

**From:** [P.O.C. Public Information Officer](#)  
**To:** [pbarty@peaceofficers.org](mailto:pbarty@peaceofficers.org)  
**Subject:** FW: President's Message Regarding "PERB Rejects" CSLEA Appeal on Due\$"  
**Date:** Wednesday, January 06, 2010 10:25:26 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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## PEACE OFFICERS OF CALIFORNIA e - MEMO

**To** : All Sworn Peace Officers Eligible to form their own Peace Officer Only Bargaining Unit (BU 22)

**From** : [P.O.C.](#) President Chris Lewis

**Subject** : **President's Message Regarding "PERB Rejects' CSLEA Appeal on Due\$"**

**Date** : Tuesday 5<sup>th</sup> January 2010

Dear Bargaining Unit 7 Members,

*Peace Officers of California (P.O.C.)* just received written notification that the Public Employment Relations Board (PERB) is adopting the Administrative Law Judge's (ALJ) decision in Edelen/Lewis vs. CSLEA, against CSLEA's appeal. As you may know, the PERB ALJ found CSLEA *VIOLATED* employee rights guaranteed in government code and the Ralph C. Dills Act by not allowing employees control over their membership dues.

- 1) [PERB Board Ruling](#)
- 2) [ALJ's Decision](#)

CSLEA can now let PERB's decision stand or apply for reconsideration from the Board within 20 days. Reconsideration would likely be denied shortly after any appeal; but, then CSLEA could theoretically ask an appellate court to hear the case, if the union wanted to pay all the associated costs for the same outcome. CSLEA will have to decide if the cost of continued legal action, in order to garnish our checks, is penny wise or pound foolish.

All along, this decision, the severance campaign, and our struggle for a peace officer only union have been a story, of not only [P.O.C.](#)'s perseverance, but also of the character of CSLEA's leadership. CSLEA's reasoning, not unlike the State's or any other big employer is simple... they think that they can simply outlast their opponents by outspending them in legal competition, where justice delayed is justice denied.

- CSLEA has been ORDERED by the PERB Board and the Administrative Law Judge to *CEASE AND DESIST* from honoring requests to withdraw from CSLEA

membership. CSLEA (not the state) has violated employee rights in continuing to illegally take vitally needed money out of your pay check. Over your career CSLEA collects enough money out of your pocket that you could have purchased a new car or sent a kid to college. Do you think CSLEA is worth it? Isn't your union supposed to protect employee rights, not violate them? ***Look for the legal posting of this decision (included in this e-message) to be posted in your workplace within 10 days.***

- Any member who attempted to resign from CSLEA after July 2008, but was told they were ineligible to resign by CSLEA or their representative should now receive a retroactive dues refund from CSLEA with interest from the date your resignation was denied. ([Try this template letter](#))

**NOTE: If you attempted to resign at some point prior to this decision and CSLEA refused to refund your money, please contact us so that we can help take your case before PERB. We believe this ruling should also apply to all members who were dissuaded from resigning from CSLEA by false or misleading statements from the union or their representatives.**

- Any member of Bargaining Unit 7 (BU7), sworn or non-sworn, is immediately free to become a CSLEA fair-share fee payer and object to paying full fair share fees and reduce their CSLEA dues to a \$31.50 per month *maintenance fee*. CSLEA must still represent all BU7 employees in grievances and workplace issue complaints covered in the BU7 Contract/MOU. ([Try this template letter](#)) and please make sure you let us know on the form if you want us to hold off on paying dues until the PERB decision is final.)

So, with the *all powerful* CSLEA legal team that is the “envy of all the other bargaining units” (according to CSLEA), why does the union take no action? Barcelona and CSLEA were wrong about taking a wait and see attitude about the furlough lawsuits, just as they were wrong that furlough lawsuits would weaken CSLEA's hand at the bargaining table. Rather than spend our dues money to fight furloughs, CSLEA President Alan Barcelona gave himself a \$ ½ Million office remodel instead.

In fact, if CSLEA spent more time representing their members, instead of wasting time and effort retaliating against those who dare raise questions, we might actually have a contract by now. As we begin the 16<sup>th</sup> year of the Barcelona Legacy, and over 25 years of CSLEA representation, ask yourself; do I really receive equal or superior pay and benefits than my brothers and sisters in CCPOA and CAHP?

Sincerely,

Chris Lewis, President, *Peace Officers of California*



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