



SOUTH FEATHER WATER & POWER AGENCY

TO: Board of Directors

FROM: Michael Glaze, General Manager

DATE: June 19, 2007

RE: Decertification of SEIU Local 1021
6/26/07 Board of Directors Meeting

On April 11, 2007, members of the Agency's Clerical and Support Employees Unit (CSEU) unanimously signed a petition requesting decertification of SEIU Local 1021 as the exclusive representative of the unit.

I sent a letter to SEIU on April 13 transmitting a copy of the petition and inquiring if SEIU would consider an informal process – as opposed to inviting State Mediation and Conciliation Service in to conduct an election – given the unanimous nature of the request by unit members.

After not getting a response to my letter from SEIU, I emailed Curtis Lyon of the Mediation and Conciliation Service on May 4, inquiring as to his availability to conduct a decertification election. Shortly thereafter, Ulysses Madison of SEIU Local 1021 left a voice-mail message stating that SEIU was willing to pursue an informal process.

After receiving nothing in writing from SEIU, on May 30th I sent another letter to Local 1021's president, Damita Davis-Howard, stating the following:

...although I have not received official confirmation that SEIU has approved the decertification, I am hereby authorizing that withholding SEIU union dues from unit members' paychecks be discontinued effective May 20, 2007. Further, I will be asking the Agency's Board of Directors to take action at its meeting on June 26, 2007 to confirm the decertification of SEIU Local 1021 as the exclusive representative of the Clerical and Support Employees Unit, thereby allowing unit members to seek alternate representation, or self representation, at the earliest feasible date thereafter.

Subsequently, Mr. Madison conducted a site visit and then met with me in my office. He reaffirmed that SEIU Local 1021 will not oppose its decertification as the exclusive representative of the CSEU members. Therefore, the following action is recommended:

"I move adoption of Resolution No. 07-6-2, terminating the Agency's recognition of Service Employees International Union, Local 1021, as the exclusive representative of the Clerical and Support Employees Unit members regarding employment conditions and wages, hours, and other terms and conditions of employment."



SOUTH FEATHER WATER & POWER AGENCY

RESOLUTION OF THE BOARD OF DIRECTORS

RESOLUTION No. 07-6-2

DECERTIFYING SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021 AS THE EXCLUSIVE REPRESENTATIVE FOR THE CLERICAL AND SUPPORT EMPLOYEES UNIT

WHEREAS, South Feather Water and Power Agency is a public agency formed pursuant to the provisions of Water Code § 20500 *et seq.* and is subject to the provisions of the Meyers-Milias Brown Act at Government Code § 3500 *et seq.*; and,

WHEREAS, the Board of Directors is authorized to recognize employee organizations that represent Agency employees regarding employment conditions and wages, hours, and other terms and conditions of employment; and,

WHEREAS, on April 22, 2003 the Board of Directors did establish the Clerical and Support Employees Unit as a recognized unit of representation within the employees of SFWPA; and,

WHEREAS, after receiving a petition signed by the majority of the then-current members of the Clerical and Support Employees Unit, the Board of Directors, by Resolution No. 04-2-1, recognized Service Employees International Union (SEIU), Local 1292 as the exclusive representative of the Clerical and Support Employees Unit members regarding employment conditions and wages, hours, and other terms and conditions of employment and the Board did further authorize, in accordance with Government Code Section 3502.5(a), an agency shop with Local 1292; and,

WHEREAS, SEIU Local 1292 notified South Feather Water and Power Agency by letter dated February 26, 2007 that it was assigning its responsibilities for representation of Clerical and Support Employees Unit members to SEIU Local 1021, and the Board of Directors took action on March 27, 2007 to accept said assignment of responsibilities.

WHEREAS, a petition was signed on April 11, 2007 by all members of the Clerical and Support Employees Unit expressing their desire to decertify the Service Employees International Union, Local 1021 as their exclusive representative; and,

WHEREAS, by letter dated April 13, 2007, the General Manager of SFWPA did notify SEIU Local 1021 of said request, and offered to conduct a decertification election, or, in lieu thereof, to meet and confer for the purposes of stipulation to decertification given the the unanimous position of all members of the C and S Employees Unit; and,

WHEREAS, no election has been requested by SEIU Local 1021 and the General Manager, on June 6, 2007, was advised by Ulysses Madison of SEIU Local 1021 that it has no objection to the requested decertification; and,

WHEREAS, decertification and termination of the agency shop agreement for the Clerical and Support Employees Unit is authorized in accordance with the provisions of Government Code Section 3502.5 (d).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the South Feather Water and Power Agency that, effective as of the date hereof, recognition of Service Employees International Union, Local 1021, as the exclusive representative of the Clerical and Support Employees Unit members regarding employment conditions and wages, hours, and other terms and conditions of employment is terminated.

BE IT FURTHER RESOLVED that the agency shop agreement with SEIU Local 1021 is terminated as of the effective date hereof.

PASSED AND ADOPTED by the Board of Directors of the South Feather Water and Power Agency at the regular meeting of said Board on the 26th day of June, 2007, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

(seal)

James Edwards, President

Michael C. Glaze, Secretary