



INSIGHT

UNITED PUBLIC EMPLOYEES

UPE Protects Merced County Library Workers from Unsafe Duties



By Carlos Alcala

United Public Employees (UPE) continues to stand strong for the safety of our members. During a recent meet and confer with the County of Merced's Department of Libraries regarding the Workplace Violence Prevention Program (WVPP), UPE discovered that the county was asking library workers to perform out-of-class duties. Specifically, the county's draft policy included tasks such as removing debris around the library and clearing out homeless encampments.

UPE immediately rejected this proposal. These duties are not part of library or clerical work and would put our members at serious risk. No library worker should face exposure to hazardous waste or unsafe conditions that can come from cleaning debris or dealing with encampments. That kind of work belongs to janitorial staff or law enforcement—not library employees.

UPE demanded that the County remove this language from the WVPP policy, and the County agreed. But we didn't stop there. Right after the meeting, UPE issued a cease and desist to ensure that no member performs such work now or in the future. The County quickly complied, knowing that UPE does not compromise when it comes to the safety of its members. We made it clear that we would not back down, and that putting our members at risk was simply unacceptable.

UPE remains vigilant for our members' rights. We will never allow unsafe working conditions to be pushed onto our members. Our members keep the library in order—UPE keeps the County in check.

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From Delay to Pay Day: UPE Stands Up for Women's Pay as Steps are Restored and Money Repaid

by Carlos Alcala

In a major win for fairness and working families, UPE members who had taken maternity leave under FMLA and State Disability Insurance (SDI) finally received what they were owed – their rightful pay step increases and the back pay that had been unfairly denied.

Here's what happened.

For years, the Court had been leaving out time spent on maternity leave when calculating employee eligibility for pay step increases. This meant that women who took legally protected leave to care for themselves and their newborns were being told they hadn't worked enough hours to move up the pay scale. As a result, their wage progression was delayed, and they lost out on thousands of dollars in pay they should have received.

But UPE challenged that.

By pointing directly to the Memorandum of Understanding (MOU), specifically Article 10.05(d)(4), which clearly protects step increase eligibility during properly covered SDI leave, UPE argued that the Court's practice was not only unfair – it was wrong.

And we won.

After filing a grievance and standing strong, the Court agreed to change course. The Court acknowledged that the time spent on maternity leave covered under SDI should, in fact, count toward the time required for a step increase.

That change made a big difference.

Multiple women have now come forward and seen their pay steps adjusted. Some were moved up a step sooner than expected. All received retroactive pay – money they had already earned but never received – totaling thousands of dollars in retroactive pay.

This is more than a policy correction. It's justice. It's a message that no woman should ever be penalized for taking time to care for herself or her child. And it's proof that when members speak up and stand together, real change happens.

Thanks to the hard work of UPE and the courage of those who came forward, we have corrected this issue not just for one person – but for every employee who was affected.

If you or someone you know took protected maternity leave in the courts and has not received their rightful step increase or back pay, please contact UPE immediately. We will fight on our members' behalf to make sure they receive every dollar and every credit they deserve.

UPE will continue to stand strong, speak up, and protect the rights of our members – one contract, one step, and one voice at a time.

Understanding ADA Meetings: How UPE Can Support You

by Suzan Amiri

If you live with a disability or manage a condition that affects your work, the ADA guarantees you certain rights to ensure your work environment remains accessible and supportive. The law provides for reasonable accommodations that help employees perform their job duties, but knowing what you're entitled to and how to ask for it can involve a complex process. That's where your union comes in.

An ADA accommodation is any change or adjustment in the workplace that enables an employee with a disability to perform their job effectively. This could mean something as simple as obtaining ergonomic furniture, adjusting your work schedule to accommodate medical appointments, or securing assistive technology to help with communication.

However, requesting accommodations isn't always straightforward. You must complete forms, attend meetings, and sometimes handle management pushback. You might feel overwhelmed, and that's where your union can make a huge difference.

How the Union Can Help

- 1. Guidance on What to Ask For:** We help you understand which types of accommodations are reasonable and effective for your specific needs—whether you need workspace adjustments or altered work hours.
- 2. Advocacy in ADA Meetings:** When you meet with your employer to discuss accommodations, the union can attend to provide support. We'll help ensure management hears your voice and advocate for accommodations that work for both you and your department.
- 3. Ensuring Fairness and Compliance:** The union makes sure your employer follows ADA guidelines and the process to which you're legally entitled. We verify proper application of the law.

The union doesn't just appear when things go wrong. We're here to help you succeed every day. Whether we advocate for your ADA accommodations or assist with everyday workplace needs, we serve as your partners in creating a supportive, fair work environment. Together, we can protect your rights and ensure you have what you need to perform your best.

Protecting Our Contracts

by John Bonilla

Our 008 Welfare Non-Supervisory Grievance Chair, James Starr, filed a grievance after the Department of Human Assistance (DHA) failed to properly announce vacancies in the Medi-Cal General Assistance Cal-Fresh (MAGACF) program.

Our contract with Sacramento County stipulates that vacancies must be publicized through a department announcement bulletin (AB) to allow current DHA Human Services Specialists (HSS) to submit intra-departmental transfer requests for those positions. The intent of this language is to give more experienced employees a chance to bid for open positions before they are offered to trainees. These openings are an important chance for current employees to move to a worksite closer to home, get away from a bad supervisor, or just try something new. However, instead of following this protocol, the DHA filled these vacancies with trainees who had just completed their induction training, thereby preventing incumbent workers from exercising their rights.

This grievance advanced to the third step in the process, where we met with Labor Relations to present our case. Labor Relations drafted a settlement that provided us with the remedy we sought. These ongoing challenges with the DHA highlight our commitment to advocating for our members. We will continue to fight for their rights whenever any County Department violates the agreements that we negotiated for their benefit. Please be sure to contact UPE if you feel that the department is violating the contract so we can quickly prevent violations or file the appropriate grievance to ensure they never happen again.

Get Involved: Become a Steward

UPE stewards are members who undergo special training to learn how to represent their coworkers' rights under the contract and law.



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Donated Leave Withheld: How Union Advocacy Made the Difference.

by Suzan Amiri

A retiring employee nearly lost thousands of dollars in donated leave — leave that the County had approved and allocated prior to her separation, until United Public Employees (UPE) stepped in to hold the County accountable.

Initially, Payroll refused to release the remaining donated leave hours, citing issues related to the employee's EDD claim and the timing of her retirement. They insisted she close her EDD claim and provide proof before they would release the funds — a condition that the policy did not support.

UPE pushed back hard, citing Section 2.78.797 of the Sacramento County Employee Ordinance, which clearly outlines the employee's entitlement:

1. Eligibility for Donated Leave The employee was on an approved unpaid leave of absence exceeding 30 days, supported by a valid doctor's note through her final date of service. According to policy, this made her eligible to receive donated leave from other regular employees. Importantly, other employees had donated the leave hours in question and the County had processed them prior to her retirement — meaning the employee had fully met all conditions for eligibility. Yet she received only a partial payment in her last paycheck.

2. Payments Upon Termination Subsection (e) of the ordinance is explicit: "At such time as the employee's employment with the County terminates, all monies in the trust account in the employee's name shall be paid to the employee [...] by the end of the next full bi-weekly pay period after the employee's termination from County employment."

Retirement is a form of termination. Therefore, the County was obligated to release the full balance of donated leave in the next pay cycle — no exceptions, no EDD contingencies.

3. EDD Concerns are Irrelevant The employee had already stated her willingness to accept any potential impact on her EDD claim. Furthermore, the ordinance allows for integration of donated leave with SDI (State Disability Insurance), and nowhere does it say the County must withhold leave based on EDD status. The employer's attempt to withhold funds on these grounds was baseless. Outcome: A \$2,000 Recovery, Thanks to Union Advocacy After UPE formally intervened, conducted a policy review, and directly challenged the employer's position, the County admitted fault. The County had originally told the employee that only \$1,184.56 remained in her leave bank and issued her just \$1,119.70. After UPE's involvement, the union recovered an additional \$2,000+ — for a total of \$3,430.64 (net).

This successful outcome underscores why union representation matters. Without UPE's knowledge of the ordinance, insistence on compliance, and willingness to challenge the County's misapplication of policy, the County would have withheld these funds.

Your contract is only as strong as your union's ability to enforce it, and UPE is here to do exactly that.



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