progressive programs and priorities on the chopping block, including universal pre-kindergarten and health care for all undocumented workers, which have been identified as core programs.

State law requires that a budget pass both chambers of the Legislature by June 15 and be signed by the governor before the new fiscal year begins on July 1.

Discount movie tickets are back!

CAPE has resumed offering members \$10.25 AMC movie tickets and \$4.50 AMC popcorn tickets. For years, CAPE members enjoyed movie tickets at a reduced rate from box office prices, but the program was forced to pause due to the pandemic.

To purchase tickets, please visit the CAPE office, or mail in a completed order form. Forms are available for download from the CAPE website, or you may call and request to have a form emailed to you. Tickets will be mailed upon receipt of payment. *Prices are set by the theatres and are subject to change. Some theaters may charge a location surcharge to your ticket.*

- All sales are final; no exchanges or refunds
- Cash or check only
- Please make checks payable to CAPE
- Cash is accepted only in person at the CAPE office
- Orders over \$75 will be mailed to you via certified mail

UNION MEMBER ENTERTAINMENT BENEFITS

Union Plus* Entertainment Discounts offer savings to union families on over 300,000 fun things to see and do including movies, restaurants, shopping, and much more!

* Union Plus site recognizes CAPE members under our affiliate, MEBA (Marine Engineers), for discounts and other unique benefits.

How it works

1. Visit unionplus.abenity.com and register/login
2. Choose your offer and select the green Redeem Offer button
3. Check out, then get out there, and start having fun!

Popular offers

- 29% off eTickets to Six Flags Great Adventure & Safari
- 10% off Nascar, NFL, NBA, and NHL tickets and VIP packages
- 25% off Cirque du Soleil
- 10% off concert tickets
- Up to 26% off movie theater eTickets
- Grocery coupons
- Discounts at online retailers
- Discounts at restaurants near you
- Discounts at local events unique to your area

AMC
THEATRES.

Have you scheduled your preventative care visit?



Take care of your health today

Preventative care is key to finding possible health issues early when they're often easier to treat.

Learn about the preventative care services covered under your plan. Find out which preventative health screenings and immunizations are right for you.

Visit blueshieldca.com/cape for a quick user-friendly guide on preventative services (no co-pay for preventatives)

UNITED TOGETHER, WE'RE MAKING OUR COUNTY SAFER AND MOVING CALIFORNIA FORWARD

Welcome!

2023 CAPE new members

Diana Abanto Bazan	Regina Kingi
Jared Abegg	Natalie Klingsporn
Marcia Adams	Alec Lai
Adis Arakelian	Clint Lee
Jeff Arca	Eden Ly
Jorge Aviles	Shoghig Manoukian
Christian Calzada	Kevin Martinez
Mark Carlos	Cristine Meza
Ryan Castillo	Cunxiang Mi
Alyssa Eckley	Jeremy Munns
Debbie Estrada	Michelle Pope
Kristine Estrada	Joanne Mae Ranese
Arjay Evangelista	Ivette Rodriguez
Mary Ferguson	Angel Rosales
Timothy Finn	Evan Sahagun
Vache Garabedian	Henrik Sarhadian
Theresa Godinez	Sajjad Sayyar Roudsari
Daniel Gonzalez	Hayg Terzian
Sandra Gordon	Sean Wang
Peter Guan	Daisy Yun
Melina Harteni	Yali Zhang
Andy Huynh	Wilson Zhong
Christopher Keating	



Maryam Adhami
Muhammad Ali
David Bayha
Ramon Calubaquib
Allan Chan
Giles Coon
Artemio Correa
Paul Deardorff
Anoushiravan Dejbakhsh
Steve Dunn
Donna Fraijo-Juarez
Gregory Graham
Dennis Gutierrez
Daniel Hawkins
Hector Hernandez
Hassan Houmsi
Amir Karimi-Ghovanlou
Kenneth Krofft
Stuart Lillich
Sylvia Luna
Liem Ly

2023 CAPE retirees

Thank you for your membership
in CAPE and service to the
County. We wish you a long and
enjoyable retirement.

Tamra McDonald
Deborah Miller
Wendy O'Day
Majid Ranjbar
Gabriel Sanchez
Richard Spicer
Mark Tadros
Hossein Torabzadeh
Mark Young
Tammy Yue

THANK YOU!



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ABOUT CAPE

The California Association of Professional Employees represents more than 2,700 employees of the County of Los Angeles. CAPE's representation extends into the areas of collective bargaining of Memorandum of Understandings (work contracts), collective bargaining of Fringe Benefits, Grievances, Legal Advice, and Health Benefits. CAPE, the Union, was formed in 1964 by professional employees of the County of Los Angeles, who recognized the need for fair and effective representation.

CAPE is affiliated with MEBA (Marine Engineers' Beneficial Association) and the AFL-CIO (American Federation of Labor—Congress of Industrial Organizations). CAPE is also a member of the Coalition of County Unions (CCU), an alliance of Los Angeles County Unions that collectively bargain for the health and retirement benefits of all County "Choices" participants.

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