

Union of American Physicians and Dentists
UAPD, the largest post-graduate Doctor's Union in the United States, represents the more than 1800 doctors who work for the State of California.

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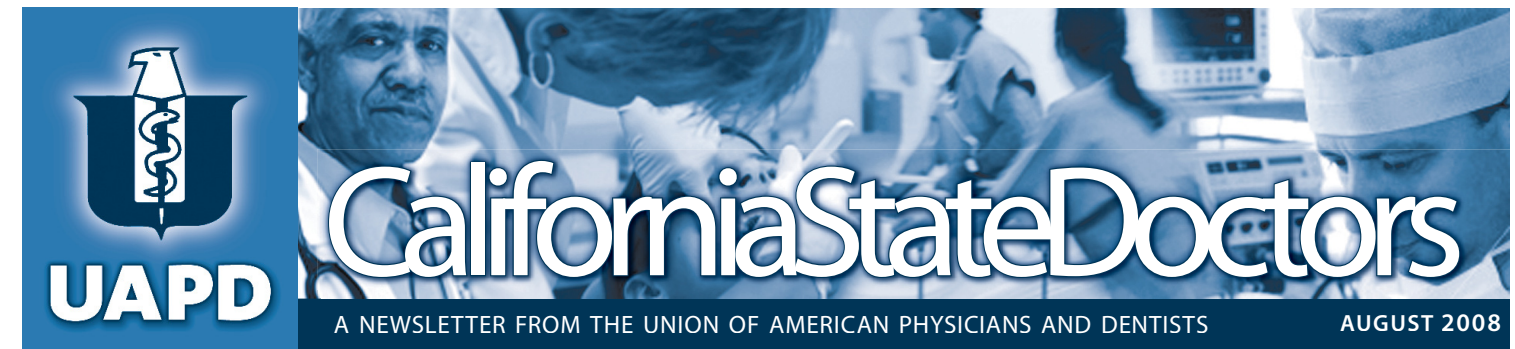
UAPD news in brief

AB 3043 Passes: The bill to finalize the last of the nine salary increases negotiated between UAPD and the Department of Personnel Administration in 2007 was approved by the Legislature and signed into law. The bill covered the second of the two Plata Equity Increases (effective January 1, 2008) for DMH, DVA, and DDS Physicians and Surgeons and Podiatrists. The other increase covered by this bill is the second of two Perez Equity Increases (effective January 1, 2008) for DMH, DVA, and DDS Dentists. UAPD will notify doctors when pay letters for these increases have been issued. The pay increases will be retroactive to January 1, 2008 for both raises. A big thank you to the union stewards and staff who helped coax the bill through the Legislature!

Pension Choices for Some: Doctors hired **on or after** August 11, 2004 will have an important decision to make that will affect their CalPERS retirement benefits. Doctors hired after 2004 are enrolled in the Alternative Retirement Program (ARP) instead of CalPERS during their first two years of employment. However, between their 47th and 49th month of employment **ONLY** these doctors have a one-time opportunity to receive CalPERS service credit for those first two years of work by transferring the funds in their ARP account to CalPERS. Most doctors benefit from making the transfer, which requires returning paperwork to the state. Visit the State Doctors section of www.uapd.com to learn how to take advantage of this limited time offer.

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Negotiations Continue for State Doctors

The UAPD Bargaining Team met with representatives from the State of California for the first bargaining session on Wednesday, June 4. In the first six meetings, both sides have made good progress towards an agreement, though the major economic issues—which have the greatest potential for disagreement—have yet to be discussed.

In the opening weeks of negotiations, much time at the table is spent requesting and receiving data, and this bargaining has been no exception. UAPD continues to press the State for information on the discipline of doctors, use of contractors, funding for departments, and other matters, which our team will use to formulate proposals over the course of bargaining. The State has responded to our information requests so far in a timely and thorough manner. Some of the data the State provides will be used to support our position that DHCS, DPH, and DSS Doctors, who were not included in last year's round of



Left to Right: Dr. Bryan Quattlebaum, Al Groh, Dr. Mubashir Farooqi, Dr. Stuart Bussey, Dr. Cuong Nghiem, Sandra Semien, Zegory Williams, Dr. Georgia Thomatos

pay increases, can and should be given salary increases now. The State has also begun to provide data on the number of outside contractors in the various departments. UAPD knows that the large number of contractors in some agencies is evidence of a recruitment and retention problem that can be corrected only by making improvements in our contract. Also at the request of the UAPD Bargaining Team, representatives of the State of California gave presentations on the State Disability Insurance (SDI)

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UAPD Talks to the Receiver

Kelso Launches Prison Hospital Plan

On July 16th, UAPD Labor Representatives attended a meeting run by CDCR Receiver Clark Kelso, his Chief of Staff John Hagar, and Bill Proctor, the Program Director for New Facilities. The group outlined the Receiver's plan to build seven secure, stand-alone medical facilities to treat 10,000 prisoners with chronic medical and psychiatric conditions. UAPD was encouraged by the Receiver's commitment to staff the new facilities exclusively with permanent Civil

Service employees. While the specifics are not yet known, Hagar anticipated that opening the new facilities would not significantly reduce the need for doctors inside the prisons. Some other information learned:

Each of the seven facilities will have about 1,500 beds, split equally between medical and psychiatric units. Two of the facilities will also separately house women prisoners. The medical facilities will not be acute care hospitals and

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UAPD Fights Governor's Order

On July 31st Governor Schwarzenegger signed an Executive Order that holds State workers hostage until the California Legislature comes to agreement on the State budget. The Order immediately terminated 10,000 temporary and part time workers, and dramatically cut the salary of remaining State employees until agreement on the budget is reached. Under the Order, employees will receive full back pay only once the budget is settled. While there is still a great deal of uncertainty about how this Order will affect UAPD doctors, the following is a summary of what is known to date.

Most recently, the Executive Order is being interpreted by the Department of Personnel Administration (DPA) to mean that doctors, as exempt employees, will receive *no pay* until the budget is settled, even if they provide critical services. Nothing has been provided in writing and UAPD cannot know whether this is the final position DPA will take. State Controller John Chiang has stated that he will continue to pay the full salaries of all State employees, including doctors, despite the Executive Order, which he considers both unnecessary and illegal. The Schwarzenegger Administration has filed a suit against Chiang's office to force him to comply with the Order. Doctors will likely continue to receive full paychecks while this conflict plays out in court. Conversations between the Union and Receiver Clark Kelso have confirmed that Kelso is trying to exempt Physicians covered by the Plata ruling from Schwarzenegger's Order.

Now that the Order's impact on doctors is known, UAPD will take legal action on the matter. Look for future updates with more information on what form the legal strategy will take. The Union is also fighting the Order through other means. UAPD Board Members have already lead thousands of UAPD and AFSCME workers in a protest against the Order in San Francisco. UAPD President Stuart Bussey, M.D., J.D., testified before the State Senate last week, criticizing the Governor's plan and challenging the shaky legal ground on which it rests.

Because this situation continues to change daily, please visit the new UAPD website at www.uapd.com for the latest information. Provide a personal (non-work) e-mail address to receive regular updates in your inbox.



Kelso's Plan

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will not perform surgeries. The psychiatric side will treat higher acuity patients.

A commitment to staff new facilities exclusively with permanent Civil Service employees

The facilities will be located near urban areas, oftentimes near existing CDCR prison facilities.

Ground will be broken in January 2009 on the first facility, which is expected to open in early 2011. The first three facilities will be built in Stockton, San Diego and

Ventura. Other sites are Chino, Tracy, Folsom, Vacaville, and, as a backup, Whittier. Construction on a new site will begin every 3-6 months until completion.

Each facility will be run by a medical administrator, not a warden.

The Receiver will contract with CDCR and DMH to staff the facilities. The Receiver will recommend that the State not hand the facilities back to CDCR upon his departure, but open a new department to administer them.

The Receiver hopes to fund construction with long-term lease revenue bonds, which require Legislative approval. If the Legislature does not approve the bonds, the Receiver has stated his intent to withdraw money from the State's general fund. The funding issue could come to a head as soon as August.

Members can contact their UAPD Labor Representatives with questions about how the plan will impact their jobs, and check the UAPD website www.uapd.com for updates.

Negotiations Continue

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Program and the Non-Industrial Insurance (NDI) Program, so the team could evaluate which better serves the needs of our members.

Also typical for the first half of negotiations, both sides continue to focus largely on non-economic issues. Economic issues, such as salary increases and benefit improvements, are typically handled in the later part of bargaining. Some of the issues now being negotiated are:

Mandatory Rest Periods -- UAPD achieved a victory when the State TA'd our proposal to make rest periods an entitlement for doctors, rather than something that a doctor "may" receive at the discretion of a manager.

Continuing Medical Education (CME) Improvements -- UAPD proposed that the annual CME funding be increased from \$1000 to \$1300 in 2009,

and that, starting immediately upon ratification, all CME money would be paid automatically to each doctor every year. Under our proposal, doctors would no longer endure the lengthy and uncertain process of requesting reimbursement from the State.

On-Call -- Management's Bargaining Team seemed surprised to hear that in some facilities, an on-call doctor can receive as many as forty calls in a single night. The UAPD Bargaining Team continues to examine new ways to organize and compensate on-call work to make the system more manageable for doctors, and will make a specific proposal in a later bargaining session.

Discipline of State Doctors -- UAPD proposed that the State notify the Union upon launching an investigation of any Doctor, then update the Union every 90 days for as long as the

investigation remains open.

Membership Fees -- UAPD proposed that Dental Consultants be reimbursed for the cost of their required ADA, CDA, and county dental association memberships.

Rollovers -- Our contract covers about 130 separate issues, not all of which need to be renegotiated in each round of bargaining. When both the Union and the Employer agree that a particular section of the contract requires no change, a tentative agreement is reached on the existing contract language. The UAPD team has been carefully reviewing the contract to see where we believe the current language is best left unchanged, and have been slowly signing TAs on those articles that we don't wish to renegotiate.

Members can visit www.uapd.com for regular bargaining updates.



SEPA Membership Meeting & Steward Training

*** Registration Form for General Members ***
Stewards Will Receive a Separate Form By Mail

Members from across the state will convene to address the issues most important to doctors. Elected officers and UAPD staff will be available to answer questions and provide updates on a variety of topics. The day promises to be both informative and productive for all who attend.

**Saturday,
October 25 at the
Bahia Resort Hotel
San Diego, CA
9:30 am - 3:30 pm**

**All State-
Employed Doctors
are Invited**

**Return Form To
Reserve Your Spot**

- Yes, I will attend the SEPA General Membership Meeting on October 25, 2008 in San Diego, CA
- Yes, please reserve me a room on October 24th at the Bahia Resort Hotel (www.bahiahotel.com)
 - Single Room (\$155)
 - Double Room (\$155) 1 bed 2 beds
 - Credit Card # _____
 - Expiration Date _____

No, I do not require a hotel reservation

Name: _____

Address: _____

Phone Number: _____

Personal E-mail: _____

Fax Form to 510-763-8756 or Mail to 180 Grand Avenue, Suite 1380, Oakland, CA 94612