

# INTERNATIONAL UNION OF OPERATING ENGINEERS

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

## **IUOE Unit 12 Reaches Settlement Agreement with the Department of Education Over Contract Section 18.3 Violation – May 6, 2019**

On March 6, 2019, IUOE Local 39 filed a grievance with the Department of Education alleging that non-Unit 12 employees at the Department were performing the work of Unit 12 Groundskeepers.

The grievance stated that on or about February 6, 18, and 27, 2019, Athletic Staff at the School for the Deaf and Blind in Fremont performed work on the softball field which is Unit 12 Groundskeeper work.

The remedy requested by the Union was: immediately Cease and Desist in assigning BU 12 work to non-BU 12 employees; that the Department make all impacted employees whole for work that was performed by Athletic Staff; and pay the impacted BU 12 employees at the overtime rate for all lost wages in connection with the work that was performed by the Athletic Staff.

After the Department reviewed and analyzed the grievance, the management determined that the Department of Education, School for the Deaf and Blind in Fremont violated 18.3 Work Assignments by not properly assigning field preparation duties to BU 12 Groundskeeper staff.

The grievance was granted, and the five impacted Unit 12 employees received 12 hours of CTO each for potential lost wages performed by non-Unit 12 labor during the period of February 1, 2019 through March 22, 2019.

### **UNION STRONG!**

Steve Crouch  
Director of Public Employees