

## General Manager

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**From:** P.O.C. Public Information Officer [pio@peaceofficers.org]  
**Sent:** Tuesday, May 12, 2009 10:07 AM  
**To:** Public Information Officer (PIO)  
**Subject:** PERB Hearings Complete



## PEACE OFFICERS OF CALIFORNIA e - MEMO

**To** : All Sworn Peace Officers eligible to form their own Peace Officer Only Bargaining Unit (BU 22)  
**From** : The Public Information Officer on behalf of the **P.O.C.** Board of Directors  
**Subject** : **PERB Hearings Complete**  
**Date** : Tuesday 12<sup>th</sup> May 2009

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### PERB Hearings Complete

Testimony in the Unit 7 severance hearings has been completed and the various sides are preparing their final arguments. A ruling on the matter is expected by the middle of August.

In September of 2008 Peace Officers of California (**P.O.C.**) submitted a petition to the Public Employment Relations Board (PERB) requesting that all Peace Officers be severed from the current Bargaining Unit 7 and placed in a new unit. That petition contained the signatures of over 1,400 state peace officers, well over ½ the membership of the proposed new unit, and differs from a decertification petition. The goal of this movement is not to decertify the current representative but instead to create a new bargaining unit so that state peace officers might be able to bargain on their own merits rather than be subject to the majority rule of other state employees.

In January 2009 testimony started in front of Administrative Law Judge Shawn Claghesy of PERB. The three parties in the matter, **P.O.C.**, the California Statewide Law Enforcement Association (CSLEA), and the Department of Personnel Administration (DPA), each had an opportunity to present their case. **P.O.C.** called dozens of witnesses and made a strong case that the current makeup of Unit 7 is flawed, that peace officers have a specific legal right to form their own unit, and that representation over the years has not been adequate. A gag order imposed by Judge Claghesy prevents any party from discussing the specifics of the hearings.

All three parties now have 60 days to prepare their closing briefs, exchange the briefs, and then follow-up in 30 day with final briefs, and at which point Judge Claghesy will rule on the matter. "Our case has been presented thoroughly and professionally, and we expect the Judge will agree that a new bargaining unit is in the best interests of all involved," said Chris Lewis, **P.O.C.** President. "The wheels of the PERB process may move

slowly, but they have been moving steadily towards our goal for almost 2 years now. Victory will mean fair representation for state cops, and help to place state law enforcement back at the top of the industry, where it belongs”.

All parties have the option of appealing Judge Claughesy’s ruling to the full five-member PERB board, which could add several months to the process.

In other news:

The **P.O.C.** membership roles continue to grow, and **P.O.C.** will be announcing a comprehensive lineup of insurance services in the near future. These services will offer access to superior programs at very competitive prices, and along with our strong legal defense fund will provide officers with all their benefits needs.

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