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Attorneys for Charging Party
COUNTY OF SAN LUIS OBISPO

STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD

COUNTY OF SAN LUIS OBISPO,
Charging Party,
and
SAN LUIS OBISPO COUNTY EMPLOYEES'
ASSOCIATION,
Respondent.

Injunctive Relief Request No.
Case No.:
COUNTY OF SAN LUIS OBISPO'S
EVIDENCE IN SUPPORT OF REQUEST
FOR INJUNCTIVE RELIEF

INDEX TO EVIDENCE IN SUPPORT OF THE COUNTY OF SAN LUIS OBISPO'S REQUEST FOR INJUNCTIVE RELIEF

No.	Attachment	San Luis Obispo County Department	Date
A.	Essential Staffing Chart		
B.	Declaration of Craig Piper, Deputy Director of County Department of Airports	Department of Airports	11/20/2018
C.	Declaration of Dan Dow, District Attorney	District Attorney's Office	11/20/2018
D.	Declaration of Devin Drake, Director of Social Services	Department of Social Services	11/21/2018
E.	Declaration of Anne Robin, Behavioral Health Administrator	Health Agency	11/21/2018
F.	Declaration of Daniel Milei, Director of Information Technology	Information Technology Department	11/21/2018
G.	Declaration of Ian Parkinson, County Sheriff	Sheriff's Office and County Jail	11/21/2018
H.	Declaration of Natalie Walter, Interim Child Support Services Director	Child Support Services	11/20/2018
I.	Declaration of Daniel Colt Esenwein, Director of Public Works	Public Works	11/21/2018
J.	Declaration of James Salio, Chief Probation Officer	Probation	11/20/2018
K.	Declaration of Trevor Keith, Director of Planning and Building	Planning and Building	11/20/2018
L.	Declaration of Lawrence Iaquinto, Assistant Director of Parks and Recreation	Parks and Recreation	11/21/2018
M.	Declaration of Jeff Sloan		11/21/2018

Dated: November 21, 2018

SLOAN SAKAI YEUNG & WONG LLP

By: 
 Timothy G. Yeung

Attorneys for COUNTY OF SAN LUIS OBISPO

1 **CERTIFICATE OF SERVICE**
2 **STATE OF CALIFORNIA, COUNTY OF ALAMEDA**

3 I, the undersigned, am a resident of the State of California, over the age of eighteen years, and not a party
4 to the within action. My business address is 1220 Seventh Street, Suite 300, Berkeley, CA 94710.

5 On November 21, 2018, I served the following document(s) by the method indicated below:

6 **COUNTY OF SAN LUIS OBISPO'S EVIDENCE IN SUPPORT OF REQUEST FOR**
7 **INJUNCTIVE RELIEF**

- 8 **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to
9 the persons at the addresses on the attached Service List and deposited the sealed envelope
10 with the United States Postal Service, with the postage fully prepaid.
- 11 **Overnight delivery.** I enclosed the document(s) in an envelope or package provided by an
12 overnight delivery carrier and addressed to the persons at the addresses on the attached Service
13 List. I placed the envelope or package for collection and overnight delivery at an office or a
14 regularly utilized drop box of the overnight delivery carrier.
- 15 **Electronic Mail.** Based on an agreement of the parties to accept service by e-mail, copies of
16 the above document(s) in PDF format were transmitted to the e-mail address(es) of the parties
17 listed below on 11/21/18. No delivery errors were reported.

18 Pat McNamara
19 SLOCEA General Manager
20 San Luis Obispo County Employee's Assoc.
21 1035 Walnut Street
22 San Luis Obispo, CA 93401
23 Telephone: 805-543-2021

Dennis J. Hayes
Hayes, Ortega & Sanchez, LLP
3625 Ruffin Road, Suite 300
San Diego, CA 92123
Telephone: 619-297-6900
Email: djh@sdlaborlaw.com

24 *Representative for SLOCEA*

Attorney for SLOCEA

25 I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
26 Executed on November 21, 2018, at Berkeley, California.

27 

28 Rochelle Redmayne

EXHIBIT A

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Airport</u> Operations Specialist	2 (10 hour shifts Monday through Sunday)	NA	1	0	<ul style="list-style-type: none"> • Responding to aircraft incidents at any time by assisting in the reporting to federal agencies. • Recovery of the aircraft and safety inspections of the affected areas to ensure continued safe operations. • respond to security incidents by identifying involved parties, making necessary notifications to appropriate agencies and ensure continued security of the airport. 	1
<u>Airport</u> Maintenance Worker	6 (10-hr shifts staggered to cover 24 hours a day, 7 days a week)	10-hr shifts staggered to cover 24 hours a day, 7 days a week	3 per 24- hour period (in staggered shifts)	0	<ul style="list-style-type: none"> • Monitor ID badge holders; assist with ingress and egress of emergency responders from non-airport agencies such as ambulance, law enforcement and fire; monitor and enforce environmental compliance of airport users and respond to and contain fuel and oil spills to prevent contamination of creeks and streams. 	3

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					<ul style="list-style-type: none"> • Airport Maintenance Workers respond to all alarms. 	
<u>Airport</u> Operations Supervisor	1 (8 hour shift, Monday through Friday; on-call 24 hours a day)	NA	1	0	<ul style="list-style-type: none"> • Airport certification requires “adequate” staffing and airport is currently operating with an adequate level of staffing and cannot go any lower. • Responding to aircraft incidents at any time by assisting in the reporting to federal agencies, recovery of the aircraft and safety inspections of the affected areas to ensure continued safe operations. 	1
<u>Animal Control</u> Officer	6 (10 hour shifts Monday through Saturday)	NA	3	0	<ul style="list-style-type: none"> • First responders to assist in all emergency cases involving animals. • Patrol assigned areas and investigate complaints and emergency calls regarding animals during the day or night hours. 	3

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Animal Control</u> Animal Care Technician	3.5 (8 hour shifts Monday through Sunday [½ shift on Sunday].)	NA	2	0	<ul style="list-style-type: none"> • Feeding and care for sheltered and impounded animals; cleans animal pens and cages. • Maintaining Animal Shelter facility, related grounds, and equipment in a clean, safe and orderly condition. • Administering vaccinations and microchips in accordance with prescribed procedures. • Segregate, quarantine and prepare animals suspected of having rabies for laboratory analysis. 	2
<u>Animal Control</u> Administrative Assistant III	4 (8 hour shifts Monday through Friday)	NA	1	0	<ul style="list-style-type: none"> • Process animal bit reports and failure to receive and process animal bite reports results in delay of animal quarantine and rabies evaluation leading. • Process animal outcomes including adoptions and returns to owners. Overcrowding would necessitate euthanasia of 	1

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					animals to accommodate expanding shelter populations.	
<u>Child Support Services</u> Family Support Officer	8 (8 hour shifts Monday through Friday)	NA	2	0	<ul style="list-style-type: none"> • Setting matters for court, attending court on behalf of County clients. • Conducting guideline calculator functions to determine child support amount and managing customer inquiries (direct calls, emails, statewide system inquiries through Self Service Web). • The County is required to comply with strict state deadlines for hearings, case opening, Review & Adjustment, Service of Process and are mandated to meet these standards. of general job duties for essential position. 	2
<u>Child Support Services</u>	2	NA	1	0	<ul style="list-style-type: none"> • Setting matters, attending court on behalf of County clients, preparing and file court orders, 	1

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
Supervising Family Support Officer	(8 hour shifts Monday through Friday)				conducting guideline calculator functions to determine child support amount, establish court orders, enforce court orders for collections, issue garnishments/levies to collect the support.	
<u>Child Support Services</u> Supervising Legal Clerk	11 (8 hour shifts Monday through Friday)		1	0	<ul style="list-style-type: none"> • Take payments, route calls, mail processing and handling, posting accounts, open cases, bank run and process legal documents. • Without Supervising Legal Clerks, the County will not be able to make timely deposits into the accounts to support clients' children. 	1
<u>Child Support Services</u> Legal Clerks	2 (8 hour shifts Monday through Friday)		1	0	<ul style="list-style-type: none"> • Open child support cases, pursue locate activities of participants, process payments so families can receive child support payments. 	1

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					<ul style="list-style-type: none"> There are strict compliance and state deadlines, such as state hearings, case opening, Review & Adjustment, Service of Process, disbursement of collections and we are mandated to meet these standards. 	
<u>Department of Social Services</u> Social Workers	89.5 FTE (8 hour shifts Monday through Friday)	5 (Scheduled for 5:00 pm to 8:00 am and on call during weekends)	8	0	<ul style="list-style-type: none"> Responding to the immediate needs of children and elders who are often in abusive situations. Social Workers have mandated response times to report child abuse and neglect of Immediate and Ten-day response and to respond in court within three business days if a child is removed from a guardian's custody. 	8
<u>Department of Social Services</u>	131.6 FTE	NA	6	0	<ul style="list-style-type: none"> They process new applications for individuals in need of Medi-Cal and CalFRESH benefits. 	6

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
Employment Resource Specialists	(8 hour shifts Monday through Friday)				<ul style="list-style-type: none"> Without their assistance, individuals who are unable to provide for their own medical and food related expenses would be left unable to meet those essential needs. There are state mandated timeframes to process intake cases including Expedited and Immediate Need requests and regular applications. 	
<u>Department of Social Services</u> Fiscal Staff	14 FTE (8 hour shifts Monday through Friday)	NA	2 Supervising Acct. Techs and 1 Acct. Tech.	0	<ul style="list-style-type: none"> Process Immediate Need checks, payments for Assistance, and other financial resources so that clients receive necessary funds in a timely manner. Clients may be able to plan for the normal weekend (2 days), but cannot be without funds for food, rent or other expenses for up to five days (3 days of the strike plus the weekend). 	3 (2 Supervising Acct. Techs and 1 Acct. Tech.)
<u>District Attorney</u>	4	NA	2	0	<ul style="list-style-type: none"> File in custody cases for criminal prosecution, file priority out of 	2

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
Supervising Legal Clerk I	(8 hour shifts Monday through Friday)				custody cases, process extraditions	
<u>District Attorney</u> Departmental Automation Specialist	1 (8 hour shifts Monday through Friday)	NA	1 on call	0	<ul style="list-style-type: none"> Only in house IT support for our case management system which houses our files digitally, including supporting documents and digitally stored evidence (videos, photos, etc.) 	1 on call
<u>Jail</u> Correctional Nurse I/II	14 ¹ (10 hour shifts for 24 hour coverage, Monday through Sunday)	See Day Column	4 (2 per 12 hour shift x 2 shifts)	0	<ul style="list-style-type: none"> Intake screening, triage inmate medical requests for sick call, perform nursing assessments, respond to in-facility urgent needs/“man down,” communicate with physicians as necessary to provide urgent care or verbal medication orders. Lock down facility requiring background checks. 	4 (2 per 12 hour shift x 2 shifts)

¹ Combined number of employees for both the Jail and Juvenile Services Center.

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Jail & Juvenile Services Center</u> LPT/LVN I/II/III	16 ² (10 hour shifts to cover 20 out of 24 hours, Monday through Sunday)	See Day Column	8	0	<ul style="list-style-type: none"> Provides basic level of general and/or psychiatric nursing care; such as, measures vital signs; provides hygiene and wound care; performs prescribed medical treatments; performs blood withdrawal if certified by licensing Board. Provides crisis intervention and case management services for patients, including those with serious mental illness or youth with serious emotional disturbances in need of evaluation for involuntary hospitalization under Welfare & Institutions Code 5150. 	8 2 Jail (10 hour shift) and 4 Behavioral Health (8 hour shifts – 1 AM, 2 PM and 1 Overnight; 2 for Juvenile at their regular shift)
<u>Juvenile Services Center</u> Correctional Nurse I/II	14 ³ (10 hour shifts for 24 hour coverage,	See Day Column	2	0	<ul style="list-style-type: none"> Critical in the provision of health services to the incarcerated population in our County jails and Juvenile Service Centers. 	2 (1 per 8- hour shift x 2 shifts per day)

² Combined number of employees for both the Jail and Juvenile Services Center

³ Combined number of employees for both the Jail and Juvenile Services Center.

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	Monday through Sunday)					
<u>Juvenile Services Center</u> Nurse Practitioner	3 (8 hour shifts to staff 16/24 hours, Monday through Friday)	See Day Column	1	0	<ul style="list-style-type: none"> Perform medical examinations and diagnose juveniles and order or provide on-going medical care. 	1 (8 hour shift)
<u>Jail</u> Behavioral Health Clinician	1 (8 hour shift Monday through Friday, but on call evenings and weekends)	NA	1	0	<ul style="list-style-type: none"> Provide therapy services for inmates and the provision of these services are required by Cal. Code of Regs Title 15 of the Crime Prevention and Corrections that govern Department of Corrections and Rehabilitation. 	1
<u>Public Health</u> Microbiologist (or Supervising Microbiologist)	7 (8 hour shifts, Monday through Friday with one on	NA	3	0	<ul style="list-style-type: none"> Performs microbiological and chemical examinations for the detection, identification and control of microbial disease agents and other impurities, including bacteriological, 	3

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	call evenings and weekends; one who comes in each weekend day)				chemical, serological, parasitological, mycological, and viral tests, using a variety of laboratory equipment.	
<u>Public Health</u> Sr. Account Clerk	2 (8 hour shifts Monday through Friday)	NA	1	0	<ul style="list-style-type: none"> • Accessioning and processing for testing human specimens from health care providers or FBI in cases of suspect agents of bioterrorism. • PH Microbiologists do not know this function nor would they have the capacity to be able to manage the intake of laboratory specimens and keep proper documentation. 	1
<u>Public Health</u> Public Health Nutritionist I/II	6 (8 hour shifts Monday through Friday)	NA	2	0	<ul style="list-style-type: none"> • Evaluate nutritional status of pregnant and postpartum women and their infants and children; determine need for types of food vouchers; distribute emergency breastfeeding supplies/equipment. 	2

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					<ul style="list-style-type: none"> • Going without food vouchers can mean the difference between eating or not eating with the latter leading to the possibility of malnutrition, illness and potentially even impacts to fetal and infant development. • Lack of lactation services may result in mastitis (infection in milk ducts) or premature cessation of health-supporting breastfeeding. 	
<u>Public Health</u> Aide I/II/III	12 (8 hour shifts Monday through Friday)	NA	3	0	<ul style="list-style-type: none"> • Handle client intake, form processing, food voucher dispensing, and documentation. 	3 (1 for Repro- ductive Health and 2 for WIC)
<u>Public Health</u> Administrative Assistant III	2 (8 hour shifts Monday)	NA	1	0	<ul style="list-style-type: none"> • Issues death certificates, as bodies may not be buried in the state of California without this document. 	1

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	through Friday)					
<u>Public Health Johnson</u> Nurse I/II or Supervising Public Health Nurse	30 (8 hour shifts Monday through Friday)	NA	2	0	<ul style="list-style-type: none"> • Reports of communicable diseases, perform contact investigation, prevent further disease spread; work with PH Lab and Environmental Health (for food-borne or water-borne cases). • Urgent or emergency reproductive health needs such as emergency contraception, adverse effects from recently administered birth control (injections or implants), treatment for just diagnosed sexually transmitted diseases. 	2
<u>Public Health Johnson</u> Nurse Practitioner	2 (8 hour shifts Monday through Friday)	NA	1	0	<ul style="list-style-type: none"> • Respond to cases of suspected sexual abuse; perform intake and collect history of events, perform forensic examination, maintain chain of custody of specimens and associated documentation. 	1

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Public Health</u> Environmental Health Specialist	18 (8 hour shifts Monday through Friday; 4 on call during nights and weekends)	See Day Column	3	0	<ul style="list-style-type: none"> Hazardous Incident Response Team - respond to hazardous materials (HazMat) incidents that involve any manner of potential HazMat elements such as oil leaks, pesticides, radiation, toxic solvents, white powder, etc. 	3
<u>Planning & Building</u> Building Division Supervisor or Inspector	9 ⁴ (8 hour shifts Monday through Friday)	NA	On-Call 3 Bldg Insp. 3 Supervising Bldg Insp.	0	In the event of an emergency, the County will need to have Building Inspector IIIs or Building Inspector Supervisors available to come in and assist.	6 (On-Call 3 Bldg Insp. 3 Supervising Bldg Insp.)
<u>Parks</u> <u>Lopez Lake</u> Park Worker III (EMTs)	1-2 ⁵ (6:00 am to 11:00 pm)	See Day Column	1	1 but cannot perform all duties.	<ul style="list-style-type: none"> Provide essential services including emergency medical services to the constituents that visit the Lopez Lake Recreation 	1

⁴ Includes 3 Supervisors and 6 Building Inspector IIIs

⁵ Except for the summer.

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	Monday through Sunday)				Area and the Santa Margarita Lake Recreation Area. <ul style="list-style-type: none"> The response time expected for an outside EMT to reach any injured guests would take at least 20-30 minutes at the lakes. 	
<u>Parks Santa Margarita Lake</u> Park Worker III (EMTs)	1-2 ⁶ (6:00 am to 11:00 pm Monday through Sunday)	See Day Column	1	1 but cannot perform all duties	See above.	1
<u>Parks Santa Margarita Lake</u> Park Worker III	1 (Works 1 day a week, Monday through Sunday)	NA	1 on call	0	<ul style="list-style-type: none"> Essential function is treating and monitoring the potable water supply to guests and campers at the Santa Margarita Lake. 	1 on call
<u>Parks Lopez Lake</u> Park Ranger III	6 (6:00 am to 11:00 pm	1 Park Ranger resides at each	1 Day; 1 Night	0	<ul style="list-style-type: none"> Patrolling assigned areas to provide assistance to the public in matters after hours; responding to emergency 	2 (1 Day; 1 Night)

⁶ Except for the summer.

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	Monday through Sunday)	location and responds to after hour calls.			situations and providing first aid when required. <ul style="list-style-type: none"> • Would take about 20-30 minutes to get to the lake area from another first-responder. 	
<u>Parks</u> <u>Santa Margarita</u> <u>Lake</u> Park Ranger III	5 (6:00 am to 11:00 pm Monday through Sunday)	See Day Column. 1 Park Ranger resides at each location and responds to after hour calls.	1 Day; 1 Night	0	See above.	2 (1 Day; 1 Night)
<u>IT</u> Communications Technician	6 (8 hour shifts Monday through Friday)	on-call	3	0	<ul style="list-style-type: none"> • Support Public Safety Radio communications and custody video surveillance support. 	3 (7:30 am- 5:30 pm)

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Probation (Casa Loma)</u> Legal Clerk	4		1	0	<ul style="list-style-type: none"> Opening all new adult and juvenile cases referred to the department, both in and out of custody, as well as conducting all legal processing on existing probation cases. 	2
<u>Probation (JCS)</u> Legal Clerk	2		1	0	See above.	1
<u>Probation (Casa Loma)</u> Supervising Department Automation Specialist	1		1 On Call Supervising DAS	0	<ul style="list-style-type: none"> Keeping case management systems working properly and maintaining department desktop computers working properly. 	1 On Call Supervising DAS
<u>Lopez Facilities (scenario 1)</u> Supervising Water Systems Worker or Water Systems Worker	1 Supervising Water Systems Worker 7 Water Systems Workers	2 Water Systems Worker on-call	1 during Day (weekday) 1 on-call weekend	0	<ul style="list-style-type: none"> Assuming State Water is operational and the Lopez Water Treatment Plant is shut down with no Lopez deliveries to project participants (Arroyo Grande, Grover Beach, Pismo Beach, Oceano, Avila Beach, Avila Valley). 	1 Day (weekday) 1 on-call Weekend

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					<ul style="list-style-type: none"> A single Supervising Water Systems Worker or Water Systems Worker would be needed would oversee the distribution system (turnouts, SCADA, coordinate with participants) and conduct daily check of condition of dam and spillway; ensure downstream releases are meeting State requirements. 	
<u>Lopez Facilities (Scenario 2)</u> Chief Plant Operator 4 and Water Systems Worker	1 Chief Plant Operator 7 Water Systems Workers	2 Water Systems Workers On-Call	1 Chief Plant Operator 1 Water System Worker	0	Assuming State Water not available or south county communities require both systems to operate, operation of Lopez Water Treatment Plant requires the designated Chief Plant Operator to operate the plant. Plant operations also require a shift operator in order to perform various required functions. Participants (Arroyo Grande, Grover Beach, Pismo Beach, Oceano, Avila Beach, Avila Valley)	2

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Cayucos/CSA10A Distribution Systems</u> Chief Plant Operator	1 Chief Plant Operator		1	0	The operation of the Cayucos Water Treatment Plant requires the designated Chief Plant Operator (CPO) to operate the plant. Without a CPO to operate and oversee the Cayucos plant would result in an immediate and severe fire and health safety risk to the community of Cayucos as there are no other water sources for the community.	1
<u>Nacimiento/Salinas</u> Supervising Water Systems Worker or Water Systems Worker	2 Supervisors 7 Water Systems Workers		2	0	<ul style="list-style-type: none"> The Nacimiento Water System provides supplemental water to Paso Robles, Templeton, and Atascadero; agricultural irrigation water to the Santa Margarita Ranch and is one of three primary supplies for the City of San Luis Obispo. The Salinas system supplies water only to the City of San Luis Obispo. 	2
<u>Santa Margarita</u> Supervising Water Systems Worker or	2 Supervisors		1	0	<ul style="list-style-type: none"> CSA23 is the only source of water for the community of Santa Margarita. CSA16 is the 	1

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
Water Systems Worker	3 Water Systems Workers				<p>only source of water for the community of Shandon. County Ops Center water distributes (but does not supply or treat) water to the jails, County garage, Animal Services, Woods animal shelter, and County Emergency Operations Center.</p> <ul style="list-style-type: none"> The systems require an operator (a single operator can run all four systems) to operate wells and associated disinfection and treatment systems (two). 	
<u>Los Osos</u> Chief Wastewater Plant Operator and Wastewater Systems Worker	1 Chief Plant Operator 7 Wastewater Systems Workers		1 Chief Plant Operator 2 Wastewater Systems Workers	0	<ul style="list-style-type: none"> Operation of the Los Osos Wastewater Treatment Plant requires the designated Chief Plant Operator to operate the plant. Plant operations also require a shift operator in order to perform the required functions for at least 8 hours/day. 	3

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<u>SLO Country Club</u> Supervising Wastewater Systems Worker	2 Supervisors		1	0	<ul style="list-style-type: none"> • The Supervising Wastewater Systems Worker currently acts as the Chief Plant Operator at the Country Club Wastewater Collection Site. • The shutdown of either the CSA18 or CSA7A wastewater systems would put the served community in a severe health and safety threat. 	1
<u>Countywide</u> Water Quality Manager or Senior Water Chemist	1 Water Quality Manager 8 Senior Water Chemists		1	0	<ul style="list-style-type: none"> • The Water Quality Manager and/or Senior Water Systems Chemist provides essential services to the public by coordinating the needed sampling across the County's three wastewater treatment plants, seven wastewater collection systems, two dams, recycled water distribution systems, two water treatment plants, three wholesale water distribution systems and three 	1

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Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					retails public water distributions.	
<u>Los Osos Landfill</u> CET II	1		1 on-call		<ul style="list-style-type: none"> • Landfill gas collection system and flare that is mandated by the Air Pollution Control District. • The system collects landfill gas and burns it in a flare system to destroy harmful emissions twenty-four hours a day, seven days a week. • Failure to operate the flare as required by the permits would result in air quality violations and place the public health and safety at risk by allowing excessive amounts of landfill gas to escape in to the atmosphere. 	1 on-call
<u>Behavioral Health (PHF)</u>	1	On call	1	0	<ul style="list-style-type: none"> • Provide therapy services for inmates and the provision of these services are required by 	1

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
Behavioral Health Clinician	(8 hour shift Monday through Friday)				Cal. Code of Regs Title 15 of the Crime Prevention and Corrections that govern Department of Corrections and Rehabilitation. • Lock down facility	
<u>Behavioral Health (PHF)</u> Licensed Psychiatric Technician	8 to 10 (staffed 24 hours, Monday through Sunday)	See Day Column	8	0	• Total care of established patients within their scope of practice under BHC supervision. Such care involves medication administration, overseeing activities of daily living, documentation, intake and output, and group therapy. • Lock down facility	8
<u>Behavioral Health (PHF)</u> Registered Nurse	1 (8 hours Monday to Friday)	NA	1	0	• Oversight of medical needs, staff supervision, • Staffing levels of BHC are driven by census according to licensing regulations, and by the acuity of the current patient group. • A least 50% of the “licensed nurses” must be RNs. • Lock down facility	1

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Behavioral Health (PHF)</u> Administrative Assistant	1 (10 hour shifts, 7 days a week.)	NA	1	0	<ul style="list-style-type: none"> • Admitting and discharging patients, inputting patient data into the database so that information can be accessed by the BHC and LPTs. • Lock down facility 	1
<u>Behavioral Health (PHF)</u> Behavioral Health Worker	3 (staffed 24 hours, Monday through Sunday)	See Day Column	3	0	<ul style="list-style-type: none"> • Assist with activities of daily living including helping with transport. • Lock down facility 	3
<u>Behavioral Health (PHF)</u> Behavioral Health Supervisor	2 (8 hours Monday through Friday)	On call	2	0	<ul style="list-style-type: none"> • The array of mental health services include assessment, individual and group therapy, psychiatric medication services, rehabilitative services, psycho-education and case management. • Lock down facility 	2

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Behavioral Health (Adult & Youth Out Patient)</u> Behavioral Health Clinician	For each clinic: ⁷ 3-5 (Business days, Monday through Friday.)	On Call	3	0	<ul style="list-style-type: none"> The array of mental health services include assessment, individual and group therapy, psychiatric medication services, rehabilitative services, psycho-education and case management. 	6⁸
<u>Behavioral Health (Adult & Youth Out Patient)</u> Licensed Psychiatric Tech	For each clinic: 1-3 (Business days, Monday through Friday.)	On Call	3	0	<ul style="list-style-type: none"> Assists with screening, assessment and treatment recommendations, treatment planning, individual and group psychotherapy, medication services, psychiatry, case management and rehabilitation services and residential options. 	6
<u>Behavioral Health (Adult & Youth Out Patient)</u> Health Technicians	For each clinic: 1-2 (Business days, Monday	On Call	3	0	<ul style="list-style-type: none"> Assists with screening, assessment and treatment recommendations, treatment planning, individual and group psychotherapy, medication services, psychiatry, case 	6

⁷ There are 3 Adult Out Patient Clinics, 1 Adult In Patient Clinic and 5 Youth Out Patient Clinics.

⁸ For the clinics, this is the total number needed for all of the clinics or consolidated clinics.

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	through Friday.)				management and rehabilitation services and residential options.	
<u>Behavioral Health (Managed Cases)</u> Behavioral Health Clinician	1 (8 hour shift Monday through Friday)	NA	1	0	The County has a contract with the state to manage cases which means that County personnel are required to take calls, screen calls, assess the nature of the mental health issue and assess the matter within 7 days.	1
<u>Behavioral Health (Managed Cases)</u> Administrative Assistant	1 (8 hour shift Monday through Friday)	NA	1	0	See above.	1
<u>Behavioral Health (DAS and DUI)</u> Behavioral Health Clinician	For each program: ⁹ 2-3 (8 hour shift Monday)	On Call	3	0	Drug and Alcohol Services provides a range of care from court ordered Driving Under the Influence services to ongoing treatment of addictions and medication assisted treatment. DAS also provides Medication Assisted Treatment for	3¹⁰

⁹ There are multiple programs throughout the County.

¹⁰ This is the total number to maintain essential services and not by program.

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	through Friday)				individuals addicted to opiates and/or alcohol. Failure to receive daily dosing during the early induction period can lead to a return to illicit drug use. For DUI programs, a minimum of 1 Behavioral Health Specialist and 1 Administrative Assistant are required to provide the service	
<u>Behavioral Health (DAS and DUI)</u> Licensed Psychiatric Tech	For each program: 1 (8 hour shift Monday through Friday)	NA	2	0	See above.	2
<u>Behavioral Health (DAS and DUI)</u> Administrative Assistant	For each program: 1-2	NA	4	0	See above.	4

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	(8 hour shift Monday through Friday)					
<u>Behavioral Health (DAS and DUI)</u> Behavioral Health Specialist	For each program: 3-8 (8 hour shift Monday through Friday)	NA	4	0	See above.	4
<u>Behavioral Health (DAS and DUI)</u> Health Information Technician	For each program: 1-2 (8 hour shift Monday through Friday)	NA	1	0	<ul style="list-style-type: none"> Medical records processors and the County's failure to process documentation is in violation of our legal mandates 	1

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
<u>Jail</u> Correctional Technician I/II/III	10-12 per 24- hour period		10-12 per 24-hour period		<ul style="list-style-type: none"> • Provides critical safety and security functions for the operation of the County jail twenty-four hours a day, seven days a week, three-hundred-sixty-five days a year. • Documenting and system entry of new arrests for multiple law enforcement agencies. • Correctional Technicians provide safety and security functions for both Main Jail Control and West Dorms by monitoring cameras and controlling access points. Correctional Technicians coordinate all mandated jail visits for inmates per Title 14. 	10-12 per 24-hour period
<u>Sheriff (Patrol Stations)</u> Legal Clerk	4-6		3	0	<ul style="list-style-type: none"> • Transcribing and processing the deputy's report. This function is critical because the crime reports that deputies provide must be transcribed and 	3 (1 per sub station-3 total)

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					<p>processed for filing with the Superior Courts.</p> <ul style="list-style-type: none"> • There are strict time restrictions in which the completion of reports in regard to in-custody arrests made by the Sherriff’s department and filing with the Superior Courts. 	
<p><u>Sheriff (Coroner’s Office)</u> Legal Clerk</p>	1		1	0	<ul style="list-style-type: none"> • Provides clerical and documentation support for the three Coroner Investigators and the Forensic Pathologist. 	1
<p><u>Sheriff (Jail Administration)</u> Legal Clerk</p>	1		1	0	<ul style="list-style-type: none"> • Provides critical support to the Jail Captain and Lieutenants at the County Jail. • Compile data and completes mandatory reports required by the County, State and Federal Entities. 	1
<p><u>Sheriff (Records)</u> Legal Clerk</p>	7-10		2	0	<ul style="list-style-type: none"> • Accurately process warrants of those subject to arrest/investigation issued by the Superior Court for the entire County. 	2

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
					<ul style="list-style-type: none"> Failing to process these warrants would result in subjects who have been deemed not in compliance with the court process to remain at large and not recognizable to law enforcement if encountered.. 	
<u>Sheriff (Civil Division)</u> Legal Clerk	1-2		2	0	<ul style="list-style-type: none"> Provides service and process of all notices in the manner prescribed by law pursuant to 26608. 	2
<u>Sheriff (Crime Lab)</u> Legal Clerk	2		1	0	<ul style="list-style-type: none"> Responsible for processing all filing of the crime lab reports with the DA's office. 	1
<u>Sheriff (Detectives)</u> Legal Clerk	1-2		1		<ul style="list-style-type: none"> Provides critical support to the Detectives in order to pursue criminal investigations by filing on their behalf felony cases (sex crimes and homicides). 	1
<u>Sheriff</u> Cook I/II/III Food Services Supervisor	1 Food Services Supervisor per 24 hour period		1 Food Services Supervisor 4 Cooks		<ul style="list-style-type: none"> Providing meals to both the Jail and Juvenile Hall. Must prepare the food pursuant to title 15 of the California Code of Regulations. Cooks 	5 (1 Food Services)

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
	4 Cooks per 24 hour period				also are responsible for supervising the inmates who work in the kitchen.	Supervisor; 4 Cooks)
<u>Sheriff</u> Lab Assistant	1		1	0	<ul style="list-style-type: none"> Assists with the processing of evidence collected related to charges filed for criminal activity, and failing to process the evidence in a timely manner will result in delayed court filings. 	1
<u>Sheriff</u> Storekeeper	1 Full time 1 Part Time		1 Fulltime	0	<ul style="list-style-type: none"> Processing and filling commissary orders for inmates. By not filling commissary orders for the inmates will create a significant disruption in jail operations that will threaten the safety of both inmates and employees 	1
<u>Sheriff</u> Department Automated Specialist	3		2 on-call		<ul style="list-style-type: none"> Provides critical IT support to a variety of Sherriff's Office functions. The department has become dependent upon automation to provide essential law enforcement services to the community. 	2 on call

EXHIBIT A

Department/ Position	Day Shift # of EEs ([hours])	Night Shift ([hours])	Estimated Minimum Staff That Cannot be Replaced for 24- Hour Period	Managerial Replacement	Essential Duties	<u>Remaining Balance</u>
						180-182 12 On-Call

EXHIBIT B

1 **DECLARATION OF CRAIG PIPER**

2 I, Craig Piper, declare as follows:

3 1. I am the Deputy Director of San Luis Obispo(“SLO”) County Department of Airports. I
4 have personal knowledge of the following and, if called as a witness, could and would competently testify
5 thereto.

6 2. I have been the Deputy Director of Airports since March 2007. The work of the
7 Operations Supervisor, Operations Specialists and Airport Maintenance Worker is vital to maintaining
8 operations for the regional airport services. The County has two airports – the San Luis Obispo County
9 Regional and the Oceano County airports. Oceano is a small general aviation airport, which has similar
10 safety requirements as the larger regional airport. The SLO airport provides regional transportation
11 services, which are provided by airlines such as United, American and Alaska. By the end of October
12 2018, there have been 405,449 passengers through the SLO airport. There is a terminal building,
13 restaurants, and numerous other airport and airplane related businesses.

14 3. The SLO airport is heavily regulated by both the Federal Aviation Administration (FAA)
15 and the Transportation Security Administration (TSA) to ensure public safety and security. The
16 operations of the SLO airport require staff to be on site and available 24 hours a day and 7 days a week,
17 every day of the year as well as 24 hour on-call coverage for emergency response and airport user access.
18 To maintain certification as an operable airport, the County is required to adequately staff operations.
19 Currently, the airport is at minimal staffing and is seeking to hire additional personnel. In order to comply
20 with these regulations, sufficient staff members are required to complete regular inspections of runways,
21 taxiways and other aircraft movement areas. Regular security inspections must be completed by those
22 same staff members throughout the day as well.

23 **Operations Supervisor**

24 4. The Operations Supervisor manages the day-to-day enforcement of all ordinances and
25 regulations affecting the County airport. They coordinate operational activities with FAA air traffic
26 control and maintain liaison with branch offices of the FAA and State aeronautics division. The
27 Operations Supervisor maintains aeronautical activity records and answers operational correspondence,
28 coordinates security, fire, rescue and emergency response activities, maintains operational safety and

1 security of air operations areas and establishes and implements airport safety programs to ensure
2 compliance with the federal, state and local regulations. They maintain and revise Airport Certification
3 Manual, Airport Emergency Plan and the Airport Security Plan, as required by Federal Aviation
4 Regulations (FAR) and Transportation Security Administration Regulations; maintain liaison with
5 California Regional Water Quality Control Board (RWQCB); maintains and revises Storm Water
6 Pollution Prevention Program; provides reports and water samples as required by the RWQCB and by
7 the U.S. Environmental Protection Agency.

8 5. The essential functions of Operations Supervisor include: aircraft incidents at any time by
9 assisting in the reporting to federal agencies, recovery of the aircraft and safety inspections of the affected
10 areas to ensure continued safe operations; respond to security incidents by identifying involved parties,
11 making necessary notifications to appropriate agencies and ensure continued security of the airport;
12 monitor ID badge holders, submit background check information, activate and deactivate badges for
13 workers and general aviation tenants in all airport areas; assist with ingress and egress of emergency
14 responders from non-airport agencies such as ambulance, law enforcement and fire; monitor and enforce
15 environmental compliance of airport users and respond to and contain fuel and oil spills to prevent
16 contamination of creeks and streams.

17 6. Operations Supervisors must be properly trained to meet FAA requirements and must be
18 properly badged with which requires additional security training and a background check by the Federal
19 Bureau of Investigations through TSA. Additionally, access to specific computer systems through the
20 FAA and TSA required to perform a number of tasks described above require security clearance and
21 training. The SLO airport cannot find personnel, check their backgrounds and train them in a timely
22 manner to be effective replacements in the event of a multi-day strike starting in early December 2018.
23 To actually be able to replace an airport employee takes several weeks from time of hire to pass all of the
24 background checks and then several months of training to get employees oriented with the unique
25 qualities of working at an airport in a post 9/11 environment. It must be noted that only authorized
26 personnel can access the airport and its grounds. Not even other emergency responders, such as the City
27 of San Luis Obispo, can get onto airport grounds without being let on by authorized personnel.
28

1 and enforce environmental compliance of airport users and respond to and contain fuel and oil spills to
2 prevent contamination of creeks and streams.

3 11. Operations Specialists must be properly trained to meet FAA requirements and also must
4 be properly badged with which requires additional security training and a background check by the
5 Federal Bureau of Investigations through TSA. Additionally, access to specific computer systems
6 through the FAA and TSA required to perform a number of tasks described above require security
7 clearance and training. The SLO airport cannot find personnel, check their backgrounds and train them
8 in a timely manner to be effective replacements in the event of a multi-day strike starting in early
9 December 2018.

10 12. The SLO airports currently employs a total of **2 Operations Specialists**. All Operations
11 Specialists work 4 10-hour shifts (from 7:00 am to 5:30 pm) that overlap so that there is 1 Operations -
12 Specialists available every day of the week at the airport. They may also be called in during any airport
13 incident.

14 13. The Operations Supervisor is their supervisor and she is also represented by SLOCEA and
15 subject to this strike (and injunction request). As such, in the event of a multi-day strike, we have no
16 personnel to fill in for the Operations Supervisor.

17 **Airport Maintenance Worker**

18 14. The Maintenance Worker routinely inspects airport buildings and premises including
19 daily FAA Part 139 airside inspections. They schedule and perform preventive maintenance on all
20 County airport equipment and systems and perform a wide variety of unskilled, and semi-skilled work in
21 the maintenance and security of airport facilities and grounds. They adjust, maintain and repair
22 mechanical equipment, electrical fixtures, appliances, plumbing systems, structures, fencing/gates,
23 pavements, and powered maintenance equipment. They may respond to airport emergencies.

24 15. The essential functions of Maintenance Workers include: repairs of airfield equipment,
25 clearing of runways and taxiways; responding to aircraft incidents at any time by assisting in the reporting
26 to federal agencies, recovery of the aircraft and safety inspections of the affected areas to ensure
27 continued safe operations; respond to security incidents by identifying involved parties, making
28 necessary notifications to appropriate agencies and ensure continued security of the airport; monitor ID

1 badge holders,; assist with ingress and egress of emergency responders from non-airport agencies such
2 as ambulance, law enforcement and fire; monitor and enforce environmental compliance of airport users
3 and respond to and contain fuel and oil spills to prevent contamination of creeks and streams. Airport
4 Maintenance Workers respond to all alarms.

5 16. Maintenance Workers must be properly trained to meet FAA requirements and also must
6 be properly badged with which requires additional security training and a background check by the
7 Federal Bureau of Investigations through TSA. The SLO airport cannot find personnel, check their
8 backgrounds and train them in a timely manner to be effective replacements in the event of a multi-day
9 strike starting in early December 2018.

10 17. The SLO airports currently employs a total of **6 Maintenance Workers**. All Maintenance
11 Workers work 10 hour shifts that are staggered so that there is 24 hour a day, 7 day a week coverage at
12 the airport.

13 18. There are no supervisors or managers who would be able to fill in for Maintenance
14 Workers.

15 19. In the event of a strike, the SLO airport cannot suspend air operations as this would be a
16 violation of Federal Regulations. In addition, as the holidays are a very busy time for the airports and
17 the County has a duty to maintain safe and secure airport operations at all times. In the event of a multi-
18 day strike, in order to maintain public safety, the SLO airport will need the following number of essential
19 employees to provide the absolute minimum services is as follows, **even taking into account any**
20 **managers who can help fill positions:**

- 21 • **Operations Supervisors – 1 per 24-hour period**
 - 22 • **Operations Specialists – 1 per 24-hour period**
 - 23 • **Maintenance Workers – 3 per 24-hour period (in staggered shifts).**
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 20th day of November, 2018, at San Luis Obispo, California



Craig Piper

EXHIBIT C

1 **DECLARATION OF DAN DOW**

2 I, Dan Dow, declare as follows:

3 1. I am the District Attorney for San Luis Obispo County. I have personal knowledge of the
4 following and, if called as a witness, could and would competently testify thereto.

5 2. I have been the District Attorney for San Luis Obispo County since November 7, 2014. I
6 am licensed to practice law by the State Bar of California and admitted to practice law before the
7 California Supreme Court. As the public prosecutor, the District Attorney's (DA's) office attends court,
8 initiates and conducts – on behalf of the people – all prosecution of public offenses per Cal. Gov. section
9 26500 et seq. I have a staff of over 100 employees, which makes the District Attorney's office the largest
10 law firm in the County.

11 3. Under Cal. Gov. Code section 26500, the DA's office is mandated to investigate, evaluate,
12 and prosecute criminal violations committed within the County, to provide legal assistance to criminal
13 investigations conducted by law enforcement agencies and to advise the Grand Jury. Our office receives
14 information in the form of police reports from local law enforcement after an investigation has concluded
15 that a California criminal law has been violated. We have a staff of approximately 107 employees of
16 which thirty-three are Deputy District Attorneys who prosecute felony, misdemeanor, juvenile and
17 certain limited civil cases. We have approximately 17 investigators, four managing attorneys, and the
18 remaining employees (over 50) are represented personnel that engage with all facets of our criminal cases
19 including Legal Clerks, Victim Witness Coordinators and Advocates. The assigned Deputy District
20 Attorney is responsible for managing all aspects of the case beginning with the initial appearance of the
21 defendant through the final sentencing of the defendant with the support of all other support staff. Our
22 office processes approximately 14,100 new criminal cases per year, equaling approximately 1200 new
23 cases per month (or approximately 57 new cases each day).

24 **Supervising Legal Clerk I**

25 4. The work of Supervising Legal Clerk is vital to the DA's Office. They file in custody (i.e.,
26 where the defendant is in jail) cases for criminal prosecution, file priority out of custody cases and process
27 extradition orders. In the event of a multi-day strike, without Supervising Legal Clerks to process files,
28 inmates with pending charges would be let out of custody without charges being filed and without an

1 obligation to return to court. Priority cases, which are out of custody, such as sexual assault or domestic
2 violence, would not be filed by their court date and those offenders would not have an obligation to return
3 to court. Plus, we lose the opportunity to seek a restraining order protecting the victim. Inmates arrested
4 on warrants out of state would be released and not brought back for prosecution. Furthermore, there are
5 time lines that are set by law as to when in custody and out of custody cases must be filed or the DA's
6 Office loses the ability to prosecute.

7 5. Legal Clerks (and Supervising Legal Clerk I) who serve as the Subpoena/Witness
8 Coordinator issue subpoenas and coordinate witness appearances on cases and protective orders. They
9 provide Spanish speaking victims and witnesses support (for witness coordination and assisting with
10 Victim Witness Coordinators with translation services). Legal Clerks also process Mentally Disordered
11 Offender petitions and required records. Without these Legal Clerks, defendants with open cases would
12 have their cases dismissed because witnesses would not be present to present evidence. On dismissed
13 cases, in custody defendants will be released from jail and any restraining orders would be terminated.
14 Failing to process Mentally Disordered Offender petitions and required records would mean that these
15 requests would not be processed, and offenders could be released from the State Hospital. Again, these
16 processes have time lines set by law and failure to comply with these times lines will result in the release
17 of potentially violent or unstable defendants into the community.

18 6. The DA's Office currently employs a total of 4 Supervising Legal Clerks and 14 Legal
19 Clerks. All Supervising Legal Clerks and Legal Clerks work 8-hour shifts Monday through Friday.

20 7. Although our office is not staffed on the weekends, we are still required to process in
21 custody cases for criminal prosecution within 48 hours or 2 business days. Defendants who are jailed on
22 Thursday and Friday must be processed on Monday or Tuesday in order to comply with the legally
23 mandated timelines. On Monday, November 19, our Legal Clerk staff – including Supervising Legal
24 Clerks – processed approximately 25 in custody cases. Without Legal Clerk staff, these cases would be
25 left unfiled and the potentially violent offenders would be released from jail and back into the community
26 without accountability for their actions, putting the community at further risk of harm.

27 8. Given that we are requesting a significantly pared down, virtually skeletal crew, to get us
28 through the days of the strike, all attorneys and managers will be filling in where necessary to ensure that

1 all legally mandated timelines and requirements are met. Moreover, attorneys and managers are not
2 trained to process the intake and administrative creation of cases in our case management system and
3 therefore cannot fill in for the Legal Clerks. Supervising Legal Clerks are also represented by SLOCEA
4 so they are not likely to report to work during a strike.

5 **Departmental Automation Specialist (DAS)**

6 9. The DAS serves as the only in-house information technology (IT) support for the DA's
7 Office case management system and all other technology-based systems. The case management system
8 houses all files including supporting documents and digitally stored evidence (i.e., videos, photographs,
9 etc.). As County IT will also be on strike during this time, the DA's Office cannot rely on County IT to
10 provide backup in the event there is a malfunction or issue with the case management system. We may
11 not be able to prosecute cases as our files would not be available and because the office does not have
12 paper files, criminal cases would not be filed. Normal weekday staffing of the DAS is one full-time,
13 assigned to work a daily 8am to 5pm shift. The DAS is not normally staffed on weekends. In order to
14 ensure that prosecutors can still file and prosecute cases in the event of a technology support issue with
15 the case management system or other technology resource, the DA's Office needs **1 DAS on call** for the
16 duration of the strike.

17 10. In the event of a three-day strike, this office is asking the following: 1) to enjoin two
18 Supervising Legal Clerks from participating in the strike, out of a possible 50 plus represented employees
19 to ensure that all in-custody time limited cases are processed within the legally mandated timeframes;
20 and 2) to require the DAS to be on call and able to report to work if needed during the strike period. The
21 absolute minimum number of essential staff **is as follows:**

- 22 • **Supervising Legal Clerk I – 2 each day of the strike**
- 23 • **Departmental Automation Specialist (DAS) – 1 on call for the duration of strike period**

24 These are the minimal number of employees that are required for the DA's Office to maintain services
25 and ensure public health and safety.

26 //
27 //
28 //

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct.

3 Executed this 20th day of November, 2018, at San Luis Obispo, California

4 

5 _____
6 Dan Dow

EXHIBIT D

1 **DECLARATION OF DEVIN DRAKE**

2 I, Devin Drake, declare as follows:

3 1. I am the Director for the Department of Social Services (DSS) of San Luis Obispo County.
4 I have personal knowledge of the following and, if called as a witness, could and would competently
5 testify thereto.

6 2. I have been the Director of DSS since January 2017. I have been made aware of a three-
7 day strike by SLOCEA represented employees to take place in early December 2018. DSS has started
8 to plan for this contingency, but find that we will need some essential employees to report to work during
9 the strike to ensure that services are provided to the most vulnerable population groups in the County.

10 3. DSS provides public services that promote self-sufficiency, health and well-being. These
11 programs help ensure the protection of children, the elderly and dependent adults, and provide a safety
12 net for individuals and families who need assistance with basic necessities such as food, housing and
13 health care. DSS provides Child Protective Services (or Child Welfare Services) which aims to give
14 safety and stability to children and youth who are at risk for abuse, neglect or exploitation. Child Welfare
15 Services offer a broad variety of services and programs developed to protect the children and youth of
16 the County from abuse, neglect or exploitation by their parents or caregivers.

17 **SOCIAL WORKERS**

18 4. Social workers apply the principles and techniques of social work to a caseload composed
19 of people who have various types of services problems, providing information to applicants, clients, other
20 service providers and the public about eligibility for services and available alternate resources; makes
21 home visits in connection with casework assignments. They interview clients, family members and other
22 interested parties to assess needs for social services; gathers and evaluates information regarding
23 employment history, housing situation, physical functioning, financial status, capacity for independent
24 living and availability of domestic services; evaluates clients' concerns and observes behavior; develops
25 service plans and establishes case files. They often counsel clients and families on available community
26 resources, barriers to employment, independent living skills and other areas involving defined problems
27 or concerns; explains procedures, rights and responsibilities. They assist clients in identifying and
28 obtaining basic services needed for independent living; identifies and makes referrals to a variety of

1 public and community agencies providing food, shelter, clothing, medical, educational and other
2 services; schedules client appointments; acts as client advocate in obtaining services. They assess
3 suitability of board and care facilities or foster homes; explains program requirements to potential
4 licensees; reviews applications of licensees and interviews potential licensees; conducts on-site visits to
5 assess living conditions. Social Workers may investigate reports of child or elder/dependent adult abuse,
6 neglect and/or exploitation; assesses the degree of immediate risk to the child or elder/dependent adult
7 and takes necessary action to minimize the risk; coordinates activity with other involved parties including
8 relatives, school personnel and officers of the court.

9 5. The essential functions of Social Workers include: responding to the immediate needs of
10 children and elders who are often in abusive situations. They will create and file court reports and
11 represent minors and elders in court proceedings. Without Social Workers, children and those who are
12 unable to protect themselves may face continued abuse, neglect and exploitation. Social Workers have
13 mandated response times to report child abuse and neglect of Immediate and Ten-day response and to
14 respond in court within three business days if a child is removed from a guardian's custody.

15 **EMPLOYMENT RESOURCE SPECIALISTS**

16 6. Employment Resource Specialists or Eligibility Workers help develop and carry out
17 Welfare to Work plans for cases assigned to a unit/team focusing on participant personal responsibility,
18 employment and self-reliance. They have regular contact with participants and communicate with
19 community agencies and businesses. They process new applications for individuals in need of Medi-Cal
20 and CalFRESH benefits. Without their assistance, individuals who are unable to provide for their own
21 medical and food related expenses would be left unable to meet those essential needs. There are state
22 mandated timeframes to process intake cases including Expedited and Immediate Need requests and
23 regular applications.

24 7. There are no unrepresented staff who will be able to take the place of essential employees
25 as they will be required to assist with all other roles and responsibilities in order to support the work of
26 essential staff. Replacement workers are not possible as it takes nearly 20 weeks of training to get
27 Employment Resource Specialists up to speed and able to assist County clients. Social Workers also are
28 required to undergo two plus weeks of in house classroom training to assist County clients.

1 upon approved eligibility or emergency situations. We are also legally required to comply with state
2 deadlines for claims, payments and statistical reporting. Without these staff members, those in need of
3 and eligible for - financial support will not be able to receive it. These individuals cannot be replaced
4 due to the specialized training and access to database systems both for the County and the state. Even
5 with the managers pitching in and consolidating offices for community outreach, the absolute minimum
6 number of essential Supervising Accounting Technicians and Accounting Technicians needed **per day**
7 **are as follows: 2 Supervising Accounting Technicians and 1 Accounting Technician**, which is far
8 below the 14 that normally work each day for the County.

9 I declare under penalty of perjury under the laws of the State of California that the foregoing is
10 true and correct.

11 Executed this 21 day of November, 2018, at San Luis Obispo, California

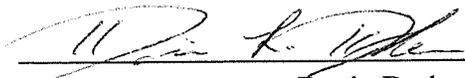
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EXHIBIT E

1 **DECLARATION OF ANNE ROBIN**

2 I, Anne Robin, declare as follows:

3 1. I am the Behavioral Health Administrator of San Luis Obispo County's Health Agency.
4 I have personal knowledge of the following and, if called as a witness, could and would competently
5 testify thereto.

6 **ANIMAL SERVICES DIVISION**

7 2. Animal Control provides animal care and control services throughout the County,
8 patrolling an area which covers more than 3,600 square miles and includes each of the County's seven
9 incorporated cities. Animal control officers work to promote the safety and welfare of both animals and
10 members of the public. The State of California has adopted numerous laws addressing a wide range of
11 animal related issues, ranging from topics such as animal cruelty, rabies control and pet store operations
12 to the regulation of dangerous animals, the use of service animals and the issuance of pet insurance
13 policies. These laws apply throughout the state, including both the incorporated and unincorporated
14 communities of San Luis Obispo.

15 **ANIMAL CONTROL OFFICER**

16 3. The work of Animal Control Officer is vital to Animal Control. They provide a core
17 health and safety function provided by the County. The County's Animal Control Officers ("ACOs")
18 are responsible for enforcing State and local animal control laws. The duties of ACOs include:

- 19 • First responders to assist in all emergency cases involving animals;
- 20 • Patrol assigned areas and investigate complaints and emergency calls regarding animals
21 during the day or night hours;
- 22 • Collect stray, ill, or dead animals from streets, homes, or veterinary hospitals; capture and
23 incapacitate animals including those ill, injured, vicious or dangerous;
- 24 • Immobilize, capture, and transport to the animal shelter animals posing a threat to public
25 safety;
- 26 • Issue warnings and citations as directed by State and local statutes;
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- 1 • Contact citizens and resolve complaints, including but not limited to dogs at large,
2 vaccination requirements particularly as they relate to zoonotic diseases and animal cruelty
3 matters;
- 4 • Maintain records and reports;
- 5 • Operate a computer terminal and two-way radio;
- 6 • Operate a patrol truck and occasionally haul a trailer; and
- 7 • Perform related duties as assigned.

8 5. Minimum qualifications for ACOs include satisfactory completion of POST-training
9 under Penal Code section 832 (limited peace officer status) within the employee's probationary period
10 as well as a course on humanely euthanizing animals.

11 6. In addition, ACOs receive a minimum of six (6) months on-the-job training in capture
12 techniques, animal behavior/handling, investigative procedures, identification of illnesses in various
13 species of animals and other animal welfare procedures.

14 7. ACOs deal with significant issues involving public health and safety. Many of these
15 issues simply cannot be handled by any other County personnel. Examples include:

- 16 • Dog Attacks or Dangerous Dogs: ACOs are trained to handle dog attacks on humans and to
17 capture/contain dangerous animals. Police officers do not have the required training to
18 adequately respond to such a situation and would be limited to using deadly force or
19 attempting to scare the animal away. Moreover, in situations involving dog attacks, the use
20 of deadly force would not be an option without putting human safety at risk. Police officers
21 or County Sheriffs could not shoot an attacking animal without risking harm to the victim
22 and could not shoot a dangerous animal in a crowded area without risking injury or death to a
23 bystander. Failing to respond to and secure aggressive animals running at large places the
24 health, safety and welfare of other animals and the general public at significant risk.
25 Aggressive animals left to roam may attack and injure or kill other animals and/or people.
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- 1 • Emergency Responses: Often calls to law enforcement, paramedics or other emergency
2 response personnel require Animal Services assistance so that the personnel may gain access
3 to the individual in need. Dogs tend to guard their owners when the owner is compromised.
4 Police officers and County Sheriffs do not possess the training or equipment to remove a dog
5 in such situations. Failing to receive, input, and dispatch calls for service results in field
6 officers not knowing what cases they need to respond to. Consequently, incidents involving
7 aggressive animals, bite animals, animals in roadways and like situations are not addressed
8 and result in increased risk to both people and animals. ACOs also secure animals associated
9 with law enforcement activities allowing these personnel to conduct their investigations and
10 effect arrests.
- 11 • Potential Rabies Exposures: ACOs may be called to remove bats, skunks and other wildlife
12 from homes, offices, and other properties. Rabies is an endemic disease in the wildlife of
13 San Luis Obispo and constitutes a human and animal health hazard if exposures are not
14 mitigated. These calls are urgent and require capture of an animal before injury to a person
15 or animal. Rabies is a terminal disease, the risk of which is most effectively mitigated
16 through the prompt removal and testing of potentially rabid animals. OPD officers do not
17 carry the equipment, nor do they possess the skills to perform such a capture safely, whereas
18 ACOs do and are trained in such capture techniques. Failure to quarantine or test biting
19 animals creates the risk that a person exposed to rabies will not receive adequate notification
20 to obtain post exposure prophylaxis treatment. In turn, this places the bite victim at much
21 greater risk of fatal rabies infection.
- 22 • Injured or Dead Animals: An injured or dead animal such as a deer can create a traffic
23 impasse/hazard or potential health risk. Police officers or County Sheriffs have no way to
24 sedate or remove animals or safely remove a carcass. Failing to respond to abuse and neglect
25 reports results in animals being left in cruel and inhumane circumstances. Such animals are
26 subject to significant suffering and at increased risk of health or welfare problems, including
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1 death. Failing to intake injured animals and provide appropriate veterinary care exposes
2 them to unnecessary suffering, health compromise and potentially death. Good Samaritans
3 who seek to aid such animals in the absence of a response from ACOs are at substantially
4 increased risk of bite or injury when attempting to rescue and/or handle such animals.

- 5 • Dog Bites: When a dog bites a person, ACOs are responsible for restraining and
6 quarantining the animal for rabies. Failure for do so could result in a public safety hazard (in
7 the form of an unrestrained, rabid dog) and violate state law.
- 8 • Animals in Traffic: ACOs are trained to deal with a dog or other large animal in the roadway
9 creating a traffic hazard. Police officers would have to resort to shooting the animal which
10 may risk injury or death to a bystander with no way to safely remove the carcass.
11

12 In addition, ACOs care for and protect the animals in the County, capturing unrestrained animals in the
13 County limits and providing them care and shelter until they are claimed. Without these services, the
14 number of loose animals in the County will continue to rise, posing a risk both to the citizens of San
15 Luis Obispo and the animals themselves.

16 8. In addition to the calls that went unanswered, ACOs are first responders and serve in a
17 mutual aid capacity. During a disaster, often people will not leave their animals behind, thereby placing
18 themselves at risk unless their animals can also be safely evacuated. The Federal government passed the
19 Pets Evacuation and Transportation Standards (“PETS”) Act in recognition of this. During a strike, we
20 cannot offer mutual aid nor respond to disasters in our own community.

21 9. Numerous studies have linked animal cruelty and abuse to violence against humans. In
22 fact, the FBI has begun tracking animal cruelty cases due to the well documented link to serious violent
23 crimes against humans, including serial killings, domestic violence, and mass shootings. Animal control
24 officers are specifically trained to investigate complaints of cruelty and neglect, and to identify the signs
25 of this crime. When noticed, they have people prosecuted, thereby removing animals from danger and
26 also protecting people and children who may be at risk. Police Officers and County Sheriffs receive
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1 limited training on this particular type of crime. We receive calls of this nature on a daily basis. If those
2 types of calls and complaints come to our direct lines during the strike, they go unanswered.

3 10. Animal Control currently employs a total of 6 Animal Control Officers. All Animal
4 Control Officers work 4 10-hour shifts from 8:00 am to 6:00 pm so that there is coverage for Animal
5 Services six days a week. There is an Animal Control Officer on call during evenings and weekends for
6 any emergency situations. During evening hours, Sundays, and holidays, an officer remains on-call to
7 respond to high priority calls for service involving immediate public safety and health and welfare
8 concerns. On Sundays, calls for animal incidents are routed to the Sheriff's dispatcher who will then
9 contact the Animal Control Officer on call. Animal Control currently has the highest call volume of any
10 first responder department in the County and forcing all calls to Sheriff's dispatch would overwhelm the
11 Sheriff's department. Calls for Animal Control has increased year over year.

12 11. As such, in the event of a multi-day strike, there are no managers to fill in for essential
13 Animal Control Officers. Supervisors are also represented by SLOCEA and do not anticipate being able
14 to utilize any supervisors to cover for Animal Control Officers.

15 12. There are no adequate replacement workers available to fill in for the ACOs who go on
16 strike. The animal Services Manager is trained as an ACO and, along with the Animal Control and
17 Shelter Manager, will attempt to handle some of the duties ACOs perform while they are on strike.
18 However, because of the amount of work demanded in the shelter along with call volume, it is not
19 feasible to be able to address a fraction of the demand.

20 13. While the County Sheriff or the police departments of the incorporated cities within the
21 County can provide some resources, as discussed above, they do not have the necessary training and
22 expertise to handle calls for animal care and control service. Moreover, because of the call volume
23 experienced by these agencies, they do not have the capacity to respond to calls and are unable to
24 prioritize animal care and control calls or handle them appropriately. Contracting with another agency
25 for animal care and control services would likely be of no assistance to the County. While some city
26 agencies do provide animal care and control services for certain cities within the County, these agencies
27 are simply not equipped to cover the animal control needs for County.
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ANIMAL CARE TECHNICIAN

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2 14. Animal Care Technicians are responsible for: feeding and care for sheltered and
3 impounded animals; cleans animal pens and cages; maintaining Animal Shelter facility, related grounds,
4 and equipment in a clean, safe and orderly condition; processing animal shelter intakes and releases;
5 administering vaccinations and microchips in accordance with prescribed procedures; and as assigned,
6 administers medications to sheltered animals. They also generate records related to animal intakes and
7 outcomes. They maintain the daily inventory of shelter and animal care supplies, euthanize and dispose
8 of animals in accordance with prescribed procedures, segregate, quarantine and prepare animals
9 suspected of having rabies for laboratory analysis, conduct routine maintenance and minor repairs to
10 shelter facilities (materials and equipment).

11 15. Failure to process release and return to owner of impounded animals will cause shelter
12 populations to rise and exceed housing capacity. Consequently, animal care and welfare are adversely
13 impacted by overcrowding and associated sanitation issues. Overcrowding would necessitate euthanasia
14 of animals to accommodate expanding shelter populations. Failure to receive and process owner
15 surrendered animals will result in individuals who are no longer able or willing to care for an animal
16 being unable to place it in a shelter. In situations where such services are unavailable, animal dumping
17 and abandonment results with adverse impacts to animal welfare and suffering – abandoned animals
18 may face starvation, trauma (i.e., being hit by cars) and may pose safety risks if they enter roadways or
19 are involved in aggressive incident with other animals or people.

20 16. In the event that emergency responders encounter a situation in which an animal is
21 present and the owner will no longer be able to take care of it due to arrest, death, hospitalization,
22 involuntary commitment or other such circumstances, care and keeping of the animal must be secured to
23 protect its safety and welfare. Willfully abandoning the animal or leaving it without care is a violation
24 of state law and places the animal at risk of starvation, suffering, and trauma. Moreover, failing to
25 secure the property of an individual after an emergency response creates potential civil liability on the
26 County. Failure to provide euthanasia services will result in those animals with medical conditions,
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Attorneys at Law

1 illnesses, or injury which necessitate humane euthanasia being left to endure suffering and pain.

2 Additionally, being unable to perform euthanasia services will necessitate that aggressive and dangerous
3 animals be housed and handled regularly, creating an increased risk of injury to other animals and
4 people. This service is performed for both in shelter and publicly owned animals. Consequences of
5 failing to provide the service are the same for both. Failing to provide appropriate medical care,
6 including euthanasia, can constitute a criminal violation.

7 17. Normally, there are four 3.5 FTE Techs working during the week Monday through
8 Sunday. As Techs are responsible for the care and feeding of animals, this position is required each and
9 every day. Sunday is a shortened day (from 8:00 am until Noon).

10 ADMINISTRATIVE ASSISTANT III

11 18. The Administrative Assistant IIIs that work in Animal Control are essential to the
12 services we provide to the public. They process animal bite reports and failure to receive and process
13 animal bite reports results in delay of animal quarantine and rabies evaluation leading. In the event of a
14 positive exposure, quarantine and identification of an affected animal in a timely manner is required to
15 allow for necessary post-exposure treatment of the exposed animal or individual and to prevent the
16 establishment of a fatal infection. They process animal outcomes including adoptions and returns to
17 owners. Failure to process release and return to owner of impounded animals will cause shelter
18 populations to rise and exceed housing capacity. Consequently, animal care and welfare is adversely
19 impacted by overcrowding and associated sanitation issues. Overcrowding would necessitate euthanasia
20 of animals to accommodate expanding shelter populations. Legal repercussions may also be experienced
21 as owners have a lawful right to reclaim impounded animals; not processing such requests and returning
22 animals to their owner would be an unlawful confiscation.

23 19. Normally, there are four (4) Administrative Assistant IIIs who staff Animal Services
24 Monday through Saturday. A few are trained to cover dispatch.

25 20. In the event of a multi-day strike, which is anticipated here, Animal Services would
26 suspend provision of less critical services, such as licensing, receipt and processing of animal facility
27 permits, humane education, billing and processing of accounts payable, nuisance abatement proceedings,
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1 and similar functions. The absolute minimum number of essential **Animal Control Officers** is **3 per**
2 **day**. We would assign one Animal Control Officer in north county, one in south county and one for
3 dispatch in order to provide adequate response times. The absolute minimum number of essential **Animal**
4 **Care Technicians** is **1 per day**. Lastly, the minimum number of **Administrative Assistant IIIs** is **1 per**
5 **day** to help process reports, return animals and cover dispatch.

6 **JAIL AND JUVENILE SERVICES CENTER**

7 21. The mission of the San Luis Obispo County Sheriff's Office is to protect all life and
8 property and to provide service, security, and safety to the community. Our vision is to be the most
9 progressive and creative leaders within the law enforcement community, and ensure our County
10 remains one of the safest places to live and visit. The San Luis Obispo County Sheriff's Office provides
11 service to the unincorporated areas of San Luis Obispo County.

12 22. The Jail is a 24 hour, 7 day a week facility. The Juvenile Services Center is staffed daily
13 from 7:00 am to 10:30 pm. The information below is to cover medical staff at the Jail and the Juvenile
14 Services Center as the same classifications of personnel work in both centers unless specified.

15 **CORRECTIONAL NURSES I/II**

16 23. Correctional Nurses: provide nursing services, including treatments, diagnostic and
17 preventive procedures appropriate for inmate care and safety; interpret physicians' orders; administer
18 prescribed medication; assist physician with sick call when physician is present; apply surgical dressings
19 and bandages; provide emergency first aid care; check and record vital signs; instruct inmates concerning
20 discharge planning; observe signs and symptoms during sick call when physician is not present; report
21 reactions to treatments and medications as well as changes in the inmates' emotional or physical
22 condition; direct activities of correctional staff concerning inmate health care and needs; consult with
23 supervisor on problem cases; check and order supplies; maintain accurate medical records; provide health
24 care education for both inmates and correctional staff; supervise and evaluate the performance of assigned
25 staff.

26 24. Correctional Nurses provide intake screening, triage inmate medical requests for sick call,
27 perform nursing assessments, respond to in-facility urgent needs/"man down," communicate with
28 physicians as necessary to provide urgent care or verbal medication orders, provide insulin and other care

1 for diabetics. Without Correctional Nurses, inmates could become acutely ill and/or irreparably harmed
2 if medical needs are not tended to. We are legally required to provide essential medical, dental, and
3 mental health services to this population.

4 25. Correctional RNs are critical in the provision of health services to the incarcerated
5 population in our County jails and Juvenile Service Centers for patients with no other options or means
6 of obtaining healthcare. The County jail currently houses patients with cancer, kidney dialysis, diabetes,
7 high acuity cardiac, organ transplants, seizures, pregnancy, severely mentally ill, and many other clinical
8 conditions requiring daily healthcare. Medical, nursing and dental personnel are critical in the provision
9 of services to the incarcerated population in our county jails. Services include, but are not limited to
10 response to emergency medical conditions, medication administration, chronic disease care and routine
11 & emergency dental care. Also, the Probation's Department and Sheriff's Office coordinate all referrals
12 for specialty care for this population as the need are identified. Correctional RN participation in a planned
13 strike would seriously impact patient healthcare as they provide the majority of the routine, urgent and
14 emergent health services to our patients and there are no other trained personnel who can step in an
15 assume this function.

16 **NURSE PRACTITIONER**

17 26. In accordance with the scope of practice for Nurse Practitioner, or Physician Assistant,
18 and the certification and standards established by the Hospital Interdisciplinary Practice Committee or
19 Health Department medical protocol: Conducts comprehensive or episodic medical assessment of
20 patients/families with real or potential acute and/or chronic health problems, including a medical history
21 and physical exam; orders and evaluates diagnostic studies, such as x-rays or laboratory tests; establishes
22 a medical diagnosis; performs and monitors therapeutic procedures outlined in Hospital or Health
23 Department standards; orders appropriate treatments and prescribes/regulates medications sometimes in
24 consultation with the physician; counsels patients and families on health promotion, diagnosis, prognosis
25 and physician consultation when appropriate; seeks physician consultation when deemed appropriate and
26 as outlined in the Hospital or Health Department Standards of Practice for Nurse Practitioners and
27 Physician Assistants; practices within the Nursing Practice Act/Physician Assistant Board scope of
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1 medications and working with psychiatrists to provide care for patients. LPT/LVN's are minimally
2 staffed at this time and all of these individuals are essential to Behavioral Health.

3 29. The greatest concern by County Sheriff's Office is that these personnel are specialized
4 and cannot be replaced by any other health care workers. They must undergo a full security background
5 and obtain security clearance prior to jail access. There are no Nursing Registries of or pools of RNs,
6 Nurse Practitioners or LPT/LVNs that are pre-authorized Correctional Nurses or Juvenile Services
7 Centers with security clearance that could offer replacement. These personnel also require substantial
8 additional specialty training. There are no other trained and authorized clinicians at any level that could
9 offer replacement for these medical personnel.

10 **BEHAVIORAL HEALTH CLINICIAN**

11 30. Behavioral Health Clinicians provide therapy services for inmates and the provision of
12 these services are required by Cal. Code of Regs Title 15 of the Crime Prevention and Corrections that
13 govern Department of Corrections and Rehabilitation. There is one (1) Behavioral Health Clinician in
14 the jail. This incumbent works Monday through Friday from 8:00 am to 5:00 pm, and is additionally on
15 call during the evenings and weekends to handle with patient issues.

16 31. If these medical personnel participate in the planned multi-day strike in the Jail , it would
17 significantly impact the ability for the County Sheriff's Office to provide required community standard
18 health services, thereby placing every incarcerated patient at risk for delay in treatment, negative clinical
19 outcomes, and possible death.

20 32. Sheriff's Deputies assigned to the jail would be compelled to take inmates with routine
21 and emergent needs to local hospital emergency rooms, as they are not equipped to handle medical care.
22 If taken away from these essential duties, this would give rise to an imminent danger to public health and
23 safety. There is a higher likelihood that fights and other disruptions might occur with a decrease in the
24 amount of Deputies in the jail.

25 33. The Jail and Juvenile Services Center currently employs a total of over 14 Correctional
26 RNs and 2 Correctional RN supervisors. All Correctional RNs work 4 10-hour shifts and are scheduled
27 to work 24 hours a day, 7 days a week. The Jail currently employs a total of 16 LPT/LVNs, a combination
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1 of regular and temporary personnel who work 4 10-hour shifts so that 20 hours out of every 24 hours are
2 covered. Five of the LPT/LVNs work in Behavioral Health. The Juvenile Services Center currently
3 employs a total of 3 Nurse Practitioners who work 8-hour shifts Monday through Sunday so that a total
4 of 16 hours are staffed each day. In the event of a three-day strike, the Director of Nursing could assist
5 and attend to sick calls to the extent possible, but would not be available to take the place of an essential
6 employee. Also, supervisors over this group are represented by SLOCEA, and therefore the County
7 cannot use supervisors as replacements.

8 34. The absolute minimum number of essential positions **in a 24-hour period for the Jail**
9 **and the Juvenile Services Center are as follows:**

- 10 • **Correctional RNs (Jail) – 4 per 24 hour period (2 per 12-hour shift x 2 shifts per day)**
- 11 • **Correctional RNs (Juvenile Services Center) – 2 (1 per 8-hour shift x 2 shifts per day)**
- 12 • **Correctional RN Supervisor – 1 (normal 10-hour shift)**
- 13 • **LPT/LVN (Jail) – 6 (10-hour shifts – 2 in the Jail and 4 for Behavioral Health – 1**
- 14 **AM, 2 PM and 1 Overnight)**
- 15 • **LPT/LVN (Juvenile Services) – 2 (regular shifts)**
- 16 • **Nurse Practitioner (Juvenile Services Center) – 1 (8-hour shift)**
- 17 • **Behavioral Health Clinician (Jail) – 1 (8-hour shift)**

18
19 **PUBLIC HEALTH**

20 35. The County's Public Health Department is a division within the Health Agency and is
21 responsible for protecting and improving the health of all County residents. The mission of the Public
22 Health Department is to promote, preserve and protect the health of all residents through disease
23 surveillance, health education and health policy development. Public Health Laboratories provide
24 clinical and environmental testing to support programs as well as hospitals, clinics, physicians, private
25 business, citizens and local, state and federal authorities.

26 **PUBLIC HEALTH SUPERVISING MICROBIOLOGIST AND PUBLIC HEALTH**
27 **MICROBIOLOGIST**

1 36. The Supervising Microbiologist: supervises, trains and evaluates subordinate professional
2 and support staff; performs microbiological and chemical examinations for the detection, identification
3 and control of microbial disease agents and other impurities, including bacteriological, chemical,
4 serological, parasitological, mycological, and viral tests, using a variety of laboratory equipment; keeps
5 accurate records and prepares reports of examinations; prepares or supervises preparation of stains, media
6 and reagents; advises health personnel and public regarding proper methods of specimen collection and
7 transport; reviews professional literature and relays pertinent information; assists in the evaluation and
8 establishment of new procedures.

9 37. The Microbiologist: performs microbiological and chemical examinations for the
10 detection, identification and control of microbial disease agents and other impurities, including
11 bacteriological, chemical, serological, parasitological, mycological, and viral tests, using a variety of
12 laboratory equipment; keeps accurate records and prepares reports of examinations; prepares or
13 supervises preparation of stains, media and reagents; advises health personnel and public regarding
14 proper methods of specimen collection and transport; reviews professional literature and relays pertinent
15 information; assists in training laboratory personnel; assists in the development of new procedures.

16 38. The lab accepts human specimens from health care providers or FBI in cases of suspect
17 agents of bioterrorism and the Microbiologists perform laboratory analysis to include pathogen
18 identification and antibiotic-resistance patterns. If laboratory functions are not met, infected persons may
19 be misdiagnosed leading to pain and suffering or even hospitalization or worse. Transmission of disease
20 may go unchecked or treatment with ineffective antibiotics could lead to future resistance of strains of
21 disease-causing organisms. Diseases may include tuberculosis, food-borne infections, sexually
22 transmitted diseases, or special agents of bioterrorism such as anthrax or ricin, for which the SLO
23 laboratory serves as a regional lab for Santa Barbara and Ventura counties as well. Private labs are not
24 certified to perform these tests.

25 **SENIOR ACCOUNT CLERK OR ACCOUNTING TECHNICIAN**

26 39. Although the Senior Account Clerk or Accounting Technician may seem clerical in
27 nature, in Public Health, they perform a particular essential duty: accessioning and processing for testing
28 human specimens from health care providers or FBI in cases of suspect agents of bioterrorism. PH

1 Microbiologists do not know the accessioning function nor would they have the capacity to be able to
2 manage the intake of laboratory specimens and keep proper documentation of patient location and other
3 demographic and health care provider details. They set up testing and input the samples into the database
4 so that the Microbiologists can add additional data to the samples and specimens.

5 PUBLIC HEALTH NUTRITIONIST

6 40. Public Health Nutritionist is part of a career series for Public Health Nutritionist I and II.
7 Classes in this series conduct, plan, and coordinate nutritional and breastfeeding services for the
8 Community Based Comprehensive Perinatal Program, the Special Supplemental Nutrition Program for
9 Women, Infants and Children (W.I.C.), and other public health care programs; provide consultative,
10 educational, and technical services in the field of nutrition and breastfeeding; and do other related work
11 as required. Their duties include: plans, arranges and conducts nutrition and breastfeeding programs in
12 the promotion of positive health and in the dietary control of disease; conducts educational programs in
13 nutrition and breastfeeding for departmental staff and local health and community groups; interprets the
14 special dietary needs and problems of persons most susceptible to nutritional deficiencies such as
15 pregnant and breastfeeding women, infants, children and adolescents, senior citizens, those with chronic
16 illnesses or physical handicaps, and those with a limited food budget; coordinates W.I.C. Clinics;
17 provides therapeutic diet and breastfeeding counseling; develops high risk care plans; assists public
18 health nurses with specific nutrition, breastfeeding and/or related problems of individual clients and
19 families; provides consultation to physicians, public health nurses and health agency personnel regarding
20 nutritional requirements and problems of the public and individual patients; conducts studies and surveys
21 relating to nutritional and breastfeeding issues, dietary patterns and food needs of population groups;
22 reviews and evaluates nutritional and breastfeeding research and interprets it to professional and lay
23 groups. Public Health Nutritionists are the only individuals in the County authorized to distribute food
24 vouchers so if they are not available, many vulnerable populations groups will not be able to obtain
25 nutrition. Normally, people can plan for weekends but if a three-day strike were to take place, this would
26 place a significant strain on individuals who would not have access to nutrition for five straight days.

27 41. Evaluate nutritional status of pregnant and postpartum women and their infants and
28 children; determine need for types of food vouchers; distribute emergency breastfeeding

1 supplies/equipment. For some families, going without food vouchers can mean the difference between
2 eating or not eating with the latter leading to the possibility of malnutrition, illness and potentially even
3 impacts to fetal and infant development. Lack of lactation services may result in mastitis (infection in
4 milk ducts) or premature cessation of health-supporting breastfeeding.

5 **PUBLIC HEALTH AIDE**

6 42. The Public Health Aide: interviews patients to collect designated record information on
7 health conditions; advises patients on available clinics and programs; prepares examining rooms,
8 assembles medical charts, schedules appointments; travels to satellite clinics when needed to help set up
9 and perform program duties; fills supply orders and shelves supplies; takes inventory; delivers supplies;
10 transports patients to clinics; picks up and delivers lab specimens; mails letters and appointment cards;
11 may perform clerical duties such as filing, record keeping, operating automated office equipment,
12 including but not limited to computer and computer programs (e.g. Word, ISIS), printer, cash register,
13 and multi-line telephone system; takes messages and may act as a receptionist; maintains order of
14 examination rooms; cleans up examination rooms; provides clerical relief when needed; may act as
15 translator or interpreter; assists in program eligibility determination and enrollment; follows up broken
16 appointments and referrals; assists in outreach activities; may also be trained to take accurate patient
17 blood pressures, finger sticks; heights and weights, performs hearing and vision screening and correctly
18 documents findings; establishes effective working relationships with staff and patients.

19 43. Public Health Aides handle client intake, form processing, food voucher dispensing, and
20 documentation. Nutritionists and PHNs do not know the intake process nor would they have the capacity
21 to be able to manage the clerical work simultaneously with their other duties.

22 **PUBLIC HEALTH NURSE**

23 44. The Public Health Nurse handles reports of communicable diseases, which involves
24 tracking cases to get additional information about time, place, nature of contacts; ensure appropriate
25 treatment of index case(s); perform contact investigation, work with health care providers, schools, day
26 care, nursing homes, etc. to prevent further disease spread; work with PH Lab and Environmental Health
27 (for food-borne or water-borne cases) to get additional information; and report to state or other involved
28 jurisdictions in a timely manner. Without proper communicable disease investigation and rapid action,

1 local residents would be at risk of disease spread leading to further morbidity and even potential
2 mortality.

3 45. They also handle urgent or emergency reproductive health needs such as emergency
4 contraception, adverse effects from recently administered birth control (injections or implants), treatment
5 for just diagnosed sexually transmitted diseases. Lack of care for urgent or emergency reproductive
6 health concerns could result in unwanted pregnancy in women ill-advised to become pregnant due to
7 underlying health issues, the inability to immediately address the need for a painful or bleeding adverse
8 effect from a recently administered birth control option or timely treatment for a sexually transmitted
9 disease to avoid further disease transmission and secondary effects in the infected person (especially,
10 infertility in women).

11 **NURSE PRACTITIONER**

12 46. A Nurse Practitioner readily responds to cases of suspected sexual abuse; perform intake
13 and collect history of events, perform forensic examination, maintain chain of custody of specimens and
14 associated documentation. Unlawful cases of sexual abuse could go unreported and/or unprosecuted
15 without the ability to process such cases in a timely, careful manner; the victim would not be afforded
16 due justice and could suffer from exacerbated post-traumatic stress disorder. When this NP takes time
17 off she is backed up by specially-trained nurses who are on-call and scheduled well in advance. They
18 are Temporary Help and cannot be remanded to report for duty should they be sympathetic to supporting
19 a labor strike.

20 **ENVIRONMENTAL HEALTH SPECIALISTS**

21 47. The Environmental Health Specialist is responsible for program activities related to the
22 protection of the environment and public health. Incumbents perform a wide variety of duties in the
23 inspection, education, investigation and enforcement of federal, state, county and local laws and
24 ordinances pertaining to environmental health issues; and do other related work as required. Incumbents
25 in the Environmental Health Specialist position may be assigned to a generalist role or specialty program
26 area. Specialty program areas may vary, but can include cross connections, small water systems and land
27 use, environmental health information technology, and Certified Unified Program Agency (CUPA)
28 Programs. Incumbents may be required to attend training specific to their specialty assignment and, in

1 some cases, will be required to obtain additional certification or training in accordance with federal and
2 state law. In addition, incumbents may be required to serve on the Hazardous Incident Response Team.
3 As a member of the Hazardous Incident team, they respond to hazardous materials (HazMat) incidents
4 that involve any manner of potential HazMat elements such as oil leaks, pesticides, radiation, toxic
5 solvents, white powder, etc. Responsible for tracking material, providing technical consultation to first
6 responders on scene, promulgating regulatory requirements, authorizing site shutdown. Inadequate
7 response to a HazMat event would put the general public at risk from any number of possible outcomes
8 to include immediate exposure to toxic or lethal contaminants as well as spread to substrates such as
9 water, soil or air with potential long-term health consequences and expensive clean-up measures needed.

10 **ADMINISTRATIVE ASSISTANT III**

11 48. The Administrative Assistant sought for injunction handles issuing of death certificates,
12 as bodies may not be buried in the state of California without this document. The ability to bury or
13 cremate dead human bodies in a timely manner is a basic necessity for a modern society to avoid
14 overloading mortuaries leading to potential disease transmission or simply out of human decency. The
15 County has 2 Administrative Assistants trained with these kinds of records. They work a regular Monday
16 through Friday schedule.

17 49. Public Health currently employs a total of 7 Public Health Microbiologists and
18 Supervising Microbiologists. All Public Health Microbiologists and Supervising Microbiologists work
19 Monday through Friday from 7:00 am to 6:00 pm, but there is a Microbiologist on call during evening
20 and weekend hours. A Microbiologist is scheduled to come in each day of the weekend to deal with the
21 specimens and samples.

22 50. Public Health currently employs a total of 1 Senior Account Clerk and 1 Accounting
23 Technician. They work Monday through Friday during regular business hours. Any samples received on
24 the weekends are channeled to the on-call Microbiologist to handle, but weekend volume is normally
25 lower as all of the clinics that are served by the Public Health Department are closed.

26 51. Public Health currently employs a total of 6 Public Health Nutritionists. All Public Health
27 Nutritionists work Monday through Friday during normal business hours.

1 52. Public Health currently employs a total of 12 Public Health Aides. All Public Health Aides
2 work Monday through Friday during normal business hours. Eight Public Health Aides are qualified to
3 work the WIC program while four is qualified to work in Reproductive Health.

4 53. Public Health currently employs over 30 Public Health Nurses and Supervising Nurses.
5 All Public Health Nurses and Supervising Nurses work Monday through Friday during normal business
6 hours.

7 54. Public Health currently employs a total of 2 Nurse Practitioners. All Nurse Practitioners
8 work Monday through Friday during regular business hours.

9 55. Public Health currently employs a total of 18 of Environmental Health Specialists
10 including supervisors. All Environmental Health Specialists work Monday through Friday with a team
11 of four Specialists on call during nights and weekends.

12 56. Supervisors are represented by SLOCEA and cannot be relied upon to report to work
13 during the strike. As such, in the event of a three-day strike, all available, non-represented managers will
14 be asked to fill in for these essential positions. This includes closing and consolidating clinics and
15 running voucher programs for half a day. And the County is making significant reductions in services to
16 asking for the barest minimum of staffing to continue vital services.

17 57. Taking into account the assistance and replacement by managers, the absolute minimum
18 number of essential positions **each day of the strike are as follows:**

- 19 • **Public Health Microbiologist – 3 (8 hour shift)**
- 20 • **Senior Account Clerk – 1 (8-hour shift)**
- 21 • **Public Health Nutritionist – 2 (1 each for two half days to cover 4 clinics, one in each**
22 **of 4 regions of county)**
- 23 • **Public Health Aide – 3 (2 for WIC and 1 for Reproductive Health – 8-hour shift)**
- 24 • **Public Health Nurse – 2 (8-hour shift; 8-hour shifts, 2 for Communicable Disease, 1**
25 **for Reproductive Health)**
- 26 • **Nurse Practitioner – 1 (8-hour shift)**
- 27 • **Environmental Health Specialist – 3 (8-hour shift)**
- 28 • **Administrative Assistant III – 1 (8-hour shift for death certificate issuance).**

BEHAVIORAL HEALTH

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3 59. The Behavioral Health Department is part of the County’s Health Agency and works in
4 collaboration with the community to provide services to improve and maintain the health and safety of
5 individuals and families affected by mental illness and/or substance abuse. The Behavioral Health
6 department is contracted by the State Department of Health Care Services (DHCS) to provide
7 medically necessary services to children and youth with serious emotional disabilities and adults with
8 serious mental illness, and to individuals diagnosed with substance use disorders.

9 60. Services are designed to assist in the recovery process to achieve the highest quality of
10 life by providing culturally competent, strength based and client and family centered strategies. The
11 Behavioral Health Department operates a 16-bed, licensed Psychiatric Health Facility (PHF). The PHF
12 provides observation and treatment for acute mental illness under licensed psychiatric direction. The
13 PHF is an inpatient facility that treats individuals in psychiatric crisis who cannot be safely served in
14 outpatient services. The PHF is a designated facility under the Lanterman-Petris-Short (LPS) Act. The
15 PHF is operated by the County under a license issued and regulated by the State Department of Health
16 Care Services (DHCS) as a facility for 72 hours of psychiatric evaluation and treatment. Subsequent 14
17 day holds may be ordered for individuals who are a danger to self. Additionally, for individuals who
18 are deemed gravely disabled, a temporary conservatorship may be requested from the court to continue
19 involuntary treatment. Patients may also sign in for voluntary treatment if the individual meets medical
20 necessity and cannot be treated safely at a lower level of care. Also, patients have a right to refuse
21 medication unless there is a court order for medication or the patient is displaying imminently
22 dangerous behavior toward self or others, and the doctor orders involuntary medication (W&I code
23 5325.2). Patients have rights and are provided legal representation by the Public Defender’s
24 Office. Due to the unique needs of a psychiatric patient, the PHF employs a highly trained nursing staff
25 that provides patient care 24 hours a day, 7 days a week.

26 61. Many of the patients who are involuntarily committed are actively psychotic, and a
27 danger to themselves or others. Some of these patients are taken into custody by law enforcement
28 officers and taken to the PHF pursuant to section 5150. In the past, patients at the PHF have injured

1 staff. As such, safety for the patients and staff is a major concern. One way to ensure greater safety for
2 the patients and staff is to implement proper staffing figures.

3 62. Behavioral Health Clinicians are licensed by the Board of Behavioral Sciences to provide
4 a range of therapeutic interventions. In the PHF, the clinical social worker also manages discharge
5 planning and documentation associated with conservatorship. Currently 1 LCSW provides the
6 mandated coverage of 8 hours per day during the week, and weekends are covered by other staff as
7 overtime, extra shifts.

8 63. Licensed Psychiatric Technicians (LPTs) work in this inpatient unit as well. Licensed
9 Psychiatric Technicians (LPT's) provide the core of services on the PHF. Under supervision of the
10 Program Supervisor and the Psychiatrist, LPT's provide medication administration, oversee activities of
11 daily living, provide support and skill building to patients, and monitor behavior to provide safety to all
12 patients and staff. LPT's also serve as shift leads to respond to calls from hospitals and other agencies
13 seeking admission to the unit. LPT's assist in both admission and discharge of patients, including
14 inventory of personal possessions, all required documentation, and consultation with psychiatrist for
15 treatment. Currently, there are 8 to 10 LPTs whose schedules are staggered so that the PHF has 24-hour
16 coverage each day.

17 64. Behavioral Health Workers provide patient care including activities of daily living,
18 recreational activities, and safety. BHW's are also frequently called to provide transportation to court,
19 to various hospitals both within and outside of the county, or to residential facilities. In the past year,
20 the PHF staff, primarily BHW's, provided over 500 transports to patients in Emergency Departments in
21 need of psychiatric hospitalization to facilities throughout the State. There are 3 BHWs who each work
22 1 8-hour shifts each day to maintain 24-hour coverage.

23 64. Administrative Assistants are required to admit and discharge patients; input patient
24 data into the electronic medical record so that information can be accessed by the treatment team, and
25 assisting with communications to other agencies and facilities. AA's work 10 hour days, 7 days a
26 week.

27 65. A licensed mental health RN that provides oversight of medical needs, staff
28 supervision, and client care. 8 hours of MHRN staffing is required daily. The staffing levels of the

1 PHF are driven by census according to licensing regulations, and by the acuity of the current patient
2 group. Specifically, the California Code of Regulations establishes that the licensed nurse-to-patient
3 ratio in a psychiatric unit cannot be greater than 1:6 at all times. “Licensed nurses” include licensed
4 psychiatric technicians, licensed vocational nurses and registered nurses (RN). Furthermore, at least
5 50% of the “licensed nurses” must be RNs.

6 66. The PHF is normally staffed by a Behavioral Health Program Supervisor, a
7 Psychiatrist, a Registered Nurse, a Licensed Clinical Social Worker, Psychiatric Technicians and
8 Behavioral Health Workers. Contracted services include Rehabilitation Services and Dietary
9 Services. The PHF is licensed to treat 16 patients at any point in time. The PHF serves:

- 10 • Individuals who, per Welfare & Institutions Code 5150, may be involuntarily detained due to
11 indications they are, as a result of a mental disorder, a danger to self, danger to others, or may
12 be gravely mentally disabled
- 13 • Misdemeanants in custody of the County jail, determined by the Court to be incompetent to
14 stand trial (per Penal Code 1370). Inmates are treated at the PHF to restore them to
15 competency, in order for them to participate in their legal proceedings.
- 16 • Conserved individuals (gravely mentally disabled and permanently housed elsewhere) in need
17 of stabilization.

18 The PHF is the only such facility within San Luis Obispo County. The nearest alternative inpatient
19 psychiatric facilities are located in Salinas, Santa Barbara, and Fresno/Bakersfield, and are often also at
20 or near their licensed capacity. Approximately 340 individuals are transferred directly from our area
21 hospitals to out-of-County alternative inpatient psychiatric treatment facilities every year.

22 67. The Adult and Youth Mental Health Services Divisions deliver a range of treatment
23 services from outpatient to inpatient levels of care in order to provide compassionate, safe, timely and
24 effective behavioral health services for individuals with serious mental health disabilities and children
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1 and youth with serious emotional disabilities. Regional outpatient clinics provide multi-
2 disciplinary treatment teams which collaborate with clients on their treatment goals in order to improve
3 their wellness, recovery and resiliency in the community. The array of mental health services include
4 assessment, individual and group therapy, psychiatric medication services, rehabilitative services,
5 psycho-education and case management. Services include: screening, assessment and treatment
6 recommendations, treatment planning, individual and group psychotherapy, medication services,
7 psychiatry, case management and rehabilitation services and residential options. The clinics provide
8 service treatment to clients on an ongoing nature, in addition to walk in clients who are in need of
9 immediate assistance. Failure to provide timely care can result in decompensation, frequently leading
10 to hospitalization or other negative outcomes. The clinic sites also provide daily crisis intervention to
11 both walk-in and assigned clients.
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14 68. *Normal staffing* patterns for each regional clinic are comprised of one Behavioral Health
15 Program Supervisor, 3-5 Behavioral Health Clinicians, 1-3 LPT's, 1 - 2 AA's, and 1-2 HIT's
16 depending on size of clinic caseloads. The Juvenile Services Center is also staffed by 1 BHC per day,
17 required to maintain safety and therapeutic stability for the young wards.
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19 69. The County also provides Drug & Alcohol Services that offers a variety of services and
20 programs to help people with drug and alcohol problems, including public walk-in clinics, outpatient
21 treatment, and court-mandated programs. The Drug and Alcohol team provides a full array of
22 treatment options for 18+ year olds who are experiencing substance use issues and have had
23 involvement with the legal justice system. Individuals will be assessed for level of care and to create an
24 individualized treatment plan. Criminal justice modalities include:
25

- 26 • Deferred Entry of Judgment (DEJ)
- 27 • Proposition-36
- 28

- 1 • Family Treatment Court (FTC)
- 2 • Adult Drug Court (ADC)
- 3 • Post/Pre Release Treatment Services (PRTS—AB-109).

4 FTC is a therapeutic court program, specifically designed for parents whose substance abuse
5 contributes to child abuse and/or neglect resulting in involvement with juvenile court dependency
6 proceedings under Welfare and Institutions Code sec. 300, etc. FTC is comprised of a Juvenile court
7 judge, program supervisors from Drug and Alcohol Services and Department of Child Welfare
8 Services, social workers, treatment specialists, CASA, and workers. The team is dedicated to
9 parent/family progress through a 12-month, 4-phase treatment court. This court provides
10 accountability, structure, incentives, and sanctions. FTC is a collaborative approach in promoting
11 reunification of children with healthy parents living a clean and sober lifestyle.
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14 70. Drug & Alcohol provides an array of jail-based services for those that are incarcerated
15 in San Luis Obispo County Jail. These services include Mental Health and Substance Use Disorder
16 screening, assessment, and diagnosis. Based on the assessment, individuals may be eligible for Pre-
17 Release Treatment Services which include; individual and group treatment, psychological services,
18 and/or medication management. The main purpose of these services is to link the individual with the
19 re-entry services and facilitate a seamless handoff to Post Release Treatment Services (PRTS).
20

21 71. Drug and Alcohol Services provides a range of care from court ordered Driving Under
22 the Influence services to ongoing treatment of addictions and medication assisted treatment. For DUI
23 programs, a minimum of 1 Behavioral Health Specialist and 1 Administrative Assistant are required
24 to provide the service. Individuals whose DUI classes are delayed may have difficulty re-obtaining
25 their drivers licenses. Due to the geographic expanse of the county and difficulty using public
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1 transportation from one end of the County to the other; services will be provided in North County and
2 SLO; consolidated from 4 service sites.

3 72. Drug and Alcohol treatment, both court ordered and voluntary, are necessary to assist
4 individuals in obtaining and maintaining sobriety. Depending on the assessed level of severity, some
5 individuals have up to 5 hours of group and individual treatment per day, up to 5 days per week.
6

7 73. DAS also provides Medication Assisted Treatment for individuals addicted to opiates
8 and/or alcohol. Failure to receive daily dosing during the early induction period can lead to a return
9 to illicit drug use.

10 74. *Normal staffing* for each Drug and Alcohol site ranges from 1 - 2 Behavioral Health
11 Workers, 3-8 Behavioral Health Specialists, 2-3 Behavioral Health Clinicians, 1 LPT, 1-2 AA's, 1-2
12 HIT's, and a Behavioral Health Program Supervisor depending on size of clinic and services
13 provided.
14

15 75. The County is contracted by the State to provide medically necessary services to
16 Medi-Cal eligible individuals who have serious mental illness or substance use disorders. Under this
17 contract, the County is required to have an access line 24/7 to receive calls for services. This service
18 is provided after hours by a contracted agency which takes information, but is staffed by County
19 clinicians during regular work hours. County clinicians screen, assess the nature of the mental health
20 request to determine the acuity of the need, and schedule face to face assessments within 7 days.
21 Frequently individuals call for service with crisis or urgent need for treatment. The clinician will
22 contact the Mental Health Evaluation Team or law enforcement if needed for immediate response, or
23 schedule urgent appointments as needed. The county has a team of 5 clinicians and one Behavioral
24 Health Program Supervisor to handle daily calls; however will reduce to 1 clinician to provide
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1 minimum service levels. An Administrative Assistant is required to answer phones, get basic
2 information, and begin registration in the electronic health record.

3 76. All of these facilities are primarily staffed to meet the demands of the current
4 caseloads. The vulnerable population groups served by the County need to be able to access services
5 during the strike to prevent decompensation, increased or renewed drug use/abuse, hospitalization, or
6 other negative consequences to the individual's health and community's safety. In order for the
7 County to operate and provide essential services to the public, minimal staffing has been requested
8 for the duration of the strike. At this time, all unrepresented employees or employees represented by
9 other groups such as psychiatrists are already expected to report to work during the days of the strike
10 and engage in their normal duties and fill in where necessary. **The minimum number of essential**

11 **employees in Behavioral Health is as follows:**

12 **Psychiatric Health Facility (24 hour secure inpatient facility)**

- 13 • **Behavioral Health Clinician – 1**
- 14 • **Licensed Psychiatric Technicians – 8**
- 15 • **Administrative Assistant – 1**
- 16 • **Mental Health RN - 1**
- 17 • **Behavioral Health Workers – 3**
- 18 • **Behavioral Health Program Supervisors - 2**

19 **Adult and Youth Outpatient Programs**

- 20 • **Behavioral Health Clinicians– 6**
- 21 • **Licensed Psychiatric Technicians – 6**
- 22 • **Behavioral Health Workers – 6**

23 **Managed Care**

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- Behavioral Health Clinician – 1
- Administrative Assistant – 1

Drug and Alcohol Programs

- Behavioral Health Clinicians – 3
- Behavioral Health Specialists - 4
- Licensed Psychiatric Technicians – 2
- Administrative Assistants – 4
- Health Information Technician (HIT) – 1 (medical records processors and the County’s failure to process documentation is in violation of our legal mandates)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 21st day of November, 2018, at San Luis Obispo California



Anne Robin

EXHIBIT F

1 **DECLARATION OF DANIEL MILEI**

2 I, Daniel Milei, declare as follows:

3 1. I am the Director of the San Luis Obispo Information Technology Department (ITD). I
4 have personal knowledge of the following and, if called as a witness, could and would competently testify
5 thereto.

6 2. I have been the Director of ITD since December 2014 and hold a Professional Project
7 Manager, PMP, license from the Project Management Institute since October 2010.

8 3. The Department is responsible for the development, management and support of all
9 County enterprise information technology systems including among others wired and wireless networks,
10 phones, radio communications, electronic mail, financial and criminal justice information systems and
11 the direct technical support of multiple organizations including: the Board of Supervisors, County
12 Administrative Office, Human Resources, *Emergency Services, Airports, Parks, Central Services, Fire,*
13 *Sheriff, and Veteran's services.*

14 **COMMUNICATIONS TECHNICIANS**

15 4. Communications Technicians (CT) perform a variety of skilled work in the assembly,
16 installation, testing, maintenance, and repair of various radio transmitting and receiving equipment,
17 microwave system equipment, telephone equipment, and other communications and electronic
18 equipment.

19 5. The essential functions that the CTs perform are supporting Public Safety Radio
20 communications and custody video surveillance support. In case of a system failure, Sheriff Dispatch,
21 Law Enforcement, and Medical First Responders would be unable to communicate via the countywide
22 radio system. Furthermore, video surveillance systems at critical custody facilities and the County Airport
23 would be unsupported and potentially be inoperative. This will in turn possibly lead to the danger of
24 public citizens unable to gain help from emergency responders, were the countywide radio system to fail.

25 6. The CT's must have a deep understanding of Public Safety Radio systems, microwave
26 radio systems, electrical power systems, and IP video surveillance systems. They must also be certified
27 for tower climbing and safety rescue systems, and hold a General Radio Operator's License with FCC
28

1 certification. Finally, they must be certified for climbing towers and be familiar with the County's
2 extensive radio systems operating at over fifteen different sites around the County.

3 7. IT currently employs a total of six Communications Technicians, CTs, who work 8-hour
4 shifts which are set from 8am to 5pm, or 730am to 530pm (RDO schedule) Monday through Friday.
5 After 5:30PM one CT is on-call until the start of the next shift, and the other CTs acting as backups.

6 8. Current staffing levels on the weekend and after hours are staffed for one CT on-call 24/7.
7 The other 5 CTs act as a backup however for the one CT that is on-call during the weekend.

8 9. The current communications supervisor could assist in some simple radio and video
9 surveillance services but would normally require assistance from a CT to troubleshoot or assist with
10 significant issues and so would be very limited in backfilling any duties performed by a CT.

11 10. In the event of a strike, IT would suspend provision of less critical services, such as
12 ongoing projects and upgrades. The absolute minimum number of essential Communication Technicians
13 are three (3) Communications Technicians **in a 24-hour period**. All three (3) must be on-site from
14 730AM-5:30PM and two (2) of the must be on-call after 5:30PM till the next shift starts. The reason why
15 two (2) are needed on-call is because normally five of the six act as backups, but during a strike situation
16 at least two are required in the case of a significant radio system failure or outage. For this reason two
17 (2) CTs are also required on-call within a 24 hour period during the weekend. A chart outlining this
18 minimum staffing is attached hereto as Exhibit A.

19 I declare under penalty of perjury under the laws of the State of California that the foregoing is
20 true and correct.

21 Executed this 21 day of NOVEMBER, 2018, at 976 OSAS ST, SUITE 400
SAN LUIS OBISPO, California

22
23 

24 Daniel Milei

EXHIBIT G

1 **DECLARATION OF IAN PARKINSON**

2 I, Ian Parkinson declare as follows:

3 1. I am the Sheriff-Coroner for the County of San Luis Obispo Sheriff's Office. I have
4 personal knowledge of the following and, if called as a witness, could and would competently testify
5 thereto.

6 2. I have been the Sheriff-Coroner of the County of San Luis Obispo Sheriff's Office since
7 January 3, 2011. I have been in Law Enforcement for 35 years. My career began at the Morro Bay Police
8 Department in 1984, before transferring to San Luis Obispo Police Department in 1988. At SLO Police
9 Department, I promoted through the department, to the rank of Captain. Following that position I was
10 elected and sworn in as Sheriff in 2011. I possess all Peace Officer Standards and Training certificates,
11 including an executive certificate.

12 3. This declaration sets forth my opinion as to minimum staffing levels for the County
13 Sheriff's Office and the County Jail within the SLOCEA Big and Trades Unit that are required to provide
14 services essential to public health or safety. As the Sheriff-Coroner, I am responsible for overseeing the
15 services provided by the department.

16 4. I reaffirm that the following classifications are essential for public health and safety as
17 described below. The Sheriff's Office seeks to enjoin the following classifications within its purview at
18 various locations to continue to provide for the below mentioned essential services for public health and
19 safety: **Legal Clerks** at the Patrol Stations, Coroner's Office, Jail Administration, Records, Civil
20 Division, Crime Lab, and Detectives Office; **Lab Assistants at the Laboratory; Department**
21 **Automated Specialist; Storekeepers, Cooks I/II/III, Food Services Supervisor, and most**
22 **importantly, the Correctional Technicians I/II/III** at the County Jail.

23 5. The following positions are not only essential but are not easily replaceable since anyone
24 who works for law enforcement facilities normally must pass and extensive background check and
25 undergo a lengthy training period in order to be adequately qualified to perform minimal function in these
26 positions.

1 **CORRECTIONAL TECHS**

2 6. Correctional Technicians provide critical safety and security functions for the operation
3 of the County jail twenty-four hours a day, seven days a week, three-hundred-sixty-five days a year. They
4 provide services for documenting and system entry of new arrests for multiple law enforcement agencies.
5 They also provide property control functions for all new arrests. They provide paperwork for court
6 related to both pre-sentence and sentenced inmates as well as updating the inmates records regarding the
7 court process. They process all inmates exit orders. Correctional Technicians provide safety and security
8 functions for both Main Jail Control and West Dorms by monitoring cameras and controlling access
9 points. Correctional Technicians coordinate all mandated jail visits for inmates per Title 14.

10 7. Failure to have these positions filled could result in inmates missing mandated court dates,
11 release dates and visitation being cancelled. The Sheriff's Office is mandated by law to provide jail
12 operations by Government Code 26605. With only 20 positions filled we are at minimum staffing and
13 incurring overtime to fill all shifts. Reducing this number even for a short time will create staffing
14 shortages that would need to be filled by additional overtime. There are 4 posts that need to be manned
15 24 hours a day, 7 days a week and 365 days a year and one position that needs to be manned 18 hours a
16 day, 7 days a weekend 365 days a year

17 8. There is normally ten (10) – twelve (12) CTs scheduled within a 24 hour period, Monday
18 through Sunday. These positions cannot be replaced by any other workers since we currently have three
19 (3) vacancies, the two (2) CT Supervisors are also represented by SLOCEA, and there is only one (1)
20 manager over this group. In addition, to fully function in this role requires months of training, therefore,
21 it would be virtually impossible to have individuals unfamiliar with the rules and regulations of the jail
22 fill in. In the event of a strike, the absolute minimum number of Correctional Technicians needed are ten
23 (10) CTs within a 24-hour period, Monday through Sunday. It is imperative to staff these positions due
24 to the highly volatile nature of conditions within the County Jail. Not staffing an adequate number of
25 CTs can lead to the harm of inmates and staff and should not be risked. A chart outlining this minimum
26 staffing is attached hereto as Exhibit A
27
28

SLOAN SAKAI YEUNG & WONG LLP
Attorneys at Law

1 14. The Department normally has about 4-6 Legal Clerks scheduled Monday through Friday
2 from 7:00AM-6:00PM across three different locations (North, South and Coast Stations). They are not
3 scheduled to work on weekends.

4 15. Supervising Legal Clerks are also represented by SLOCEA and, there is only one (1)
5 Manager over the Legal Clerk function, therefore the department cannot rely on supervisors or managers
6 to help fill in during a strike.

7 16. In the event of a strike, the Sherriff's department would have to limit any non-critical
8 services. The absolute minimum number of essential Legal Clerks to keep the Patrol Stations operational
9 is three (3), one at each substation from 7AM-6PM. A chart outlining this minimum staffing is attached
10 hereto as Exhibit A.

11
12 **Coroner's Office**

13 17. The work of the Legal Clerk at the Coroner's Office is vital to the operations of the
14 Sherriff's Office.

15 18. The Legal Clerk performs the duties mentioned above in paragraph six of this declaration.

16 19. The essential functions of the Legal Clerk at the Coroner's Office include providing
17 clerical and documentation support for the three Coroner Investigators and the Forensic Pathologist. The
18 Forensic Pathologist conducts autopsies on a regular basis, and without the uninterrupted work of the
19 Legal Clerk would cause a lapse in work that would impact court/legal proceedings, notifications, and
20 closure for family members of deceased individuals.

21 20. The minimum requirements to perform the duty of a Legal Clerk is mentioned above in
22 paragraph 8 of this declaration.

23 21. There are no replacement workers including supervisors or managers that can perform the
24 duties of the Legal Clerk at the Coroner's Office.

25 22. The Department currently only employs one Legal Clerk at the County Coroner's Office,
26 which makes it even more vital that he/she be enjoined from striking in order to not disrupt the essential
27 services relating to public safety and health. The Legal Clerk at the Coroner's office works Monday
28 through Friday from 7:00AM-6:00PM. They do not work on weekends.

1 23. In the event of a strike, the Department would be unable to fill this critical position since
2 they only employ one Legal Clerk. The absolute minimum number of essential Legal Clerks to maintain
3 the operations at the Coroner's Office is one (1) from 7:00AM to 6:00PM. A chart outlining this minimum
4 staffing is attached hereto as Exhibit A.

5
6 **Jail Administration**

7 24. The work of the Legal Clerk at Jail Administration is vital to the Sherriff's Office.

8 25. The Legal Clerk provides the duties mentioned above in paragraph six (6) of this
9 declaration.

10 26. The essential functions of the Legal Clerk in Jail Administration includes providing
11 critical support to the Correctional Captain and Correctional Lieutenants at the County Jail. They compile
12 data and complete mandatory reports required by the County, State and Federal Entities. They coordinate
13 and publish these mandatory reports specifically to agencies such as the Department of Justice and the
14 Board of State and Community Corrections. These Legal Clerks are also critical to the operations related
15 to jail visitors. They process all jail clearances, and as such, are vital to maintaining the operations of the
16 jail as required by California Government Code section 26605. Without Legal Clerks to process the jail
17 clearances any visitors for jail programs administered for the inmates, any construction or repair
18 professionals or any new health care professionals would not be allowed in the jail which would severely
19 impact all services. Without these services the inmate's safety and security would be put at risk.

20 27. The minimum requirements to perform the duty of a Legal Clerk are mentioned above in
21 paragraph eight (8) of this declaration.

22 28. There are no replacement workers available including supervisors or managers to perform
23 the duties of this position.

24 29. The Sherriff's Office currently only staffs one (1) Legal Clerk in Jail administration,
25 which highlights the importance of enjoining this position from striking. This Legal Clerk normally
26 works from Monday through Friday 7:00AM to 6:00PM. They do not work weekends.

27 30. In the event of a strike, the Department would be unable to fill this critical position since
28 they only employ one Legal Clerk at this location. The absolute minimum number of essential Legal

1 Clerks to maintain the operations at the Jail Administration is one (1) from 7:00AM to 6:00PM. A chart
2 outlining this minimum staffing is attached hereto as Exhibit A.

3
4 **Records and Warrants**

5 31. The work of the Legal Clerks in Records and Warrants is vital to the Sherriff's Office.

6 32. The Legal Clerks in this unit provide the duties mentioned above in paragraph six (6) of
7 this declaration.

8 33. The essential functions of the Legal Clerks in Records and Warrants are the accurate
9 processing of warrants of those subject to arrest/investigation issued by the Superior Court for the entire
10 County. Failing to process these warrants would result in subjects who have been deemed not in
11 compliance with the court process to remain at large and not recognizable to law enforcement if
12 encountered. This creates a huge public safety risk in which allows suspects to carry out criminal activity
13 and evade capture.

14 34. The minimum requirements to perform the duty of a Legal Clerk is mentioned above in
15 paragraph eight (8) of this declaration.

16 35. There are no replacement workers available including supervisors or managers to perform
17 the duties of this position The Sherriff's Office currently employs a total of seven (7) to ten (10) Legal
18 Clerks in Records and Warrants Monday through Friday from 7:00AM to 6:00 and do not work
19 weekends.

20 36. In the event of a strike, the Department would suspend provision of less critical services.
21 The absolute minimum number of essential Legal Clerks needed at Records is two (2) from 7:00AM to
22 6:00PM. A chart outlining this minimum staffing is attached hereto as Exhibit A.

23
24 **Civil Division**

25 37. The work of the Legal Clerk at the Civil Division is vital to the Sherriff's Office.

26 38. The Legal Clerks provide the duties mentioned above in paragraph six (6) of this
27 declaration.

1 39. The essential functions of the Legal Clerk at the Civil Division include providing the
2 service and process of all notices in the manner prescribed by law pursuant to 26608. These legal clerks
3 provide a critical function related to restraining orders/temporary restraining orders. The legal clerks
4 process the restraining orders issued by the court for the deputies to serve on the restrained persons.
5 Delays in these services could put the persons who are to be protected by the restraining orders at undue
6 risk.

7 40. The minimum requirements to perform the duty of a Legal Clerk is mentioned above in
8 paragraph eight (8) of this declaration.

9 41. There is normally one (1) to two (2) Legal Clerks staffed at the Civil Division, and they
10 work Monday through Friday from 7:00AM to 6:00PM. They do not work weekends.

11 42. There are no replacement workers available including supervisors or managers to perform
12 the duties of this position. In the event of a Strike, the absolute minimum number of essential Legal Clerks
13 to maintain the operations of the Civil Division is two (2) workers Monday through Friday from 7:00AM
14 to 6:00PM. A chart outlining this minimum staffing is attached hereto as Exhibit A.

15
16 **Crime Lab**

17 43. The work of the Legal Clerk at the Crime Lab is vital to the Sherriff's Office.

18 44. The essential functions of the Legal Clerk are that they provide critical services to all law
19 enforcement agencies operational within the County. They are responsible for processing all filing of the
20 crime lab reports with the District Attorney's Office.

21 45. There are no replacement workers available including supervisors or managers to perform
22 the duties of this position. The department normally staffs two (2) Legal Clerks at the Crime Lab from
23 Monday through Friday, 8:00AM to 5:00PM. They do not work weekends.

24 46. In the event of a strike, the absolute minimum number of essential Legal Clerks to
25 maintain the operations at the Crime Lab is one (1) worker Monday through Friday 8:00AM to 5:00PM.
26 A chart outlining this minimum staffing is attached hereto as Exhibit A.

1 **Detective's Office**

2 47. The work of the Legal Clerk at the Detective's office is vital to the Sherriff's Office.

3 48. The essential functions of the Legal Clerk at the Sherriff's Office is to provide critical
4 support to the Detectives in order to pursue criminal investigations by filing on their behalf felony cases
5 (sex crimes and homicides). They are obligated to submit this information in a certain time frame, and
6 no other position in the department is trained to complete these reports. The Detectives investigate the
7 higher level more complex crimes that occur through out the County. These Legal Clerks are under the
8 same timeline restrictions for filing reports as the patrol station Legal Clerks.

9 49. There are normally one (1) to two (2) Legal Clerks staffed Monday through Friday from
10 7:30AM to 6:30PM. They do not work weekends.

11 50. There are no replacement workers available including supervisors or managers to perform
12 the duties of this position In the event of a strike, the absolute minimum number of essential Legal Clerks
13 at the Detective's office needed is one (1) worker, Monday through Friday from 7:30AM to 6:30PM. A
14 chart outlining this minimum staffing is attached hereto as Exhibit A.

15
16 **COOKS I/II/III**

17 51. The work of the Cooks I/II/III are vital to the operation of the Jail and its constituents.
18 Their essential functions include responsibility for providing meals to both the Jail and Juvenile Hall.
19 They are carefully trained to make sure the food they prepare are meeting the nutritional requirements
20 provided by the law, specifically Title 15 of the California Code of Regulations. At this time the Jail
21 population requires eight (8) different medical diets and one hundred and twelve (112) special diets that
22 must be carefully prepared, so the department cannot simply just cater food or bring in food from an
23 outside source.. Cooks also are responsible for supervising the inmates who work in the kitchen. There
24 can be about ten (10) to fifteen (15) inmates at any given time during food preparation. Failing to provide
25 these meals for the inmates that meet the mandated requirements would result in decline of health and
26 safety of the inmates.

27 52. The Food Services Supervisor plans, supervises and participates in all food service
28 activities; maintains food inventories; estimates food requirements and plans menus according to

1 recommended standards. They also supervise and inspect the kitchen and dining room for sanitation and
2 safety.

3 53. There are normally four (4) Cooks that work in a 24-hour period, Monday through Sunday.
4 There is also normally one (1) Food Services Supervisor that works in a 24-hour period, Monday through
5 Sunday.

6 54. In the event of a strike, the absolute minimum number of essential personnel is four (4)
7 Cooks in a 24-hour period. A chart outlining this minimum staffing is attached hereto as Exhibit A.

8 **LABORATORY ASSISTANT**

9 55. The Laboratory Assistant assists with the processing of evidence collected related to
10 charges filed for criminal activity, and failing to process the evidence in a timely manner will result in
11 delayed court filings. The Crime Lab at the Sheriff's Office processes all of the samples related to driving
12 under the influence charges and the majority of the samples taken for drug related charges for all law
13 enforcement agencies in the County. If the samples are not processed in a timely manner the Court
14 systems which are waiting on the analysis can be delayed which impacts jail crowding issues and law
15 enforcement agency court processes related to prosecution of these criminal acts.

16 56. There is normally one (1) Laboratory Assistant staffed Monday through Friday, 8:00AM
17 to 5:00PM. They do not work weekends.

18 57. There are no replacement workers available including supervisors or managers to perform
19 the duties of this position In the event of a strike, the absolute minimum number of essential Laboratory
20 Assistants required are one (1) since there is only one employed with the County, but this person can be
21 placed on on-call status Monday through Friday from 8:00AM to 5:00PM. A chart outlining this
22 minimum staffing is attached hereto as Exhibit A.

23 **JAIL STOREKEEPER**

24 58. The Jail Storekeeper is responsible for processing and filling commissary orders for
25 inmates. Not filling commissary orders for the inmates will create a significant disruption in jail
26 operations that will threaten the safety of both inmates and employees.

27 59. There is usually one (1) full-time Jail Storekeeper and one part-time Jail Storekeeper
28 employed Monday through Friday from 8:00AM to 4:00PM.

EXHIBIT H

1 **DECLARATION OF NATALIE WALTER**

2 I, Natalie Walter, declare as follows:

3 1. I am the Interim Child Support Services Director for Child Support Services for San Luis
4 Obispo County. I have personal knowledge of the following and, if called as a witness, could and would
5 competently testify thereto.

6 2. I have been the Interim Child Support Services Director since August 30, 2018. I hold a
7 Masters in Public Administration and I am SHRM-SCP certified.

8 3. The Department of Child Support Services (DCSS) primarily assists customers with
9 establishing and enforcing child support orders. When a case is opened with DCSS, we locate parents
10 who are obligated to pay support, establish paternity and obtain child support and health insurance orders.
11 Once an order is established, DCSS enforces the order and collects and distributes the support owed to
12 families. DCSS provides timely and professional services, enhancing the well-being of children and
13 families and helping them remain self-sufficient. We currently serve approximately 3800 families and
14 4243 children in this County. If we were forced to close due to a strike it would result in a delay in
15 establishing court orders and collecting payments that allow families to provide food, shelter, clothing
16 and basic needs for their children.

17 **Family Support Officer**

18 4. The Family Support Officer manages a general caseload and effects case management
19 based on state and federal compliance criteria and performance measures. They analyze cases to
20 determine appropriate course of legal action, generates appropriate legal documents and initiates legal
21 proceedings in compliance with state and federal mandates involving child, spousal and medical support
22 and assist local Child Support Agency attorneys by interviewing case participants, locating non-custodial
23 parents and custodial parties, and obtaining documentary evidence. They explain child support
24 procedures to case participants and other agencies, calendar matters for court, prepares subpoenas for
25 witnesses and documentary evidence, coordinates genetic testing to resolve questions of paternity, and
26 appears in court to testify in civil and criminal cases. They apply legal actions to establish and enforce
27 child and medical support, uses specialized computer programs and applies the Uniform State Child
28 Support Guidelines pursuant to Family Code 4055 to calculate child support. They access and utilize the

1 Department of Social Services and a variety of local and wide area network computer systems for
2 information, analyzes government records and reports, and exchanges information with courts and/or
3 agencies in other jurisdictions as required and allowed by state and federal mandates.

4 5. Essential duties performed by a Family Support Officer include setting matters for court,
5 attending court on behalf of County clients, preparing and filing court orders, conducting guideline
6 calculator functions to determine child support amount and managing customer inquiries (direct calls,
7 emails, statewide system inquiries through Self Service Web). They also conduct Genetic Testing,
8 establish court orders, enforce court orders for collections, issue garnishments/levies to collect the
9 support. The County is required to comply with strict state deadlines for hearings, case opening, Review
10 & Adjustment, Service of Process and are mandated to meet these standards.

11 **Supervising Family Support Officer**

12 6. Supervising Family Support Officers provide supervision, direction, training and work
13 review for the Family Support Officers. They review difficult family support cases and recommend
14 appropriate action. They may be required to testify in court and assist Family Support Officers with the
15 following: interviews case participants, witnesses, and other interested parties to obtain and verify
16 information. They determine appropriate courses of legal actions, initiate legal action to adjudicate
17 paternity, and establish and enforce child and medical support orders. Supervisors prepare a variety of
18 documents, reports, and other materials for legal proceedings, monitor compliance with agreements/court
19 orders, initiate appropriate enforcement and legal actions to ensure compliance with state and federal
20 mandates and performance measures. They also conduct investigations for compliant resolution,
21 including complaints concerning subordinate staff. Supervisors are primarily responsible for processing
22 intricate cases, research and respond to complaint resolution demands, process credit disputes, conduct
23 quality control reviews. Again, they are similarly under strict compliance and state deadlines, such as
24 state hearings, case opening, Review & Adjustment, Service of Process, and we are mandated to meet
25 these standards.

26 7. Without both Supervising Family Support Officers and Family Support Officers attending
27 court means our clients go without a court order for child support. Without a court order, our Department
28 cannot pursue collections of child support which parents rely on to meet the needs of their children (i.e.,

1 financial, medical, physical). We currently attend court once a week and during a multi-day strike,
2 without Family Support Officers attending court hearings, the County will not be in compliance with the
3 law and, moreover, vulnerable children and their families will be injured. Court dates are set by
4 mandatory timelines, parties involved in the motions must be notified by mail a minimum of 10 days in
5 advance of the hearing and cannot be rescheduled to accommodate a strike. In addition, matters already
6 set on the calendar cannot be rescheduled and would result in parties showing up to court and being sent
7 away.

8 8. Essential duties performed by Family Support Officers for Court include setting matters,
9 attending court on behalf of County clients, preparing and file court orders, conducting guideline
10 calculator functions to determine child support amount, establish court orders, enforce court orders for
11 collections, issue garnishments/levies to collect the support.

12 9. The systems used by Family Support Officers in court are specialized computer programs
13 that take extensive training to utilize, in addition in order to access these programs you must clear an
14 extensive FBI background check and complete CSPO training.

15 10. Replacement workers will not have access to the computer programs or data bases used
16 by Family Support Officers.

17 11. DCSS currently employs a total of ten Family Support Officers and two Supervising
18 Family Support Officers. All Family Support Officers including Supervisors work 8-hour shifts which
19 are set from 7:30 am to 4:30 pm, or 8:00 am to 5:00 pm.

20 12. We currently have no staff that are required to work on the weekends and/or holidays.

21 **Supervising Legal Clerks and Legal Clerks**

22 13. Supervising Legal Clerks in DCSS take payments, route calls, mail processing and
23 handling, posting accounts, open cases, bank run and process legal documents. Without Supervising
24 Legal Clerks, the County will not be able to make timely deposits into the accounts to support clients'
25 children. Legal Clerks open child support cases, pursue location of activities of participants, process
26 payments, assist walk-in customers, answer and transfer calls, process incoming and outgoing mail,
27 process child support payments; update child support accounts, perform bank deposit and cash count.
28 They also process legal documents and e-file with the Superior Court, prepare court calendar and cases

1 for matters being heard in court; there are strict compliance and state deadlines, such as state hearings,
2 case opening, Review & Adjustment, Service of Process, disbursement of collections and we are
3 mandated to meet these standards. Without Legal Clerks, the County would cause a delay in opening
4 cases to establish and enforce court orders for child support. Court orders are required in order for our
5 Department to collect and provide financial support and stability. Without Legal Clerks, the County
6 could not process payments which will delay money being distributed to families. These Legal Clerks
7 are responsible to taking in child support payments and then distributing those payments to families. If
8 there are no Legal Clerks available to take in these payments, those families dependent on that money
9 will be forced to go without. Per Auditor Controller requirements, we must have two employees conduct
10 the bank run and they cannot be the same employees who take payments or count the cash drawer.

11 14. DCSS currently employs a total of eleven (11) Legal Clerks and two (2) Supervising Legal
12 Clerks. All Legal Clerks including Supervisors work 8-hour shifts which are set from 7:30 am to 4:30
13 pm, or 8:00 am to 5:00 pm.

14 15. DCSS has three managers, all of whom could and will be filling in for staff. As such, in
15 the event of a multi-day strike, we could provide three managers to fill in for essential positions each
16 shift. Supervisors are also represented by SLOCEA so the County cannot depend on supervisors to fill-
17 in for employees. Also, managers would not be able to perform all the regular functions of a full staff,
18 and in all likelihood, the department would be limited to answering phone calls and accepting in-person
19 payments.

20 16. In the event of a strike, DCSS would suspend provision of less critical services, such as
21 opening cases, conducting financial audits, processing mail, genetic testing and set future court dates.
22 Accounting for the managers who would serve in some capacity during a multi-day strike, the absolute
23 minimum number of essential employees for the following positions **in a 24-hour period are as follows:**

- 24 • **Supervising Family Support Officer - 1**
- 25 • **Family Support Officer - 2**
- 26 • **Supervising Legal Clerk - 1**
- 27 • **Legal Clerk – 1**

28 to provide for essential services to protect the health and safety of children in San Luis Obispo County.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct.

3 Executed this 20 day of November, 2018, at San Luis Obispo, California

4
5 

6 Natalie Walter

EXHIBIT I

1 **DECLARATION OF DANIEL COLT ESENWEIN**

2 I, Daniel Colt Esenwein, declare as follows:

3 1. I am the Director of Public Works. I have personal knowledge of the following and, if
4 called as a witness, could and would competently testify thereto.

5 2. I have been the Director of Public Works since April 3, 2018. I am a licensed Civil
6 Engineer in the State of California.

7 3. The Public Works Department provides public services related to the safe and efficient
8 movement of traffic on County roads; administration and operation of various water and waste water
9 wholesale and retail facilities; long term master water planning; maintenance and custodial services for
10 all County occupied facilities; and County parks administration and maintenance amongst many other
11 services.

12 4. The department is requesting each of the positions mentioned below to be enjoined from
13 participating in a strike, for the purpose of preserving public health and safety.

14 **Chief Plant Operator at Cayucos Water Treatment Plant/CSA10A Distribution System**

15 5. The operation of the Cayucos Water Treatment Plant requires the designated Chief Plant
16 Operator (CPO) to operate the plant. The CPO can also cover the distribution system but would need to
17 access contractors if there are any substantial leaks or failures. The lack of a CPO to operate and oversee
18 the Cayucos plant would result in an immediate and severe fire and health safety risk to the community
19 of Cayucos as there are no other water sources for the community.

20 6. There are no replacement workers that can backfill this position.

21 7. The CPO normally works Monday through Friday, 8:00 AM-5:00 PM, and on-call during
22 the weekend.

23 8. There are no supervisors that can fill in for the CPO.

24 9. In the event of a strike, the department would suspend provision of less critical services.
25 The absolute minimum number of essential CPOs required is one (1) CPO **Monday through Friday,**
26 **8:00 AM-5:00 PM, and on-call on weekends.**

1 **Water Quality Manager or Senior Water Systems Chemist Countywide Water and**
2 **Wastewater and Recycled Water Lab Operations**

3 10. The Water Quality Manager and/or Senior Water Systems Chemist provides essential
4 services to the public by coordinating the needed sampling across the County's three wastewater
5 treatment plants, seven wastewater collection systems, two dams, recycled water distribution systems,
6 two water treatment plants, three wholesale water distribution systems and three retail public water
7 distributions. These samples are analyzed by a team of consultants and staff. Failure to collect and
8 analyze and report water and wastewater samples places the public at a severe health and safety risk and
9 is a violation of the state issued permits for the water and wastewater systems because all of these systems
10 require up to date analytical information to operate within established parameters.

11 11. There are no replacement workers that can fill in for these workers.

12 12. There is one (1) Water Quality Manager and eight (8) Senior Water Chemists that work
13 Monday through Friday 8:00 AM-5:00 PM. They are not staffed during the weekends.

14 13. Supervisors are also represented by SLOCEA and the Department-PHF cannot rely on
15 supervisors to help fill in during a strike. There are also no managers above them that could backfill
16 these duties.

17 14. In the event of a strike, the department would suspend provision of less critical services.
18 The absolute minimum number of essential Water Quality Managers and/or Senior Water Systems
19 Chemist required is one (1) for countywide sampling, Monday through Friday from 8:00 AM- 5:00 PM.

20 **Supervising Wastewater Systems Worker at Country Club/Oak Shores Wastewater Collection**
(CSA18 and CSA7A Wastewater Treatment Plants)

21 15. The Supervising Wastewater Systems Worker currently acts as the Chief Plant Operator
22 at the Country Club Wastewater Collection Site. The shutdown of either the CSA18 or CSA7A
23 wastewater systems would put the served community in a severe health and safety threat.

24 16. There are no replacements available that can backfill their duties.

25 17. There are normally two (2) Supervising Wastewater Systems workers that work Monday
26 through Friday, 8:00AM-5:00 PM, and one (1) worker on-call during the weekend.
27
28

1 18. Supervisors are also represented by SLOCEA and the Department-PHF cannot rely on
2 supervisors to help fill in during a strike.

3 19. In the event of a strike, the department would suspend provision of less critical services.
4 The absolute minimum number of essential Supervising Wastewater Systems Workers required is one
5 (1) Supervising Wastewater Systems Worker, Monday through Friday, 8:00 M-5:00PM, and on-call
6 during the weekend.

7 **Chief Wastewater Plant Operator and Wastewater Systems Worker II or III at the Los Osos**
8 **Wastewater Treatment Plant; Wastewater Collection System; Recycled Water Distribution**
9 **System; and CSA1, CSA1A and CSA1F Wastewater Collection Systems.**

10 20. Operation of the Los Osos Wastewater Treatment Plant requires the designated Chief
11 Plant Operator to operate the plant. Plant operations also require a shift operator in order to perform the
12 required functions for at least 8 hours/day. The collection and recycled water distribution systems also
13 require one staff person to manage 22 pump stations, operate valves, perform system checks, respond to
14 leaks and failures and operate the CSA1 collection systems.

15 21. The Los Osos Wastewater Treatment Plant serves a population of 12,500. It should be
16 noted that the recycled water system is the plants only treated water disposal method so it must operate
17 24/7 with the treatment plant and complex (21 pump stations) collection system. Shut down of the plant
18 would result in near immediate wastewater overflows in the community, posing a severe health and safety
19 threat.

20 22. There are no replacement workers that can backfill these positions since they require
21 special licensure to operate at the water facilities.

22 23. There is one (1) Chief Wastewater Plant Operator and seven (7) Wastewater Systems
23 Workers, Monday through Friday, 8:00 AM-5:00 PM, and one (1) Wastewater Systems Worker on call
24 during the weekends.

25 24. Supervisors are also represented by SLOCEA and the Department cannot rely on
26 supervisors to help fill in during a strike.

27 25. In the event of a strike, the department would suspend provision of less critical services.
28 The absolute minimum number of essential Chief Plant Operators required is one (1), and two (2)

1 Wastewater Systems Workers, Monday through Friday 8:00AM-5:00PM, and one (1) on-call during the
2 weekend at the Los Osos Wastewater Treatment Plant; Wastewater Collection System; Recycled Water
3 Distribution System; and CSA1, CSA1A and CSA1F Wastewater Collection Systems.

4 **Supervising Water Systems Worker or Water Systems Worker at the Lopez Water Treatment**
5 **Plant; Distribution System; Dam; State Water Turnout.**

6 26. **Assuming State Water is operational** and the Lopez Water Treatment Plant is shut down
7 with no Lopez deliveries to project participants (Arroyo Grande, Grover Beach, Pismo Beach, Oceano,
8 Avila Beach, Avila Valley), a single Supervising Water Systems Worker or Water Systems Worker
9 would be needed to oversee the distribution system (turnouts, SCADA, coordinate with participants) and
10 conduct daily check of condition of dam and spillway; ensure downstream releases are meeting State
11 requirements

12 27. Loss of all potable water to the Lopez distribution system would result in immediate fire
13 safety threats to Arroyo Grande, Grover Beach, Pismo Beach, Oceano, Avila Beach, Avila Valley
14 (approximate population of 50,000). Offsetting the loss of Lopez with State Water (which uses the Lopez
15 distribution system) will ensure flows to Avila Valley/CSA12 connections that have no groundwater
16 supply (estimated population 500). Lopez Dam is classified as "Extremely High Hazard" by the State
17 Division of Safety of Dams. Daily checks are required to ensure that any problems with the dam are
18 responded to immediately. Downstream flow requirements are required to comply with State Fish and
19 Game Code and with the Federal Endangered Species Act.

20 28. There are no managers that can backfill these positions since handling water systems
21 requires a special license that no one in the department carries except those who work with the water
22 systems directly.

23 29. The Lopez Water Systems operate Monday through Friday from approximately from
24 8:00AM- 5:00PM. During that time one (1) Supervising Water Systems Worker and seven (7) Water
25 Systems Workers are scheduled. On weekends there are two (2) Water Systems Workers on-call.

26 30. Supervisors are also represented by SLOCEA and the Department cannot rely on
27 supervisors to help fill in during a strike.

28 31. In the event of a strike, the department would suspend provision of less critical services.

1 The absolute minimum number of essential Supervising Water Systems Workers or Water Systems
2 Workers required is one (1) worker Monday-Friday from 8:00 AM- 5:00 PM, and one (1) worker on-call
3 during the weekend at the Lopez Water Treatment Plant; Distribution System; Dam; State Water Turnout.

4 **Chief Plant Operator and Water Systems Worker II or III at the Lopez Water Treatment Plant;**
5 **Distribution System; Dam; State Water Turnout.**

6 32. Assuming State Water is not operational or south county communities require both
7 systems to operate, operation of Lopez Water Treatment Plant requires the designated Chief Plant
8 Operator to operate the plant. Plant operations also require a shift operator in order to perform various
9 required functions. Participants (Arroyo Grande, Grover Beach, Pismo Beach, Oceano, Avila Beach,
10 Avila Valley), except Avila Valley/CSA12 would pump groundwater to offset loss of State Water but
11 require additional staff to meet daily needs. The shift operator would also be responsible for outside
12 plant operations. Distribution system: operate turnouts, monitor SCADA, coordinate with participants,
13 and conduct daily check of condition of dam and spillway

14 33. Loss of all potable water to the Lopez distribution system would result in immediate fire
15 safety threats to Arroyo Grande, Grover Beach, Pismo Beach, Oceano, Avila Beach, Avila Valley
16 (approximate population of 50,000). Operation of Lopez would also offset loss of State Water to Avila
17 Valley/CSA12 connections that have no groundwater supply (estimated population 500), avoiding a
18 severe fire and health safety risk. Lopez Dam is classified as "Extremely High Hazard" by the State
19 Division of Safety of Dams. Daily checks are required to ensure that any problems with the dam are
20 responded to immediately. Downstream flow requirements are required to comply with State Fish and
21 Game Code and with the Federal Endangered Species Act.

22 34. There are no managers that can backfill these positions since handling water systems
23 requires a special license that no one in the department carries except those who work with the water
24 systems directly.

25 35. There is one (1) Chief Plant Operator and seven (7) Water System Workers that work
26 Monday through Friday 8:00 AM-5:00 PM. Two of the Water Systems workers are on call during the
27 weekend.

28 36. Supervisors are also represented by SLOCEA and the Department cannot rely on

1 supervisors to help fill in during a strike.

2 37. In the event of a strike, the department would suspend provision of less critical services.
3 The absolute minimum number of essential Chief Plant Operator(s) is one (1) and one (1) Water Systems
4 Worker II/III, Monday through Friday, and on-call during the weekend.

5 **Supervising Water Systems or Water Systems Workers II/III at the CSA23 Santa Margarita Water**
6 **System; CSA16 Shandon Water System and State Water Turnout; County Operations Center**
7 **Water Distribution Systems; Chorro Valley State Water Turnout and Pipeline.**

8 38. CSA23 is the only source of water for the community of Santa Margarita. CSA16 is the
9 only source of water for the community of Shandon. County Ops Center water distributes (but does not
10 supply or treat) water to the jails, County garage, Animal Services, Woods animal shelter, and County
11 Emergency Operations Center. The Chorro Valley Pipeline carries State Water to the City of Morro Bay
12 - the City's only primary source of water (back-ups cannot fulfill the City's daily needs). The systems
13 require an operator (a single operator can run all four systems) to operate wells and associated disinfection
14 and treatment systems (two), monitor tank levels, perform system checks, and respond to leaks and
15 failures. Larger issues would require outside contractor support.

16 39. The shutdown of either CSA23 or CSA16 water systems would put the served community
17 (Santa Margarita population 1,500, Shandon population 1,500) in a severe fire and health safety risk
18 situation as there are no alternative water supply systems. Shutdown of Ops Center Water would require
19 evacuation of the jail and two animal shelters as there are no alternative water supply systems. Shutdown
20 of the Chorro Valley pipeline would require the City of Morro Bay to declare a water supply emergency
21 and put the population (10,000) in a severe fire and health safety risk situation as the alternative water
22 supply sources are not reliable: (1) a desalination plant that is neither permitted (permits expired) and not
23 capable of supplying all of the City's water needs (2) temporary exchange with CMC for treatment and
24 delivery of Whale Rock Water only available if Whale Rock is operational AND the Chorro Valley
25 pipeline is operational.

26 40. There are no replacement workers available to backfill these positions.

27 41. There are two (2) Supervising Water Systems Workers and three (3) Water Systems
28 Workers, Monday through Friday, 8:00AM-5:00PM, and one (1) worker on call during the weekends.

1 42. Supervisors are also represented by SLOCEA and the Department-PHF cannot rely on
2 supervisors to help fill in during a strike.

3 43. In the event of a strike, the department would suspend provision of less critical services.
4 The absolute minimum number of essential Supervising Water Systems Workers or Water Systems
5 Workers II/III required is one (1) worker Monday through Friday, 8:00AM to 5:00 PM, and on-call during
6 the weekends at the CSA23 Santa Margarita Water System; CSA16 Shandon Water System and State
7 Water Turnout; County Operations Center Water Distribution Systems; Chorro Valley State Water
8 Turnout and Pipeline.

9 **Supervising Water Systems or Water Systems Workers II/III at the Nacimiento Water System and**
10 **Salinas Water System**

11 44. The Nacimiento Water System provides supplemental water to Paso Robles, Templeton,
12 and Atascadero; agricultural irrigation water to the Santa Margarita Ranch and is one of three primary
13 supplies for the City of San Luis Obispo. The Salinas system supplies water only to the City of San Luis
14 Obispo. Operation of the Salinas System also includes daily checks of the dam itself to comply with
15 federal requirements.

16 45. In the event of the shutdown of the Nacimiento Water system all north County entities can
17 switch to alternate groundwater supplies. However, the City of San Luis Obispo is typically in a "must
18 run" condition for at least two of their three supply systems. (The third system is Whale Rock - operated
19 by the City). If two systems are down the City of San Luis would be in a water supply emergency,
20 placing the daytime (100,000) and nighttime (50,000) populations in a severe fire and health safety risk
21 situation. Shutdown of the Salinas System would create the same situation if either Nacimiento or Whale
22 Rock are shut down; in addition, due to its condition, the Salinas system is operated only during daylight
23 hours and with a dedicated operator.

24 46. There are no replacement workers that can backfill these positions.

25 47. Normally, there are two (2) Supervising Water Systems Workers and seven (7) Water
26 Systems Workers between the two locations, Monday through Friday 8:00AM to 5:00 PM. On weekends,
27 there is one (1) on-call worker between the two locations.
28

1 48. In the event of a strike, the department would suspend provision of less critical services.
2 The absolute minimum number of essential Supervising Water Systems Workers or Water Systems
3 Workers II/III required is two (2) workers, Monday through Friday 8:00AM-5:00PM, and on-call during
4 the weekend between the Nacimiento Water System and Salinas Water System since we have to assume
5 that Whale Rock will be unable to operate due to failing infrastructure.

6 **Civil Engineering Tech II**

7 49. The Civil Engineering Tech II provides essential services at the closed Los Osos Landfill
8 which operates as a landfill gas collection system and flare system that is mandated by the Air Pollution
9 Control District. The system collects landfill gas and burns it in a flare system to destroy harmful
10 emissions twenty-four hours a day, seven days a week. Failure to operate the flare as required by the
11 permits would result in air quality violations and place the public health and safety at risk by allowing
12 excessive amounts of landfill gas to escape in to the atmosphere.

13 50. There are no other positions that can backfill the duties of the CET II.

14 51. There is one (1) CET II that works Monday through Friday for about 20 hours a week,
15 and is on-call during the weekends during normal scheduling.

16 52. Supervisors are also represented by SLOCEA and the Department-PHF cannot rely on
17 supervisors to help fill in during a strike.

18 53. In the event of a strike, the department would suspend provision of less critical services.
19 The absolute minimum number of essential CET IIs required is one (1) CET II on-call during a 24-hour
20 period.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing is
22 true and correct.

23 Executed this 21st day of November, 2018, at San Luis Obispo, California.

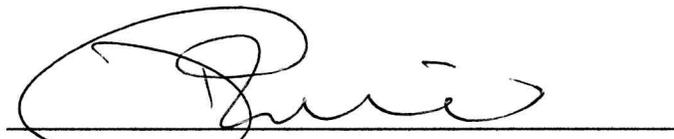
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27 Daniel Colt Esenwein
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EXHIBIT J

1 **DECLARATION OF JAMES SALIO**

2 I, James Salio, declare as follows:

3 1. I am the Chief Probation Officer for the Probation Department of San Luis Obispo County.
4 I have personal knowledge of the following and, if called as a witness, could and would competently
5 testify thereto.

6 2. I have been the Chief Probation Officer of the Probation Department since June 28, 2009.
7 In addition to leading the Probation Department, I am the President of the Chief Probation Officers of
8 California (CPOC).

9 3. This declaration sets forth my opinion as to minimum staffing levels for the County
10 Probation Department within the SLOCEA Big and Trades Unit that are required to provide services
11 essential to public health or safety. As Department Head, I am responsible for overseeing the services
12 provided by the department.

13 4. I reaffirm that the following positions are essential for public health and safety as described
14 below.

15 **LEGAL CLERKS**

16 **Legal Clerks (Casa Loma and Juvenile County Services Locations)**

17 5. The Legal Clerks provide transcription duties that involve legal terminology and typing
18 various legal documents including complaints, briefs, motions and crime reports. They must be able to
19 type reports from dictated notes, tapes, rough drafts, and/or oral instructions. Other duties include filing
20 of legal documents with the court or the County Clerk; ensuring timely processing and completion of
21 documents in compliance with court rules and procedures; verifying the accuracy of citations by
22 comparing with legal reference books; placing telephone calls to verify information; maintaining
23 confidentiality regarding attorney-client communications; keeping abreast of legislation affecting legal
24 procedures and County and special districts' organizations amongst many other important duties.

25 6. The essential functions of the Legal Clerks at the Probation Department at both the Casa
26 Loma and JSC locations include opening all new adult and juvenile cases referred to the department, both
27 in and out of custody, as well as conducting all legal processing on existing probation cases. Without the
28 Legal Clerks, there would be no staff with the requisite knowledge and experience that could complete

1 these functions. When these functions are not completed in a timely fashion, new cases would not be set
2 up in the case management system and existing cases would not have the necessary changes made, such
3 as the terms and conditions of a court ordered probation which would create both community safety and
4 liability issues. Furthermore, if these new cases are not set up or updated in the case management system,
5 they will not show up in the County's Criminal Justice Information system portal, resulting in partner
6 agencies not being aware that youth offenders are on probation or in the system. This will, in turn, impede
7 their efforts to respond to incidents involving these adult and youth offenders as well as limit their ability
8 to enforce orders of the court that are intended to keep the community safe.

9 7. The Legal Clerks employed by the County are, at a minimum, required to have two years
10 of clerical experience in a legal office/court, or the criminal justice system. If they do not meet those
11 requirements, they must have at least the experience of Administrative Assistant III within the County's
12 standards.

13 8. Replacement workers cannot fill these essential positions because they require specialized
14 legal knowledge. Also, the Legal Clerks must pass background checks to work at the above mentioned
15 facilities, and so any proposed replacements would not be able to pass a background check in time for
16 them to be utilized. There is also no one else who can fill these positions since they require specialized
17 knowledge of data entry in the Department's case management system those in the department do not
18 have.

19 9. Both locations operate from Monday through Friday, 8:00 AM to 5:00 PM. There are four
20 (4) Legal Clerks scheduled on a normal work day at the Casa Loma location, and two (2) Legal Clerks
21 scheduled on a normal work day at the Juvenile County Services division.

22 10. The department does not operate on the weekends.

23 11. There are no supervisors who can fill in for the Legal Clerks since they too are represented
24 by SLOCEA.

25 12. In the event of a strike, the absolute minimum number of essential Legal Clerks to keep
26 the Probation department operational is one (1) at the Casa Loma location, and one (1) at the Juvenile
27 Services Division during an 8:00 AM to 5:00 PM shift. A chart outlining this minimum staffing is attached
28 hereto as Exhibit A.

1 **DEPARTMENT AUTOMATION SPECIALIST**

2 Supervising Department Automation Specialist (at Casa Loma)

3 13. The Supervising Department Automation Specialists (DAS) are responsible for keeping
4 important case management systems working properly and maintaining department desktop computers
5 working properly. They ensure hardware and software related issues are resolved. They specifically need
6 to have extensive knowledge regarding the CJIS portal. A failure in the CJIS system without anyone to
7 fix the system prevents the Probation Department’s ability to accurately look up the criminal justice
8 history and probation information to complete their responsibilities or provide the information to any law
9 enforcement partners.

10 14. Replacement workers cannot fill these essential positions because they require specialized
11 IT knowledge and knowledge of the systems the department utilizes. Also, the DAS that work at the Casa
12 Loma facility require a background check to work there, and as such a replacement would unlikely be able
13 to pass one in time for them to be utilized.

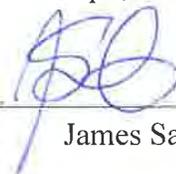
14 15. The department operates from 8:00 AM-5:00 PM, and on a normal workday schedules two
15 DAS. One is a Supervising DAS and the other is a subordinate DAS.

16 16. There are no supervisors who can fill this position since SLOCEA represents supervisors,
17 and the County would be unable to rely on them to work the days they are striking.

18 17. In the event of a strike, the absolute minimum number of essential DAS to maintain the
19 operations at the Casa Loma location is one (1) Supervising DAS II on-call during a normal 8:00 AM to
20 5:00 PM shift. A Supervising DAS is requested because they possess the capability of fixing an emergency
21 situation when required. A chart outlining this minimum staffing is attached hereto as Exhibit A.

22 I declare under penalty of perjury under the laws of the State of California that the foregoing is
23 true and correct.

24 Executed this 20th day of November, 2018, at San Luis Obispo, California.

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James Salio

EXHIBIT K

1 **DECLARATION OF TREVOR KEITH**

2 I, Trevor Keith, declare as follows:

3 1. I am the Director of Planning and Building at San Luis Obispo County. I have personal
4 knowledge of the following and, if called as a witness, could and would competently testify thereto.

5 2. I have been the Director of Planning and Building since August 7, 2018.

6 3. The department is one of the County's land-based departments. The department's roles
7 and responsibilities are related to the development and use of real property. The department consists of
8 two primary functional areas: Policies and programs and Permitting.

9 4. The department is requesting each of the positions mentioned below to be on call and
10 enjoined from participating in a strike, for the purpose of preserving public health and safety, in the event
11 of an emergency.

12 5. Building Inspectors inspect buildings and other facilities under construction, alteration or
13 repair; make a variety of site inspections; enforce compliance with County Housing and Building, Land
14 Use, and other applicable regulations; issue building permits and correction notices; perform plan review;
15 do other related work as required. They also inspect residential, commercial, public and industrial
16 buildings and structures as assigned; issue stop work orders, deny permits, or issue a correction notice
17 when construction, structural features or site characteristics do not comply with applicable regulations,
18 or threaten the health and safety of occupants; field inspections are performed on new construction,
19 additions, remodels and abatement of sub-standard or dangerous conditions and include mobile home
20 inspections; inspection items include but are not limited to parking and setback requirements, soil and
21 footing suitability, drainage, form and foundation work, framing, insulation, structural, plumbing,
22 heating, ventilation, air conditioning, electrical, flooring, roofing, lathing, plastering, masonry and
23 mechanical work; inspection of sewage disposal systems; inspection of potable water systems; inspection
24 of swimming pools; inspection of buildings that are moved; inspections during all phases of construction
25 and review of certificates of occupancy; inspections in the enforcement of zoning, grading and
26 landscaping requirements; accept and process building permits; review construction plans for compliance
27 with technical codes and land use requirements; assist applicants at the counter and over the phone
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1 concerning code requirements; keep records and make a variety of written and oral reports as required;
2 may testify at hearings.

3 6. In the event of an emergency, the County will need to have Building Inspector IIIs or
4 Building Inspector Supervisors available to come in and assist. At this time, the County is not requesting
5 that these employees be enjoined, just simply be on call and then enjoined in the event of an emergency.
6 For example, if there is a failure in a septic system or a large power outage, the County will need the
7 assistance of an Inspector to respond and do field inspections.

8 7. Building Division Supervisors and the Building Inspector's shifts span from
9 approximately 7AM to 4PM. They normally have 3 Building Division Supervisors, and 6 Building
10 Inspector IIIs working Monday through Friday. They do not work weekends.

11 8. One manager can perform the duties of a building inspector, but it is most likely they will
12 be unable to devote all their time to performing all the regular functions of the staff, and would likely be
13 limited in assistance during the strike. Supervisors are also represented by SLOCEA so we do not
14 anticipate being able to utilize any supervisors to cover for Building Inspectors.

15 9. In the event of a multi-day strike, which is anticipated here, the department would suspend
16 provision of less critical services. The absolute minimum number of essential **Building Inspectors**
17 **needed on call** is as follows:

- 18 • Building Inspector – 3
- 19 • Building Division Supervisor- 3
 - 20 ○ It is imperative the department operate with the three supervising building
 - 21 inspectors because they oversee three different functions in which the building
 - 22 inspectors are allocated. If one of those supervisors were to go out on strike, then
 - 23 one of the functions would not be covered.

24 This is the minimum number of Inspectors that must be on call in the event of an emergency or needed
25 to respond to imminent threats of risk including but not limited to immediate tree removal, assessment
26 of septic systems, or response to power outages.

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1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct.

3 Executed this 20 day of November, 2018, at San Luis Obispo, California

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6 _____
7 Trevor Keith

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SLOAN SAKAI YEUNG & WONG LLP
Attorneys at Law

EXHIBIT L

1 **DECLARATION OF LAWRENCE IAQUINTO**

2 I, Lawrence Iaquinto, declare as follows:

3 1. I am the Assistant Director of Parks and Recreation. I have personal knowledge of the
4 following and, if called as a witness, could and would competently testify thereto.

5 2. I have been the Assistant Director of Parks and Recreation since July 31, 2016.

6 3. The goal of the Parks and Recreation Department is to operate and maintain public parks
7 that offer safe, enjoyable and rewarding recreational experiences. The mission is to ensure diverse
8 opportunities for recreation and the personal enrichment of the County's residents and visitors while
9 protecting its natural, cultural, and historical resources.

10 4. The department is requesting each of the positions mentioned below to be enjoined from
11 participating in a strike, for the purpose of preserving public health and safety.

12 **Emergency Medical Technicians (EMTs)- Park Worker III**

13 5. The Emergency Medical Technicians provide essential services including emergency
14 medical services to the constituents that visit the Lopez Lake Recreation Area and the Santa Margarita
15 Lake Recreation Area. They also patrol the waters by boat to protect those guests staying at the lakes.
16 While they patrol the lakes, they also check to ensure the recreational use does not negatively impact the
17 conditions of the water supply pursuant to a contractual obligation with the domestic water supplier.
18 Without any Emergency Medical Technicians available the response time expected for an outside EMT
19 to reach any injured guests would take at least 20-30 minutes at the lakes.

20 6. The EMTs also have a special boating certification which is required for patrolling the
21 lakes. This special license is not a commonly held license and as such replacements for them are not
22 easily found.

23 7. Year round, with the exception of summer, the department normally has 1-2 EMTs
24 scheduled between the times of 6:00AM-11:00PM from Monday through Sunday, at both Lopez Lake
25 and Santa Margarita.

26 8. There is one manager who can perform the duties of an EMT, however, they would not
27 be able to perform all the regular functions of a full staff member. Supervisors are also represented by
28 SLOCEA and the Department cannot rely on supervisors to help fill in during a strike.

1 9. In the event of a strike, the department would suspend provision of less critical services.
2 The absolute minimum number of essential EMTs required is one (1) EMTs at both the Lopez Lake and
3 Santa Margarita Lake area, for a total two (2) EMTs from the hours of 6:00AM-11:00PM.

4 **Potable Water Treatment- Park Worker III**

5 10. The Potable Water Treatment specialist's (PWT D-1) essential function is treating and
6 monitoring the potable water supply to guests and campers at the Santa Margarita Lake. Without these
7 services being provided, the County runs the risk of not being able to supply their guests with potable
8 water.

9 11. There are no replacement workers that can backfill this essential position.

10 12. The PWT D-1 normally works one day a week Monday through Sunday for eight hours.

11 13. Supervisors are also represented by SLOCEA and the Department cannot rely on
12 supervisors to help fill in during a strike.

13 14. In the event of a strike, the department would suspend provision of less critical services.
14 The absolute minimum number of essential PWTs required is one (1) on-call at least one day during the
15 strike period in a given week.

16 **Park Ranger III**

17 15. The Park Ranger IIIs at Lopez Lake and Santa Margarita Lake provide essential functions
18 which include: patrolling assigned areas to provide assistance to the public in emergency situations after
19 hours; checking on visitors of the parks; enforcing park rules and regulations to protect the public;
20 responding to emergency situations and providing first aid when required. If a strike were to occur, and
21 there were no Park Rangers present on both locations, the guests' safety would be endangered, since it
22 would take about 20-30 minutes to get to the lake area from another first-responder. Park Rangers being
23 ready and at the campground is absolutely necessary to prevent any public safety issue from the elements,
24 bear or mountain lion interactions, domestic disturbances, vehicular accidents, or any other altercations
25 that could occur between visitors.

26 16. There are no replacement workers that could backfill these essential positions.

27 17. Supervisors are also represented by SLOCEA and the Department cannot rely on
28 supervisors to help fill in during a strike.

EXHIBIT M

1 **DECLARATION OF JEFF SLOAN**

2 I, Jeff Sloan, declare as follows:

3 1. I am an attorney licensed to practice law in the State of California and a partner at the law
4 firm of Sloan Sakai Yeung & Wong LLP. My firm has been retained by the County of San Luis Obispo
5 (County) to represent the County in administrative and court proceedings to protect public health and
6 safety in the event of a work stoppage by the San Luis Obispo County Employees' Association
7 (SLOCEA).

8 2. On or about November 16, 2018, the County received a letter from Pat McNamara,
9 General Manager of SLOCEA, notifying the County of a potential strike—referred to as a “concerted
10 labor action”—sometime after November 29, 2018. Notably, the notice failed to provide the County the
11 exact beginning date and length of the threatened strike. A true and correct copy of this letter is attached
12 as Exhibit 1.

13 3. On or about November 19, 2018, I responded to Mr. McNamara’s letter on behalf of the
14 County. I informed Mr. McNamara that SLOCEA’s notice of strike violated the Meyers-Milias-Brown
15 Act because it made no exception for employees performing functions essential to public health and
16 safety. Moreover, I informed SLOCEA that its failure to provide the exact beginning date and length of
17 the any strike prevents the County from making plans necessary to assure that essential health and safety
18 services continue during any strike. A true and correct copy of this letter is attached as Exhibit 2.

19 4. My letter of November 19, 2018, also notified Mr. McNamara of the County’s intent to
20 seek injunctive relief with the Public Employment Relations Board (PERB) after twenty-four hours from
21 the notice.

22 5. That same day, on November 19, 2018, I contacted Felix de la Torre at PERB and informed
23 him of the County’s intent to seek injunctive relief with the Public Employment Relations Board (PERB)
24 after twenty-four hours from the notice to SLOCEA.

25 6. Since my letter to Mr. McNamara, the parties have exchanged several emails. During this
26 exchange SLOCEA did provide some additional information about the strike. Specifically, SLOCEA
27 stated that any strike would occur between December 4 and 11, 2018 and last no more than three (3) days.
28 However, SLOCEA has continued to refuse to provide the County an exact beginning date for any strike.

1 7. In my communications with Mr. McNamara, the County offered to meet with SLOCEA
2 to attempt to reach agreement on the types and numbers of essential employees to be enjoined from any
3 strike. However, given the threatened timing of the strike, the County requested that SLOCEA agree to
4 postpone any strike to December 7 or 10, 2018. This would allow the County to file for injunctive relief
5 with PERB with ten (10) days' notice in the event the parties are unable to agree to a list of essential
6 employees. My November 20 email (6:40 p.m.) said, in part, "If you can get authorization before 10am
7 tomorrow to identify 12/10 as the first day of strike, we will hold off filing with PERB and join you on
8 Tuesday to discuss essential employees. Otherwise we need to move forward to PERB." As of the time I
9 signed this declaration (9:55 a.m. on November 21), I have not received a response. A true and correct
10 copy of my emails with Mr. McNamara is attached as Exhibit 3.

11 8. I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct.

13 Executed this 21st day of November, 2018, at Berkeley, California

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Jeff Sloan

Exhibit 1



San Luis Obispo County Employees' Association

1035 Walnut Street, San Luis Obispo, CA 93401
(805) 543-2021 - Fax (805) 543-4039 - Email: info@slocea.org

November 16, 2018

Tami Douglas-Schatz
Human Resources Director
County of San Luis Obispo
1055 Monterey Street Suite D250
San Luis Obispo, CA 93408

RE: Notice of Pending Protected Concerted Labor Actions

Dear Ms. Douglas-Schatz:

This notice is to inform the County that the employees represented in the Big Unit and Trades Unit, have taken the necessary steps under SLOCEA policy, to authorize the use of protected concerted labor actions, in protest of the County's recent unfair treatment at the negotiating tables.

County employees represented in the Big Unit and Trades Unit, have become increasingly dissatisfied over the past several years, due to the County's employee compensation remaining severely and chronically below market. This high level of dissatisfaction was on full display when the majority of the employees in the Big Unit and Trades Unit rejected the County's post-Factfinding offers of August 23, 2018.

Of further concern to employees is a growing sense that they are not respected or appreciated by County management, or the elected leadership. This impression springs from a number of examples, not the least of which is the County's refusal to abide by the reasonable Factfinding recommendations that followed very involved dispute resolution processes. And, the County's constant quest to degrade employee benefits such as the cafeteria cash out benefit and, more recently, the imposed reduction in the two-hour minimum call back benefit.

To avoid the commencement of protected concerted labor actions, the Big Unit and Trades Unit negotiating teams request that the County agree to the following terms:

1. An additional wage increase of 2.5% for all Big Unit and Trades Unit employees, effective July 1, 2018;
2. Increase the cafeteria contribution to \$850.00 for "employee only" coverage for Big Unit and Trades Unit employees;

3. Return of the full two-hour minimum callback benefit to all employees, regardless of whether or not such employees are required to physically respond to a worksite.

If the County rejects this request or does not respond by the end of business on November 29, 2018, protected concerted labor actions will commence shortly thereafter. Moreover, if concerted labor actions do commence, SLOCEA considers all the employees in its represented classifications to be eligible to assert their right to participate in such activity.

Please do not hesitate to contact me if you have any questions or desire to discuss this matter further.



Pat McNamara
SLOCEA General Manager

ⁱ Consistent with both Factfinding recommendations

Exhibit 2

November 19, 2018
[corrected date]

Via E-mail

Pat McNamara
General Manager
San Luis Obispo County Employees Association
1035 Walnut Street
San Luis Obispo, CA 93401

Re: SLOCEA Strike Notice

Dear Mr. McNamara:

We have reviewed the notice of strike activity you emailed to Ms. Douglas-Schatz on Friday, November 16. (Attached.) The content of your letter violates the Meyers Milius Brown Act and *County Sanitation Dist. No. 2 v. Los Angeles County Employees' Assn.* (1985) 38 Cal.3d 564.

First, in stating that SLOCEA considers “all the employees in its represented classifications to be eligible to assert their right to participate in such activity,” the Association is effectively saying that its strike call will include the many SLOCEA-represented employees who perform essential services that, if brought to a halt by the threatened strike action, would cause a substantial and imminent risk to public health and safety. This threat to carry out an illegal act is itself illegal.

Second, your letter does not give the County proper notice of the timing of SLOCEA’s intended action, including adequate prior notice of the commencement date of the strike and its intended duration. The lack of disclosure prevents the County from making the plans necessary to assure that essential health and safety services will be continued under strike conditions.

The conduct described above is inimical to the public interest and to the relationship between the parties.

This letter provides 24 hours notice of the County’s intent to initiate an unfair practice charge with PERB, including a request for injunctive relief. The County will vigorously pursue this action and will seek all available remedies against SLOCEA.

If SLOCEA does not wish to face an immediate request for injunctive relief, we suggest that you immediately rescind your letter.

Sincerely,



Jeff Sloan

Enclosure



San Luis Obispo County Employees' Association

1035 Walnut Street, San Luis Obispo, CA 93401
(805) 543-2021 - Fax (805) 543-4039 - Email: info@slocea.org

November 16, 2018

Tami Douglas-Schatz
Human Resources Director
County of San Luis Obispo
1055 Monterey Street Suite D250
San Luis Obispo, CA 93408

RE: Notice of Pending Protected Concerted Labor Actions

Dear Ms. Douglas-Schatz:

This notice is to inform the County that the employees represented in the Big Unit and Trades Unit, have taken the necessary steps under SLOCEA policy, to authorize the use of protected concerted labor actions, in protest of the County's recent unfair treatment at the negotiating tables.

County employees represented in the Big Unit and Trades Unit, have become increasingly dissatisfied over the past several years, due to the County's employee compensation remaining severely and chronically below market. This high level of dissatisfaction was on full display when the majority of the employees in the Big Unit and Trades Unit rejected the County's post-Factfinding offers of August 23, 2018.

Of further concern to employees is a growing sense that they are not respected or appreciated by County management, or the elected leadership. This impression springs from a number of examples, not the least of which is the County's refusal to abide by the reasonable Factfinding recommendations that followed very involved dispute resolution processes. And, the County's constant quest to degrade employee benefits such as the cafeteria cash out benefit and, more recently, the imposed reduction in the two-hour minimum call back benefit.

To avoid the commencement of protected concerted labor actions, the Big Unit and Trades Unit negotiating teams request that the County agree to the following terms:

1. An additional wage increase of 2.5% for all Big Unit and Trades Unit employees, effective July 1, 2018;
2. Increase the cafeteria contribution to \$850.00 for "employee only" coverage for Big Unit and Trades Unit employees;

3. Return of the full two-hour minimum callback benefit to all employees, regardless of whether or not such employees are required to physically respond to a worksite.

If the County rejects this request or does not respond by the end of business on November 29, 2018, protected concerted labor actions will commence shortly thereafter. Moreover, if concerted labor actions do commence, SLOCEA considers all the employees in its represented classifications to be eligible to assert their right to participate in such activity.

Please do not hesitate to contact me if you have any questions or desire to discuss this matter further.



Pat McNamara
SLOCEA General Manager

ⁱ Consistent with both Factfinding recommendations

Exhibit 3

From: Jeff Sloan <jsloan@sloansakai.com>
Date: Tuesday, November 20, 2018 at 6:40 PM
To: Pat McNamara <pmcnamara@slocea.org>
Cc: Theresa Schultz <tschultz@slocea.org>, Dennis Hayes <djh@sdlaborlaw.com>, "rao@sdlaborlaw.com" <rao@sdlaborlaw.com>, Tami Douglas-Schatz <tdouglas-schatz@co.slo.ca.us>, Megan Fisher <mmfisher@co.slo.ca.us>, Felix DeLaTorre <FDeLaTorre@perb.ca.gov>, "Wendi L. Ross" <WRoss@perb.ca.gov>
Subject: Re: Proposal for a Process and Timelines

Pat,

As previously indicated, by tomorrow morning we will get to you the list of employees we believe to be safety sensitive.

If you can get authorization before 10am tomorrow to identify 12/10 as the first day of strike, we will hold off filing with PERB and join you on Tuesday to discuss essential employees. Otherwise we need to move forward to PERB.

I appreciate your efforts and your good intentions.

Jeff

Jeff Sloan
jsloan@sloansakai.com
415-867-5097

From: Pat McNamara <pmcnamara@slocea.org>
Date: Tuesday, November 20, 2018 at 5:38 PM
To: Jeff Sloan <jsloan@sloansakai.com>
Cc: Dennis Hayes <djh@sdlaborlaw.com>, "rao@sdlaborlaw.com" <rao@sdlaborlaw.com>, Theresa Schultz <tschultz@slocea.org>, Tami Douglas-Schatz <tdouglas-schatz@co.slo.ca.us>, Megan Fisher <mmfisher@co.slo.ca.us>, Felix DeLaTorre <FDeLaTorre@perb.ca.gov>, "Wendi L. Ross" <WRoss@perb.ca.gov>
Subject: Re: Proposal for a Process and Timelines

Jeff,

Following my conversation with you and Megan at 4:50 PM today, I was ultimately unable to obtain the authority necessary to agree to move our original strike commencement date. As discussed, of particular concern to SLOCEA is the lack of any specifics from the County as to what constitutes essential employees or classifications. You stated that you may be able to provide a list of such employees/classifications, by tomorrow, but this seemed to be conditioned upon us moving the commencement date to either 12/7 or 12/10. Again, I am unable to make that commitment at this time. That said, we do not believe that the County needs to ask PERB to seek an injunction to prevent individual essential employees from participating in the pending job action.

We are in receipt of the email from J. Felix De La Torre, General Counsel, PERB with the case he attached provided for guidance. We agree none of the positions listed therein may engage in any job action, if those positions with those duties exist in units represented by SLOCEA.

SLOCEA believes that any legal action would not be necessary. But you need to finally disclose the positions you feel are essential. You must know by now (or at least by tomorrow) the identity of these positions. We are not aware of any essential positions but we will agree that once such bona fide positions are identified, we will request that individuals in those positions not participate in any job action.

Please respond at your earliest convenience.

Pat

Pat McNamara
SLOCEA General Manager

On Nov 20, 2018, at 3:25 PM, Jeffrey Sloan <jsloan@sloansakai.com> wrote:

Pat, we'll be happy to meet on Monday, but we need to have an answer today about deferring the strike commencement date. This is imperative to us because without a SLOCEA commitment to defer the date, we must move the PERB process forward right away. We hope therefore that you will respond today by 6 pm. Unfortunately, if you are unable to do so, we will file with PERB as soon as ready, which I anticipate to be tomorrow morning.

Jeff Sloan

415-867-5097

Sent from my iPhone

On Nov 20, 2018, at 1:40 PM, Pat McNamara <pmcnamara@slocea.org> wrote:

Jeff,

Thank you for the proposal. Let me offer the following counter proposal:

1. The County provide the list of essential personnel by tomorrow as suggested in your proposal. This will allow us to evaluate the County's concerns and decide whether or not we agree with the County's position.
2. We will meet and confer on 11/27. We previously offered 11/27 and 11/28. Unfortunately, 11/26 is not available for us to meet.
3. I will seek to defer commencement of the strike to after one of the dates you suggest (12/7 or 12/10). Unfortunately, this will take some significant phone work on my part. Your 2pm deadline today is not doable, but I may be able to obtain such authority by tomorrow.

Let me know if the County is receptive.

Pat McNamara

SLOCEA General Manager

On Nov 20, 2018, at 11:58 AM, Jeffrey Sloan <jsloan@sloansakai.com> wrote:

Pat,

Thanks for the additional information. We want to propose a process and timelines that, if accepted, will avoid our filing an unfair practice charge and request for injunctive relief today, and may result in the parties reaching full agreement on essential service employees so that the matter will not go to PERB or the Superior Court.

Package Proposal:

1. Please move the strike commencement date back to either 12/7 or 12/10 and tell us the commencement date.
2. We will give you our list of essential positions by tomorrow morning.

3. We will refrain this week from filing a UPC and request for injunctive relief with PERB, hoping that in the meetings described below the parties can reach agreement on essential services and thereby obviate a PERB/court proceeding.
4. The parties will have a full day meeting on Monday 11/26, and continuing into Tuesday, 11/27 if necessary, to review essential positions and attempt to reach agreement.
5. If there is an agreement on essential positions by 1pm 11/27, the County will refrain from filing a PERB charge and seeking injunctive relief, without prejudice to a later filing if things go awry.
6. If no agreement is reached, we will file with PERB on 11/27.

The timing stated above is necessary to assure that if there is no agreement on essential positions, PERB can get to court in time to obtain an injunction preventing against cessation of essential services under strike conditions.

Please respond to this offer by 2pm today.

Thanks for your consideration. Please also feel free to call if you'd like to discuss this email.

Jeff

From: Pat McNamara (SLOCEA) <pmcnamara@slocea.org>

Sent: Tuesday, November 20, 2018 9:47 AM

To: Jeffrey Sloan

Cc: Theresa Schultz; Megan Fisher; Tami Douglas-Schatz; Dennis J. Hayes;
rao@sdlaborlaw.com

Subject: Re: response to your email

Jeff,

Correction on the dates. The action is scheduled for 3 days that would take place between December 4 and December 11, 2018.

Pat

On Nov 20, 2018, at 9:05 AM, Patrick McNamara <pmcnamara@slocea.org> wrote:

Jeff,

The strike is scheduled to take place on 3 days between December 5, and December 11, 2018.

With this additional information, SLOCEA once again is requesting that the County identify the employees it deems to be essential and thereby not able to participate. We would also like an explanation of why the County deems the employees to be essential and unable to assert their right to participate.

Pat

On Mon, Nov 19, 2018 at 5:11 PM Jeffrey Sloan <jsloan@sloansakai.com> wrote:

Pat,

We need to know the date the strike will occur and the length of the strike. Without that information, we cannot assess what positions within classifications need to be exempted from strike activity.

Deferring a discussion about essential services employees until two days before a potential strike leaves no room to deal with the prospect of disagreement, and is unacceptable. We are working on a list of essential employees and will include it in our charge/request for injunctive relief. The burden will then be on SLOCEA to respond in accordance with PERB's internal timelines.

Regards,

Jeff

Jeff Sloan

jsloan@sloansakai.com

415-867-5097

From: Pat McNamara <pmcnamara@slocea.org>
Date: Monday, November 19, 2018 at 3:54 PM
To: Jeff Sloan <jsloan@sloansakai.com>
Cc: Theresa Schultz <tschultz@slocea.org>, "FDeLaTorre@perb.ca.gov" <FDeLaTorre@perb.ca.gov>, Tami Douglas-Schatz <tdouglas-schatz@co.slo.ca.us>, Megan Fisher <mmfisher@co.slo.ca.us>, Dennis Hayes <djh@sdlaborlaw.com>, "rao@sdlaborlaw.com" <rao@sdlaborlaw.com>
Subject: Re: Same letter, corrected date

Jeff,

Thank you for your response to our strike notification letter. SLOCEA respectfully disagrees that we have not provided the County with enough notice prior to the

commencement of strike activity. Again, strike activity will not commence until after 11/29/2018, which constitutes a thirteen-day advanced notice.

Additionally, SLOCEA is unaware of any represented employees who perform jobs so essential to preclude them from striking. SLOCEA requests that the County identify the specific employees that it deems to be so essential that they would be barred from exercising their right to engage in protected concerted labor actions.

SLOCEA is also receptive to meeting and conferring with the County to further discuss this important issue. We are available on November 27 or 28, 2018, for such meet and confer discussions.

We look forward to your response.

Pat

On Mon, Nov 19, 2018 at 1:31 PM Jeffrey Sloan <jsloan@sloansakai.com> wrote:

Greetings,

I realized that the letter I send earlier today didn't have today's date. Attached is a corrected letter.

Jeff

JEFF SLOAN

SLOAN SAKAI YEUNG & WONG LLP

1220 7th Street | Berkeley, CA 94710
c: 415-867-5097 | Main: 415-678-3800

www.sloansakai.com

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