

# INTERNATIONAL UNION OF OPERATING ENGINEERS

Craft-Maintenance Division State of California Unit 12  
Locals 3, 39 & 501, AFL-CIO

## **IUOE Local 39 Wins Arbitration Against California Correctional Health Care Services (CCHCS) - January 24, 2018**

On January 20, 2018 arbitrator Michael Prihar issued an award in favor of IUOE Unit 12 on a grievance that was filed against CCHCS regarding assignment of work at CTF Soledad.

The grievance concerns a contract interpretation issue as to whether work performed in operating the Medical Warehouse for the CTF at Soledad for a disputed period of time was improperly assigned to non-Unit 12 workers by CCHCS.

The CCHCS is the Medical Receiver for the Department of Corrections and Rehabilitation (CDCR) and provides health care services to inmates housed in institutions, including the CTF at Soledad.

The relevant facts underlying the grievance are as follows: According to the employer, since early 2014, the employees working in the Medical Warehouse have consisted of two M&SS's, an Office Assistant (OA), and a Certified Nursing Assistant (CNA). OA's and CNA's are not in Unit 12.

Between 2014 and 2015 the two M&SS's left the Medical Warehouse. Subsequent to their departure the OA and the CNA began performing the work of the Unit 12 M&SS's for a disputed period of time. It was the Union's contention that the non-Unit 12 personnel should not be performing Unit 12 work and that the employer should have offered the work on an overtime basis to the other Unit 12 M&SS's who work in other parts of the facility.

Arbitrator Prihar agreed and in his award he stated, "The Employer violated Article 18.3 of the Memorandum of Understanding when it continued to operate the Medical Warehouse without its regular Unit 12 staff."

Steve Crouch  
Director of Public Employees