

# California National Guard

## Labor Management Council-Forum

**I. Name:** The forum shall be known as the California National Guard (CNG) Labor Management Council (LMC).

**II. Purpose:** To research, study, discuss, and recommend possible solutions to mutual issues affecting labor/management relations for the betterment of the CNG.

**III. Scope:** The scope of the LMC addresses issues and functions affecting the performance and efficiency of operations at the CNG. Our intent is to improve performance, efficiency and maintain a cooperative forum to reduce issues that affect relationships between labor and management. The scope of the LMC is not intended to address collective bargaining agreements, contract enforcement, or active grievances with the Department.

### **IV. Representation:**

- a. Federal Labor six (6) voting members:
  - President LIUNA Local 2163
  - President ACT Local 105
  - President ACT Local 109
  - President ACT Local 118
  - President ACT Local 167
  - President NAGE Local R12-120
- b. State Labor seven (7) voting members
  - President International Union of Operating Engineers, Unit 13
  - President International Union of Operating Engineers, Unit 12
  - President California Association of Professional Scientist, Unit 10
  - President Professional Engineers in California Government (PECG), Unit 9
  - President California State Law Enforcement Association (CSLEA), Unit 7
  - President Service Employees International Union (SEIU), Units 1, 4, 11, 14, 15
  - President Association of California State Supervisors (ACSS) (Excluded)
- c. Management thirteen (13) voting members:
  - Director of Joint Staff (Chair)
  - Other management officials at large (12)
  - Chief, Labor Relations (Federal)
  - Chief, Labor Relations (State)
- d. The Adjutant General is ex-officio members.
- e. A non-voting Committee Secretary will be identified.
- f. Subject matter experts (non-voting) maybe called upon to present information to the committee.

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- g. Substitutes may be used, but it is recognized that a continuity of voting membership is required.

**V. Date, Time, Location, of Meetings:** Meetings shall be held quarterly. At each meeting, a specific day, time, and location shall be selected for following meeting. Every attempt shall be made to keep such a schedule, realizing that some flexibility is necessary. The quarterly meeting and location will vary. At minimum, the first meeting will be in the Sacramento area. Teleconferencing may be used for meetings to allow higher attendance of voting members.

**VI. Travel, Per-Diem, Official Time:** Attendance by the Labor organization voting members will be in an official capacity. If travel is required to the meeting location, reimbursement for travel and per-diem expenses is allowed for federal Labor organizations IAW the Joint Travel Regulation. Attendance by voting members is dependent on mission requirements and the availability of funds.

- a. State Labor Union Officials representing state employees are required to cover their own travel and Per-Diem expenses. The State does not reimburse for such expense according to the Department of Personnel Administration.
- b. Union officials attending the forum are authorized “Official Time”.

**VII. Meeting Agenda:** An agenda shall be submitted to all parties five (5) days prior to meeting. Topics not on the agenda will not be discussed, but may be recommended for placement on the following meeting agenda as “new business”. The agenda shall include a brief description of each item to be discussed. Emergency items may be added to the agenda only by mutual content.

**VIII. Chairing:** Responsibility for chairing meetings shall be assigned to the Director of Joint Staff. Labor Relations section is responsible for coordinating meeting arrangements.

**IX. Reporting:** The Council Secretary will record and distribute the minutes, prepared/distribute the agenda, and be the recipient of information/reports. Topics will be recorded as they are discussed. Prior to adjournment, a summary of the meeting results will be developed by or with the consensus of the parties for release outside the committee. Any procedures or recommendations developed by the committee will be communicated to the LMC Chair.

**X. General Guidelines:**

- a. It is recognized that recommendations growing or developed out of these meetings are not binding on the parties.
- b. Recommendations developed by the LMC do not relieve the parties of their responsibilities under 5 USC Chapter 71, or applicable Collective Bargaining Agreement(s).

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- c. No grievances shall be discussed and no bargaining shall take place.
- d. Information shared by the unions or management in the forum may not be used/shared by the parties outside the LMC. Such information must be respected in the spirit in which the information was shared.
- e. Topics that could lead to grievances may be discussed.
- f. Each person wishing to speak shall be recognized by the Chair before speaking.
- g. The Chair shall recognize a motion from any party to table a topic for further study.
- h. All decisions made by the Council, by itself and/or its subordinate entities shall be arrived at by the process of mutual consensus.
- i. Each topic shall be discussed fully and action reached before proceeding to another topic or tabled. Where mutually satisfactory decisions are not reached, the topic shall be cancelled, reverting to its proper place in the labor/management relationship – for instance, grievance procedure, negotiations, etc.

**XI. Amendments:** Recommended change to this Forum may be proposed at by regular meeting by mutual consensus for approval by The Adjutant General.

Federal Approval:

David S. Baldwin  
Major General  
The Adjutant General

Brent Shintaku  
President LIUNA Local 2163

Robert A. Spano - Chair  
COL, CA ARNG  
Chief of Staff/Director of Joint Staff

Lauren Johnson  
President ACT Local 105

Michael Herman - Vice Chair  
COL, CA ARNG  
Vice Chief of Staff

David King  
President ACT Local 109

David R. Shaw - Army COS Rep  
COL, CA ARNG  
Army Division Chief of Staff

James Williams  
President NAGE Local R12-120

Dennis Sarkisian – Air COS Rep  
Col, CA ANG  
Air Division Chief of Staff

David Tomamichel  
President ACT Local 118

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Michael N. Wells – J1 Rep  
COL, MI, CA ARNG  
Director, J1

Fred Cadena  
President ACT Local 167

Barbara Nuismer – Camp Roberts Rep  
COL, CA ARNG  
Garrison Commander, Camp Roberts

William Poppler – SMO Rep  
LTC, CA ARNG  
Surface Maintenance Manager

Steven Butow – 129<sup>th</sup> Rep  
Col, CA ANG  
129th Wing Commander

Sami Said – 144th Rep  
Col, CA ANG  
144th Wing Commander

Paul Hargrove – 146th Rep  
Col, CA ANG  
146th Wing Commander

Steven Beck – 162rd Rep  
Col, CA ANG  
162rd Wing Commander

Randall Ball – 163rd Rep  
Col, CA ANG  
163rd Wing Commander

James Patton - Co Facilitator  
MSgt, CA ANG  
Acting Chief of Labor Relations

Amber Bambaloff  
MSgt, CA ANG  
Labor Relations Specialist

Stephanie Zatzke  
Civilian, GS  
Labor Relations Specialist

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State Approval:

ANDREAS O. GARZA  
LTC, JA, CA ARNG  
Director, State Personnel Programs

Ms. Patti Ivashin – Co Facilitator  
Civilian, SCS  
State Labor Relations

Yvonne Walker  
President, Service Employees International Union Local 1000

Alan Barcelona  
President, California Statewide Law Enforcement Association

Terry Escarda  
Professional Engineers in California Government

Christopher Voight  
Staff Director, California Association of Professional Scientists

Tim Neep  
Director, International Union of Operating Engineers, State 12

Jerry Kalmar  
Business Manager, International Union of Operating Engineers, State 13

Arlene Espinoza  
President, Association of California State Supervisors