

March 12, 2009

Page 1

BEFORE THE STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of:)	
)	
STATE OF CALIFORNIA, Employer,)	Unfair Practice
and PEACE OFFICERS OF CALIFORNIA,)	Charge No.
Petitioner, and CALIFORNIA)	SA-SV-171-S
STATEWIDE LAW ENFORCEMENT ASSOC.,)	
Exclusive Representative.)	
)	
_____)	

MARCH 12, 2009

SHAWN CLOUGHESY
Administrative Law Judge

PUBLIC EMPLOYMENT RELATIONS BOARD
1031 18th Street, Room 214
Sacramento, CA

Transcribed by: Leisa M. Miller

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Administrative Law Judge

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	INDEX OF WITNESSES	
2	--oOo--	
3	Exclusive Representative's Witnesses	Page
4	JAMES VITKO	
5	Cross-Examination by Mr. Rose	14
6	Cross-Examination by Ms. Truong	54
7	Further Cross-Examination by Mr. Rose	57
8	KARLYNE AMARAL	
9	Direct Examination by Mr. Messing	62
10	Cross-Examination by Mr. Rose	67
11	Cross-Examination by Ms. Truong	77
12	Redirect Examination by Mr. Messing	78
13	Recross-Examination by Ms. Truong	78
14	Recross-Examination by Mr. Rose	79
15	SHELLEY BISHOP	
16	Direct Examination by Mr. Messing	84
17	Cross-Examination by Mr. Rose	87
18	Redirect Examination by Mr. Messing	99
19	Recross-Examination by Mr. Rose	101
20	Further Redirect Examination by Mr. Messing	103
21	ALLAN WIDMEYER	
22	Direct Examination by Mr. Messing	107
23	Cross-Examination by Mr. Rose	111
24	Cross-Examination by Ms. Truong	126
25	Further Cross-Examination by Mr. Rose	127

1	INDEX OF WITNESSES (Continued):	
2	Exclusive Representative's Witnesses	Page
3	JOHN KNIGHT	
4	Direct Examination by Mr. Messing	130
5	Cross-Examination by Mr. Rose	134
6	Redirect Examination by Mr. Messing	156
7	BRUCE D. HOTCHKISS	
8	Direct Examination by Mr. Messing	169
9	Cross-Examination by Mr. Rose	174
10	LAURA CAMPOS	
11	Direct Examination by Mr. Messing	196
12	Cross-Examination by Mr. Rose	203
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

INDEX OF EXHIBITS

--oOo--

		Ident.	Evid.
3	Exclusive Representative's Exhibits		
4	U Declaration of James Vitko		58
5	V Declaration of Karlyne Amaral	59	81
6	W Declaration of Shelley Bishop	82	105
7	X Declaration of Allan Widmeyer	106	128
8	Y Declaration of John Knight	129	157
9	Z Declaration of Bruce Hotchkiss	167	192
10	AA Declaration of Laura Campos	194	214

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 THE WITNESS: All right.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Do you
3 understand the admonishment?

4 THE WITNESS: Yes, sir, I do.

5 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. And
6 I'm going to be also admitting Exclusive Representative
7 W.

8 (Exclusive Representative's Exhibit W received
9 in evidence.)

10 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And we are off
11 the record.

12 (Off the record.)

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.
14 We're back on the record. And we have another witness
15 called by the Exclusive Representative. Sir, I'm going
16 to ask you to raise your right hand.

17 (Witness sworn.)

18 THE WITNESS: I do.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Please state
20 your name for the record, spelling your last name.

21 THE WITNESS: Allan Widmeyer. W-I-D-M-E-Y-E-R.

22 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. A
23 couple of preliminary questions, Mr. Widmeyer. Have you
24 received copies of or received copies or the transcripts
25 of any of the days of these proceedings?

1 THE WITNESS: No.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. And
3 additionally, do you know who James Cline is?

4 THE WITNESS: No.

5 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. I'm
6 going to be marking as Exclusive Representative X what
7 appears to be the Declaration of this witness.

8 (Exclusive Representative's Exhibit X marked
9 for identification.)

10 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And
11 specifically, I'm going to ask this witness if you can
12 review that document and then tell me what it is.

13 THE WITNESS: This is my Declaration.

14 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. If
15 you can you turn to the signature page of that document?
16 And is that your signature, sir?

17 THE WITNESS: Yes, it is.

18 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And did you sign
19 it on the date and location set forth on there?

20 THE WITNESS: Yes, I did.

21 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And is the
22 contents of that Declaration true and correct to the best
23 of your knowledge?

24 THE WITNESS: Yes.

25 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.

1 Mr. Messing.

2 TESTIMONY OF

3 ALLAN WIDMEYER,

4 Having been duly and regularly sworn, testified as
5 follows:

6 DIRECT EXAMINATION

7 BY MR. MESSING:

8 Q. Okay. Have you been in Unit 7 positions since
9 1990?

10 A. Yes, I have.

11 Q. Okay. And how long have you been at -- well,
12 strike that.

13 CARI, is that an affiliate of CSLEA?

14 A. Yes.

15 Q. Okay. How long have you been active in the CARI
16 organization? By active I mean more than just a member.
17 Director or other position, officer.

18 A. I became a Board member approximately in 2001. I
19 mean I was a Board member actually in 2000, but I became
20 the treasurer in 2001.

21 Q. Okay. Did you hold any position like Site Rep,
22 or anything of that sort, before 2000?

23 A. I think it was about that same time.

24 Q. And you're in a non-sworn position?

25 A. Yes.

1 Q. Okay. But your affiliate represents both sworn
2 and non-sworn?

3 A. Yes.

4 Q. Okay. Okay. Just a couple of -- who are the
5 sworn members of your affiliate?

6 A. We have three. And I think there are four
7 allotted positions, but there are three currently peace
8 officers, two in Southern California and one in Northern
9 California. They used to have two up north, but I
10 believe there's three now.

11 Q. What's the classification?

12 A. It's the -- they recently split it. Because if
13 it hadn't been split about a year ago, they would have --
14 the entire classification would have received a pay
15 increase. And the State was able to split the position
16 of peace officer away from the other non-peace officer
17 Enforcement Representatives. In that way the peace
18 officer Enforcement Representatives got the pay raise and
19 we didn't.

20 Q. Okay.

21 A. Which is --

22 Q. Oh, I'm sorry. Go ahead.

23 A. There's approximately 120 or so Enforcement
24 Representatives that -- right now there's -- anyway, the
25 large majority did not get a pay raise, and the three

1 peace officers did.

2 Q. Okay. Now, excuse me. Have you -- would you
3 have occasion as a -- well, one second.

4 You were also elected to an officer position in
5 CARI; is that right?

6 A. Yes.

7 Q. Okay. When was that and what was the position?

8 A. About in 2001 I was elected to be the Treasurer.

9 Q. Okay.

10 A. And I've been the Treasurer since then.

11 Q. Okay. And as the -- as a Board member, Site Rep,
12 Treasurer, were you in a position where you would hear of
13 complaints about representation by CSLEA?

14 A. Yes.

15 Q. Okay. And can you tell us what sort of
16 experience you had or feedback that you received
17 regarding CSLEA representation in terms of its
18 responsiveness?

19 A. CSLEA's responsiveness has always been very fast.
20 People always want more money and they're always asking,
21 you know, why couldn't we get a bigger raise or, you
22 know, that's the main issue.

23 Q. That's the main source of complaint that you
24 hear?

25 A. Yes.

1 Q. Okay. Have you, by the way, personally used the
2 services of CSLEA for representation?

3 A. Yes.

4 Q. Okay. Can you tell me approximately when that
5 occurred?

6 A. Very recently.

7 Q. Okay. And who -- can you -- without giving us
8 too much specifics, what kind of a representation was it?

9 A. It was a CSLEA attorney in Southern California
10 helped to represent me and did a very good job.

11 Q. In what kind of matter: discipline, Internal
12 Affairs, grievance?

13 A. It was -- it was an adverse action.

14 Q. Okay. And was that before the State Personnel
15 Board?

16 A. Yes.

17 Q. Okay. All right. And you were satisfied with
18 your representation?

19 A. Yes, very satisfied.

20 Q. Okay. Now, have you heard -- you talk about the
21 peace officers that were created in the Enforcement Rep
22 classification. Have any of those peace officers
23 complained to you about their representation?

24 A. No, they have not.

25 MR. MESSING: Okay. I have nothing further at this

1 time.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Sir?

3 MR. ROSE: Yes.

4 CROSS-EXAMINATION

5 BY MR. ROSE:

6 Q. Good afternoon, Mr. Widmeyer.

7 A. Good afternoon.

8 Q. My name's Joe Rose. I'm the attorney for Peace
9 Officers of California. Thank you for your patience.
10 The incident you described, or the -- not the incident,
11 but the occurrence where the three peace officers
12 received reclassification --

13 A. Yes.

14 Q. -- and then they also received a pay raise that
15 was not also given to the non-sworn --

16 A. Yes.

17 Q. -- version of the -- of that classification, that
18 was the Enforcement Representative I and II, correct?

19 A. No. It was a split where they made a separate
20 peace officer -- Enforcement Representative peace
21 officer, whereas before they were all just Enforcement
22 Representatives.

23 Q. Could you --

24 A. And they split it into Enforcement Representative
25 non-sworn and Enforcement Representative sworn.

1 Q. Okay. If you could look at your Declaration?
2 Turn to Exhibit A and the first page. Tell me when
3 you're there.

4 A. Yes.

5 Q. This is the Enforcement Representative Class
6 Spec, right?

7 A. Yes.

8 Q. Is this reflective of what you're describing?

9 A. Yes, it is.

10 Q. Which of the class codes do you see that, if you
11 know, and I'm not trying to put you on the spot, but
12 which of those are the peace officer versions?

13 A. Would be the first -- I believe it's 8793 and
14 8795.

15 Q. Are there any -- you mentioned there are four
16 allocated positions and three filled positions in those
17 classifications, right?

18 A. That's my understanding, yes.

19 Q. Do you know whether any of the positions
20 allocated or filled are in class code 8793, Enforcement
21 Rep I?

22 A. I'm sorry, I don't really know which codes
23 they're in.

24 Q. All right. You mentioned that you hadn't
25 received any complaints from the peace officers -- the

1 Enforcement Reps who are peace officers.

2 A. Yes.

3 Q. Do you have contact with them?

4 A. Yes, I do.

5 Q. When is the last time you spoke to one of them?

6 A. I spoke to the one in Northern California about a
7 week and a half ago or so. And then about the same time
8 I spoke to one in -- actually, just this week I spoke to
9 one of the two in Southern California. And then about
10 two weeks before that I spoke to the other peace officer
11 in Southern California.

12 Q. Did you discuss with them the concept of a peace
13 officer only bargaining unit?

14 A. I discussed it with the one in Northern
15 California.

16 Q. Was the -- and who was that?

17 A. Carl Vega.

18 Q. Carl Fagin?

19 A. Vega.

20 Q. Vega.

21 A. V-E-G-A.

22 Q. Is Mr. Vega supportive of the concept of a peace
23 officer only bargaining unit?

24 A. I don't think so.

25 Q. All right. The situation where this

1 reclassification occurred, how recent was that in time?

2 A. Which conversation?

3 Q. Reclassification. The reclassification of the
4 Enforcement Reps to create four allocated peace officers,
5 when did that happen?

6 A. It might say in this document.

7 ADMINISTRATIVE LAW JUDGE CLOUGHESY: What's the --
8 what's the question again, Mr. Rose?

9 BY MR. ROSE:

10 Q. When did they make -- when did they make some of
11 those jobs peace offices?

12 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Oh, very good.

13 THE WITNESS: It looks like title changed -- most
14 recently title changed looks like 11-30-07.

15 BY MR. ROSE:

16 Q. Okay. And we're looking at --

17 A. Possibly, yeah. That's --

18 Q. We're looking at this last page of that Class
19 Spec, correct?

20 A. I believe it's the third to last page of the --

21 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Third to last
22 page of the exhibit.

23 THE WITNESS: Of the exhibit.

24 BY MR. ROSE:

25 Q. There's an -- there's an attachment behind that

1 that says Proof of Service, right?

2 A. Yes. It's the page prior to the Proof of
3 Service.

4 Q. Okay. Very good. Now, what happened when the --
5 did you receive any feedback from the non-sworn members
6 of your affiliate about the fact that these three
7 employees had received pay raises?

8 A. Yes. Everybody was looking forward to getting a
9 pay raise, but it didn't materialize.

10 Q. Was it -- was there anything they said? Were
11 they unhappy about the fact that they didn't get the pay
12 raise that they were looking for?

13 A. Yes.

14 Q. Did it create tension, the fact that there were
15 some classifications -- peace officers who had received a
16 pay raise and the other classifications did not?

17 MR. MESSING: I'm going to object. Vague and
18 ambiguous. No foundation. Tension as to who?
19 Individuals with --

20 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Actually, as to
21 attention at least, were you able to tell whether there's
22 some tension, or probably disgruntledness is probably the
23 best word, among the non-peace officers that they were
24 the have nots and the others were the haves?

25 THE WITNESS: I don't think there was tension between

1 the sworn and the non-sworn. There was disappointment at
2 not getting more money.

3 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay.

4 BY MR. ROSE:

5 Q. Did you hear from your affiliate members, the
6 non-sworn Enforcement Reps, that it was unfair that they
7 didn't get a pay raise, and that the peace officers did?

8 A. No, I didn't hear that.

9 Q. Is it your belief that the pay raise that the
10 peace officers got should have been applied uniformly
11 across the board to all Enforcement Representatives?

12 A. It would have been nice, but the agreement was
13 made and it was executed and it was proper. It was
14 accomplished -- the State -- I'm sorry. I don't really
15 understand your question.

16 Q. Okay. I'll ask it a different way. Were you
17 involved in the collective bargaining process for the --
18 for the -- for that process, the bifurcation, if you
19 will, of those class -- the classification into peace
20 officer or non-peace officer?

21 A. No.

22 Q. Did CSLEA solicit your input in 2007 as to
23 whether that would be a good idea?

24 A. What specifically would be a good idea?

25 Q. The bifurcation of the classifications from --

1 the classification of Enforcement Representative into
2 peace officer and non-peace officer versions.

3 A. No.

4 Q. All right. And you were on -- you said you've
5 been on the affiliate Board for -- since 2000, correct?

6 A. Yes.

7 Q. And you've been the Treasurer since 2001?

8 A. Yes.

9 Q. Were you surprised after this change occurred
10 having not been -- having not had your input solicited
11 from CSLEA's leadership?

12 A. I believe at that time it was not within the --
13 that was at the -- the time you're speaking of is the
14 time period in which the State took action, the way I'm
15 interpreting it. The State had a certain time period to
16 take action. I am not -- when I'm giving you the
17 answers, I'm not speaking of the bargaining process prior
18 to that.

19 Q. But the State took action to change someone's
20 wages, correct?

21 A. Yes.

22 Q. And took action to change the job duties of an
23 employee -- or a classification of employees represented
24 by your affiliate, or at least by CSLEA, right?

25 A. Yes.

1 Q. And that's a matter within the scope of
2 representation for CSLEA, correct?

3 MR. MESSING: Object. Calls for a legal conclusion.

4 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Sustained.

5 BY MR. ROSE:

6 Q. Well, you are -- you've been an officer of your
7 affiliate, a labor organization, for nine years, correct?

8 MR. MESSING: Object. That mischaracterizes the
9 testimony. It's vague and ambiguous.

10 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Well, he's a
11 member of the Board I think he said since 2000.

12 MR. ROSE: Yes.

13 THE WITNESS: 2001.

14 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Oh, all right.

15 THE WITNESS: Is when I became a member of the Board.

16 ADMINISTRATIVE LAW JUDGE CLOUGHESY: I thought you
17 said 2000.

18 THE WITNESS: It was 2000, but I wasn't the Treasurer
19 since 2000.

20 BY MR. ROSE:

21 Q. Is a Board member considered an officer of the
22 affiliate organization?

23 A. Yes.

24 Q. Okay. So you've been an officer of the affiliate
25 organization for nearly nine years, correct?

1 A. Yes.

2 Q. And during that time you've received training on
3 labor relations from CSLEA?

4 A. Yes.

5 Q. How many training sessions have you attended?

6 A. I'd say about nine or ten.

7 Q. have you studied on your own anything relating to
8 labor relations to help fulfill your duties as an offer
9 of the affiliate?

10 A. Mostly the contract and provisions affecting how
11 a person could defend themselves in various actions that
12 might be taken against them.

13 Q. So you're familiar that the State Employer has an
14 obligation to meet and confer about changes to wages,
15 hours, terms and conditions of employment under the Dills
16 Act, correct?

17 A. I've not studied that, no. But yes, I'm aware of
18 that.

19 Q. You are aware of it. So when -- getting back to
20 my earlier question, when you learned that there had been
21 a change in both job duties and salary of a
22 classification of employees within your affiliate and you
23 hadn't been contacted by CSLEA about that in advance,
24 were you surprised?

25 A. Would you please clarify what you mean that I was

1 surprised about? What are --

2 Q. Okay. You mentioned that you were not -- let me
3 break this down into a few parts. You mentioned you
4 hadn't been contacted in advance about the change,
5 correct?

6 A. That's correct.

7 Q. And I believe you mentioned that your non-sworn
8 employees that you represent had wished they had also
9 received a pay raise, correct?

10 A. Yes.

11 Q. And it wasn't until, correct me if I'm wrong,
12 after the change was implemented that you learned about
13 it, true?

14 A. It was about that same time.

15 Q. After the agreement had already been reached?

16 A. I don't know if it was after or right before, but
17 I believe you're probably correct. It was probably
18 after.

19 Q. And did you --

20 A. But I'm not sure.

21 Q. Okay. And did you object to the change at the
22 time that you learned of it?

23 A. I was unhappy about it. But no, I -- it was
24 beyond my control. It was not a point in time where I
25 could -- it was already in process. It wasn't -- I

1 wasn't part of the bargaining team that reached the
2 bargaining agreement with the State, and I -- as not --
3 as I was not part of the bargaining team, once the
4 agreement's been made, I don't think I have a way to
5 affect it after it's been agreed to.

6 Q. Is that why you didn't object? I'll withdraw the
7 question.

8 Did you -- did you voice concern at any time to CSLEA
9 about that change? And we're talking about the same
10 change we've been talking about, the bifurcation of
11 Enforcement Rep into peace officers and non-peace
12 officers.

13 A. I let them know that there -- the Enforcement
14 Representatives which did not get that step increase were
15 unhappy.

16 Q. And who did you let know?

17 A. People within the CARI Board.

18 Q. Within the CARI Board?

19 A. Correct.

20 Q. Do you know whether there was any further action
21 taken by anyone on the CARI Board to communicate that
22 unhappiness to CSLEA's leadership?

23 A. Yes, I believe so.

24 Q. Who communicated it, if you know, to CSLEA's
25 leadership?

1 A. Bruce Hotchkiss.

2 Q. And who did Bruce speak to?

3 ADMINISTRATIVE LAW JUDGE CLOUGHESY: If you know.

4 THE WITNESS: I really don't know.

5 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay.

6 BY MR. ROSE:

7 Q. How do you know Bruce Hotchkiss communicated
8 that?

9 A. I don't know for sure if he did. I believe he
10 did, but I don't know.

11 Q. Okay. Now, the peace officer Enforcement
12 Representatives, where are they, the three of those
13 individuals, assigned to work?

14 A. One is assigned to work out of Northern
15 California Regional Headquarters, and the other two out
16 of the Southern California Regional Headquarters.

17 Q. If one of those peace officer employees didn't
18 come to work one day for whatever reason, would you be
19 able to fill in in that employee's shoes for the day?

20 A. It's not that type of a job. We have -- we have
21 assigned caseload, and it's not like I would for one day
22 go try to make myself familiar with all the cases
23 assigned to that Investigator to fill in for him.
24 It's -- when you go on vacation, they don't reassign your
25 cases. You keep your same cases. But if I had to, I

1 could fulfill the non-peace officer functions and
2 basically, yes, I could perform whatever it is they
3 perform. However, I would not be able to make arrests,
4 and I couldn't serve search warrants.

5 Q. When the employees -- when the Enforcement
6 Representative classification was split into a peace
7 officer version and non-peace officer version in November
8 2007, were the existing -- were there existing employees
9 who were then moved into those positions?

10 A. Yes.

11 Q. And did those employees have to undergo
12 additional requirements in order to meet the standards
13 for peace officer?

14 A. No. They were already peace officers.

15 Q. Oh, I see. They were already peace officers in
16 other State agencies?

17 A. No. Within our agency they were already peace
18 officers.

19 Q. Okay.

20 A. We had sworn and non-sworn Enforcement
21 Representatives. They were simply -- the classification
22 was the same for both. Then they separated the peace
23 officers from the non-peace officers.

24 Q. I see. So then the classification actually --
25 the change was actually a catch-up for what was already

1 actually happening. Is that a fair statement?

2 A. No. No. It wasn't a catch-up. We both do the
3 same job. However, the agency has been allotted a
4 certain number of peace officer positions. The functions
5 and duties are the same with the exceptions I've
6 mentioned. And the way it was set up in the contract was
7 that this classification got the pay raise. And the
8 State was able to reclassify the people to move them out
9 of the class which got the pay raise.

10 Q. Do those peace officer Enforcement
11 Representatives carry a firearm?

12 A. I have not seen them carrying a firearm.

13 Q. Do they wear a badge?

14 A. No, not that I've seen. They usually -- when
15 I -- when I see them they're not -- they're usually in
16 the office.

17 Q. Okay.

18 A. I don't usually see them at the stings. But at
19 the stings they probably -- they -- some of them wear
20 coats to identify themselves.

21 Q. Do the coats say police on them?

22 A. It would usually say SWIFT, the name of the unit.
23 And I believe that it's possible some may or may not.
24 Honestly, not having been there, I don't know. I've seen
25 photos and I've seen, you know, the SWIFT logo and I've

1 seen people with other vests from other agencies in the
2 photos. Because we do conduct joint operations.

3 Q. Do the -- do they drive -- do you know what code
4 three lights are? Are you familiar with that term?

5 A. I'm not familiar with that term, no.

6 Q. Do you know whether the peace officers at the --
7 Enforcement Representatives drive vehicles equipped with
8 lights and sirens?

9 A. I don't think they do.

10 Q. All right.

11 A. In Northern California there may be, but I don't
12 know. In Southern California I don't believe they do.

13 Q. Prior to the November 2007 change in the class
14 spec, how long had peace officers existed in the
15 Department, if you know?

16 A. They've existed since I started with the agency
17 back in, you know, 18 and a half years ago. They've been
18 there all along. When they first became peace officers,
19 or if they were always peace officers, I'm sorry, but I
20 don't know.

21 Q. Okay. Fair enough. The duties of those peace
22 officer Enforcement Representatives, how do they differ,
23 if at all, from the job duties of a non-peace officer
24 Enforcement Representative?

25 A. They don't.

1 Q. The only difference is that they can make arrests
2 and serve search warrants. They actually perform the
3 same tasks. However, because they can make arrests and
4 when we conduct the sting operations we need somebody
5 that can make arrests, they are basically assigned to the
6 SWIFT Unit, which is the unit which conducts stings and
7 would be in the position to need to make arrests.

8 Q. Is it fair to say because of the peace officers'
9 powers of arrest it would be extremely difficult for the
10 SWIFT Unit to function effectively without a peace
11 officer?

12 A. They do function at times without a peace officer
13 in which they enlist the services of a local police or
14 sheriff. Because we do on occasion have to take somebody
15 into custody.

16 MR. ROSE: All right. Nothing further. Thank you.

17 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Ms. Truong?

18 MS. TRUONG: I just have a couple quick questions.

19 CROSS-EXAMINATION

20 BY MS. TRUONG:

21 Q. You stated that in the past year the peace
22 officers -- Enforcement Representative peace officers got
23 a pay raise which the non-sworn peace -- non-sworn
24 Enforcement Representatives did not receive; is that
25 correct?

1 A. That's correct.

2 Q. Did you receive a pay raise prior to last year in
3 2007?

4 A. We did receive a pay raise prior to that, yes.

5 Q. Did you receive a pay raise in 2006?

6 A. I believe so, yes.

7 Q. Do you know the cumulative amount of those pay
8 raises?

9 A. Not offhand. But it was more than the pay raise
10 that we missed. The cumulative amount was more than the
11 two and a half percent which we missed.

12 MS. TRUONG: Okay. No further questions.

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Messing?

14 MR. MESSING: No questions.

15 MR. ROSE: Just a couple more.

16 FURTHER CROSS-EXAMINATION

17 BY MR. ROSE:

18 Q. The pay raises in 2007 and 2006 applied across
19 the board to both sworn and non-sworn versions of
20 Enforcement Representatives?

21 A. Yes.

22 MR. ROSE: Okay. Thank you.

23 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.

24 Nothing from Mr. Messing. And sir, I need to admonish
25 you not to discuss your testimony with any of the

1 witnesses. You're free to discuss your testimony with
2 anyone at these three tables. Do you understand the
3 admonishment?

4 THE WITNESS: Yes, I do.

5 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And thank you
6 very much. With that, Exclusive Rep X is admitted.

7 (Exclusive Representative's Exhibit X received
8 in evidence.)

9 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Off the record.

10 (Off the record.)

11 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.

12 We're back on the record. We have another witness called
13 by the Exclusive Representative. I'm going to ask this
14 witness to raise your right hand.

15 (Witness sworn.)

16 THE WITNESS: I do.

17 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Please state
18 your name for the record, spelling your last name.

19 THE WITNESS: John Knight. K-N-I-G-H-T.

20 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.

21 Mr. Knight, have you reviewed any transcripts of these
22 proceedings?

23 THE WITNESS: Just what was on the internet. I
24 mean --

25 ADMINISTRATIVE LAW JUDGE CLOUGHESY: So we're talking

CERTIFICATION AND
DECLARATION OF TRANSCRIBER

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2
3
4 I, Leisa M. Miller, a duly designated transcriber of
5 Vine, McKinnon & Hall, do hereby declare and certify
6 under penalty of perjury that I have transcribed from a
7 CD recording the proceedings in the matter of STATE OF
8 CALIFORNIA, Employer, and PEACE OFFICERS OF CALIFORNIA,
9 Petitioner, and CALIFORNIA STATEWIDE LAW ENFORCEMENT
10 ASSOCIATION, Exclusive Representative, Unfair Practice
11 Charge No. SA-SV-171-S, which recording was duly recorded
12 at Sacramento, California on March 12, 2009, and that the
13 foregoing pages 1 through 218 constitute a true, complete
14 and accurate transcription of the aforementioned
15 recording to the best of my ability.

16 Dated this 29th day of March, 2009, at Dixon,
17 California.

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