

## CHAPTER 6

### RELEASE TIME/USE OF STATE TIME FOR REPRESENTATION

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## CHAPTER 6

### RELEASE TIME/USE OF STATE TIME FOR REPRESENTATION

1. GENERAL. The needs of the command shall be the primary consideration when approving requests for the use of release time (i.e., workload, ability of other employees to perform work). The use of release time for employee representational matters may only be granted during an employee's working hours. Shift changes or schedule changes are not to be made to provide for release time. In addition to state release time, there are several other alternatives available which may be utilized by employee organization representatives. These alternatives, which are discussed in detail in this chapter, include release time banks, contributory time banks, dock time, and reimbursable paid leave of absence.

2. DEFINITIONS.

a. State Release Time. State time which shall only be utilized for representational purposes as permitted by the contract and/or departmental policy. The use of state release time is subject to the operational ability of the Department to release the employee.

b. Contributory Time Bank. Some contracts include a provision which allows employees to contribute leave credits into a contributory time bank. Time from this bank may be used by employee organization representatives for conducting union business when authorized by the appropriate employee organization.

c. Reimbursable Paid Leave of Absence (Union Leave). Another provision found in some contracts permits representatives to utilize a reimbursable paid leave of absence for employee organization business which does not qualify as state release time. The exclusive representative reimburses the Department for the employee's salary and benefits for all the time the employee is off on the leave.

3. STATE RELEASE TIME - MEET-AND-CONFER.

a. Represented Employee Organizations. Subject to management's approval, a reasonable number of representatives, who are employees of the state, will be allowed a reasonable amount of state release time to attend meet-and-confer sessions with management. Travel time may be included provided it can be accomplished within the authorized amount of state release time.

b. Supervisory Organizations. The state employer shall allow a reasonable number of supervisory employee representatives of recognized employee

organizations reasonable time off without loss of compensation or other benefits when meeting and conferring with representatives of the state employer on matters within the scope of representation. A supervisory employee who is an official representative of a supervisory organization which is recognized by California Department of Human Resources may use a reasonable amount of state release time, as approved by the Department, for conferring with management on employee relations matters. Additionally, a supervisory representative is entitled to reasonable release time to participate in meetings of management committees.

#### 4. GENERAL RULES GOVERNING OTHER FORMS OF STATE RELEASE TIME.

a. Area of Primary Responsibility. State release time for representational purposes is limited to those instances when representing an employee from the representative's area of primary responsibility. This is defined as headquarters' facilities or the Area or Division office which is the representative's permanent work location. It is not the district or region for which the representative may be responsible. Time must be utilized from another source (release time bank, reimbursable paid leave of absence, dock time, vacation credits, etc.) when a representative represents an employee who is assigned outside that representative's area of primary responsibility:

(1) Division. Division offices include all units within that Division (i.e., Air Operations, Vehicle Theft).

(2) Resident Post. Resident posts are not considered areas of primary responsibility. Employees in resident posts are to be represented by the Area's representative.

(3) Primary areas of responsibility within headquarters are the California Highway Patrol Headquarters Campus, Fleet Operations Section, Supply Services Unit, and the Academy.

b. Authority to Grant State Release Time. An employee's supervisor has the authority to deny a request for state release time. Permitting or denying state release time shall be consistent with the contract and departmental policy.

c. Employee Organization Activities. No employee shall conduct or participate in the internal business affairs of an employee organization during assigned working hours (refer to Chapter 5, General Employee Relations Guidelines, of this manual, for the definition of non-working hours). These activities include circulation of organizational material; solicitations for membership; campaigning in unit elections; solicitation of organizational health, welfare and insurance plans; or organizational demonstrations, social, political, or recreational events.

d. Organization Meetings. Employees attending employee organization meetings shall do so voluntarily and shall attend on their own time unless their absence is being underwritten by a negotiated release time bank, Contributory Time Bank (CTB), or union paid leave.

e. Off-Site Meetings. State release time shall not be authorized for an employee to leave the work site to meet with an organization representative on a representational matter. If the employee requests to meet with the representative off-site, state release time is not to be granted. If departmental operations will permit, such a meeting may be conducted on the employee's own time (i.e., vacation, Compensating Time Off [CTO]).

f. Travel Time. Travel time is allowed provided it can be accomplished within the amount of authorized state release time. An exception is that no travel time is allowed for employee interrogation representation. Travel time is not authorized for employees participating in employee organization business.

g. Transportation Expenses. Transportation expenses are not authorized for representation activities nor employee organization business.

h. Overtime. Time spent by employee representatives on representational activities will not qualify for, or result in, overtime compensation.

i. Extensions. Unless otherwise specified, the limits on use of state release time by employees and employee representatives may only be extended with management's approval.

j. Eligibility for State Release Time. To be eligible for state release time, the representative should be a departmental employee of comparable designation – managers represent managers, supervisors represent supervisors, designated exclusive representatives represent rank-and-file employees. Per Government Code Section 3529, excluded employees shall not participate in the handling of grievances or meet-and-confer sessions on behalf of nonexcluded employees. Nonexcluded employees shall not participate in the handling of grievances on behalf excluded employees and shall not participate in meet-and-confer sessions on behalf of supervisory employees.

5. STATE RELEASE TIME - GRIEVANCES/COMPLAINTS.

k. Reasonable Release Time. Employees may, during assigned working hours, use a reasonable amount of state release time to confer with a designated employee organization representative on a grievance/complaint or representational matter at the work site, subject to approval of the employee's supervisor. The

intent of this policy is to provide state release time for only one representative at a time per issue.

b. Represented Employees. Managers and supervisors should always refer to the employee's contract for rules governing representation and state release time in the grievance process.

(1) Right to Representation. An employee has the right to secure the assistance of a representative of their own choosing in preparing and presenting a grievance or complaint. Assistance by the employee's representative may be provided at the informal stage and all levels of appeal of the grievance or complaint procedure.

(2) Organization Representatives. An employee, and their organization representative, if a member of this Department, may be granted a reasonable amount of state release time in preparing and presenting a grievance/complaint, subject to prior notification and approval by their immediate supervisors. Normally, up to a maximum of four hours may be authorized to prepare and present a grievance/complaint at the informal level and each formal appeal level in the grievance and appeal procedures. This time may be limited or extended only with management's approval dependent upon the complexity of the issue.

(3) Representatives not Designated by an Employee Organization. When the representative has not been designated by an employee organization, neither the employee nor the representative receives state release time for preparation. If management elects to call a meeting to discuss the grievance or complaint, both departmental employees receive state release time to meet with management.

c. Excluded Employees.

(1) An excluded employee may represent another departmental excluded employee on state release time, as detailed in paragraph 4.j. of this chapter, provided the time occurs within the excluded employee's normal work shift.

(2) An excluded employee and their representative, if an employee of this Department, shall be entitled to state release time for preparing and presenting a grievance or appeal at each step in the grievance process. Generally, up to a maximum of four hours may be authorized to prepare and present a grievance at each level of appeal. This time may be limited or extended only with management's approval dependent upon the complexity of the issue.

(3) State release time will be provided to the California Association of Highway Patrolmen (CAHP) Supervisors' Council Representative or Alternate Representative to meet with the Division commander and/or the Area commander within the Division they represent as follows:

Upon the request of a supervisory employee, up to four hours of state release time to assist the employee on an excluded employee grievance at each level of the appeal procedure. Use of state release time by employee representatives for travel purposes is not permitted except as it may occur within the four hours maximum state release time.

d. Self-Representation. An employee who is representing themselves in a grievance or complaint does not have the right to state release time for preparation. Time off for self-representation is limited only to a reasonable amount of time, as determined by management, to meet with management. It does not include preparation or investigative time.

## 6. CONTRIBUTORY TIME BANKS.

a. Time Increments. Some bargaining units and supervisory organizations have negotiated CTBs. Employees may voluntarily donate certain leave credits into the banks utilized by employee organization representatives for union business. Contributions must be in one hour increments, except for holiday credits which must be in eight hour increments. Sick leave credits may not be donated. Once a donation is made, it is irrevocable.

b. Advance Notice. Employee organizations may be authorized the use of contributory bank time for their representatives to conduct organizational business. Approval and use of time from a CTB is subject to reasonable notice and departmental needs. Unless otherwise negotiated, withdrawals from the banks must be in one hour increments. Office of Employee Relations monitors donations and withdrawals from the CTB.

### c. Automated Employee Procedures.

(1) Donations. Donations may be made by utilizing the daily CHP 415, Daily Field Record. There is no need to complete a supplemental CHP 415. Time to be donated shall be entered in Section 3, Regular Work Shift, Other Code "S," with the number of hours to be donated entered in the Regular Work Shift column. One of the following letters shall be entered next to the Other Code "S":

“A” - Vacation/Annual Leave Credit Donations

“C” - CTO Credit Donations

“P” - Personal Leave Credit Donations

(2) Withdrawals. To utilize time from the contributory bank, an authorized employee must provide reasonable advance notice of their request to the supervisor. If approved, the employee shall complete a CHP 610, Representation Reporting, (Annex A) according to instructions as detailed in this chapter. The time expended should also be recorded on the CHP 415, Daily Field Record, utilizing Beat Code 833.

d. Nonautomated Employee Procedures. The CHP 212, Nonautomated Personnel Contributory Time Bank, is used to donate and withdraw time for nonautomated employees. Some operations may require employees to complete a CHP 415 for timekeeping purposes.

(1) Donations. An employee may donate to a CTB by submitting a completed CHP 212 to their supervisor for command review. The supervisor is responsible for forwarding a copy directly to the Office of Employee Relations (OER). The employee is responsible for forwarding a copy of the form to the appropriate employee organization.

(2) A copy of the CHP 212 shall be attached to the employee's CHP 71, Attendance Report, with the number of hours to be deducted from the appropriate "Less Used" box. Enter the Code "ATB" (Affiliate Time Bank) next to the deduction. The CHP 71 and CHP 212 shall be forwarded to Human Resources Section (HRS). Human Resources Section will deduct the amount donated from the employee's leave record card and forward the CHP 212 to OER monthly. Office of Employee Relations will maintain a record of donors' and users' time and, upon request, reconcile the donation/withdrawal balance with the employee organization.

(3) Withdrawals. To utilize time from the CTB, an authorized employee must provide reasonable advanced notice of their request to the supervisor. Upon approval, the employee shall complete a CHP 212, providing one copy to the supervisor for command review. The supervisor is responsible for sending a copy of the CHP 212 directly to OER. The employee is responsible for forwarding one copy of the form to the appropriate employee organization. One copy of the CHP 212 is attached to the CHP 71. Release time from a CTB is reported on the CHP 71 in the "Miscellaneous Off" column, with the letters "ATB" in the "Remarks" column. The CHP 71 and CHP 212 shall be forwarded to HRS. Human Resources Section will forward all CHP 212s to OER on a monthly basis. Office of Employee Relations will maintain a record

of donors' and users' time and, upon request, reconcile the time bank balance with the appropriate employee organization. The employee shall also complete a CHP 610 as outlined in this chapter.

e. The CHP 610 and CHP 212 are available on I:Forms and should be reproduced locally for employee use.

7. REIMBURSABLE PAID LEAVE OF ABSENCE (UNION LEAVE).

a. Definition. Pursuant to the appropriate contract, representatives of certain exclusive representatives are permitted to take paid leaves of absence to participate in organizational activities. The exclusive representative will repay the state for the paid leave of absence time spent away from work on organizational issues.

b. Eligibility.

(1) Reimbursable paid leave of absence may only be granted to represented employees who have permanent civil service status in their classifications, and who are either designated representatives, officers, or bargaining council members.

(2) The granting or denying of a reimbursable paid leave of absence request is at the discretion of the Commissioner or designee. The Department has authorized supervisors and managers to approve/disapprove reimbursable paid leaves of absence. The following factors are appropriate to consider when reviewing a request:

(a) The timing of a Merit Salary Adjustment.

(b) Employee job performance.

(c) Operational/program considerations such as workload, assignment, and replacement.

(3) A request for a paid leave of absence originates with the exclusive representative and is authorized by a designated officer within the organization. The exclusive representative may use a union-generated form (Annex C) or the CHP 614, Reimbursable Paid Leave of Absence Request (Annex D). The form is signed by the employee and sent to OER for departmental approval. Although the employee may have discussed the request for paid leave with their supervisor, OER obtains supervisory approval prior to approving the reimbursable paid leave. Upon approval, the OER commander signs the form and prepares a request to Accounting Section to

initiate the process for reimbursement. A copy of the memorandum and the union's request form is sent to the affected command.

(a) If the supervisor is unable to approve the request for union paid leave, OER will communicate the reason(s) for disapproval to the exclusive representative and provide a copy to the affected command.

(b) In the absence of an exclusive representative's formalized request for union paid leave, the completed CHP 614, Reimbursable Paid Leave of Absence Request, shall be provided to the employee (Annex D). The employee is responsible for transmitting the form to the appropriate employee organization for its approval. The employee organization will then forward the form to OER for processing.

c. Duration of Leave. While there are no specific contractual requirements establishing minimum or maximum periods for paid leave of absence, leaves should not be less than one day in duration and not more than one year at a time. Extensions are permissible with management's approval. Once the period of leave is established and granted, the employee will have no right to return earlier than the established date without the expressed approval of the employee's appointing power.

d. Retention. Request for union leave shall be retained at the command level for 12 months from the date of the request, and for three years in the OER.

8. TIME OFF FOR EMPLOYEE ORGANIZATION BUSINESS. Designated employee organization representatives are occasionally involved in other activities on behalf of their membership that require the use of time. These activities include such matters as legislative representation and organization meetings. Informal leave (dock time), bank time, or a reimbursable paid leave of absence for participation in such activities is permitted, consistent with the needs of the command. These activities will not be conducted on state release time.

9. REQUESTING TIME OFF.

a. Employees requesting time off for representational activities or employee organization business shall comply with the following procedures:

(1) Representational Purposes. When a representative requests state release time, the representative shall inform their supervisor of the reason (i.e., grievance, adverse action) and the amount of time needed based upon the general purpose for the state release time.

(2) Meet-and-Confer. Requests for the use of state release time for meet-and-confer purposes shall be submitted to the appropriate commander. Such requests should be in writing and should include the subjects to be discussed, the number of persons planning to attend, and the names of departmental employees for whom state release time is requested.

(3) Bank Time. Request for time off which will be charged to an employee organization bank shall be made to the representative's supervisor. Approval of time off is subject to the needs of the command.

(4) Reimbursable Paid Leave of Absence.

(a) Procedures for Requesting Leave. An eligible employee may request a reimbursable paid leave of absence by submitting a completed CHP 614 to their supervisor. The supervisor's decision on whether the leave is approved should be made as soon as possible, and prior to the scheduled leave date(s).

(b) Advance Notice. There are no specific advance notification requirements contained in the contract. The more advance notice the exclusive representative provides, the greater the ability the Department has to grant a request. Depending upon the employee's work assignment and length of leave requested, a two to four week prior notice should be the minimum under normal circumstances.

(5) Dock Time or Leave of Absence. An employee organization representative anticipating the use of informal leave time shall reach firm agreement, in advance, with their commander, as to scheduling priorities. The specific procedures for use of informal leave (dock time) are contained in Highway Patrol Manual (HPM) 10.3, Personnel Transactions Manual, Chapters 8, Leave of Absence; and 25, Absence without Pay (Dock).

(6) Requests for Other Activities. Requests to use state release time for other specified activities shall be submitted to the employee representative's commander, and permission obtained, in advance, before leaving work or the work location.

## 10. DOCUMENTING THE USE OF STATE RELEASE TIME.

a. Representation During Working Hours. Departmental employees providing representation during working hours are required to report the time expended.

b. Representation Reporting. A CHP 610 shall be completed by all departmental employees who provide representation for employees or on behalf of a recognized

employee organization. State release time, dock time, or time from a release time bank utilized for these purposes is to be entered to the nearest half-hour. Completed forms are to be submitted to the supervisor within two working days following the date of representation. The supervisor is responsible for ensuring a CHP 610 is completed for each representational activity, in addition to verifying the information on the form is complete and accurate. After approval, the CHP 610 will be routed from the command, with the corresponding CHP 415, directly to OER and a copy retained at the command.

c. Beat Codes for Representational Activities by Unit 5 Representatives. The 800 Series Beat Codes have been prescribed for specific representational activities (refer to HPM 40.71, CHP 415 User's Manual, Chapter 2, Beat Hours Summary). Supervisory approval is required prior to utilizing time from the 800 Series Beat Codes. All release time shall be documented on the CHP 610 as outlined in this chapter. The following beat code definitions are excerpted from HPM 40.7.

(1) Beat 831 - Grievances and Complaints. An employee's time used for meeting with management when representing themselves or time used as a designated representative with regard to grievances and complaints. No preparation or investigation time is provided for employees representing themselves.

(2) Beat 832 - Meet-and-Confer. An employee's time used for meet-and-confer or meet and discuss sessions between representatives of the respective union and management for purposes related to the administration of the contract.

(3) Beat 833 - CAHP Release Time Bank. An employee's time used that is charged to the CAHP Release Time Bank. Time is to be taken in two hour increments initially, and in one hour increments thereafter.

(4) Beat 834 - Adverse Actions/Interrogations/Officer Involved Shootings. An officer or sergeant's time used as a designated representative with regard to reviewing adverse action, interrogations and while at officer involved shootings.

The following policy has been developed regarding the use of 834 time at an officer involved shooting:

Release time (Beat 834) shall be allowed for up to eight hours per incident, for one CAHP district director or defense representative to assist an employee at an officer involved shooting incident. If representation is required at a time other than the district director's or defense representative's regularly scheduled shift, the regularly scheduled shift for the individual shall be adjusted for the time actually spent with the employee. Exceptions to this provision will require approval from the commander of OER.

Upon request of an employee, release time (Beat 834) shall be allowed for up to eight hours per incident, per involved employee, for a CAHP representative to assist an employee at an officer involved shooting incident. If representation is required at a time other than the representative's regularly scheduled shift, the regularly scheduled shift for the CAHP representative shall be adjusted for the time actually spent with the employee. Exceptions to this provision will require approval from the commander of OER.

(5) Beat 835 - Skelly Responses. An employee's time used as a designated representative with regard to preparing and presenting Skelly responses.

(6) Beat 836 - Dock Time for Organization Business. An employee's time used for employee organization business which is charged as dock.

(7) Beat 837 - Leave of Absence for Employee Organization Business. An employee's time used for employee organization business which is charged as a leave of absence.

(8) Beat 838 - Reimbursable Paid Leave of Absence. An employee's time used for employee organization business which is charged as a reimbursable paid leave of absence.

d. Beat codes for representational activities by nonuniformed bargaining units are 831, 832, 835, 836, 837, and 838.

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# ANNEX A

## CHP 610, REPRESENTATION REPORTING

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL <b>REPRESENTATION REPORTING</b> CHP 610 (Rev. 5-13) OPI 007				
<b>INSTRUCTIONS:</b> This form is to be completed by all departmental employees who provide representation for departmental employees or recognized employee organizations during work hours. Completed forms are to be submitted to the immediate Commander within two working days following the date of representation then directly to the Office of Employee Relations. Officers, Sergeants, Public Safety Dispatchers, Public Safety Operators, and Public Safety Dispatch Supervisors shall submit the completed form in conjunction with that day's CHP 415. Refer to HPM 9.1, Employee Relations Manual, or the appropriate bargaining unit contract for specific guidelines governing the use of representation time.				
NAME John D. Representative	ID NUMBER 40177	RANK/POSITION Officer	REPRESENTATION DATE(S) 04/19-20/2013	COMMAND/AREA NO. San Diego/645
GRIEVANCE REPRESENTATION (BEAT 831)		MEET AND CONFER (BEAT 832)		
a. Informal _____ hours	a. Topic: _____			
b. 1st Level _____ hours	b. With: _____			
c. 2nd Level _____ hours	c. Total Time: _____			
d. 3rd Level _____ hours				
e. CalHR _____ hours	DOCK TIME FOR ORGANIZATIONAL BUSINESS (BEAT 836)			
		a. Total time _____ hours		
ADVERSE ACTIONS/INTERROGATIONS (BEAT 834)		LEAVE OF ABSENCE FOR ORGANIZATIONAL BUSINESS (BEAT 837)		
a. Total time 4 hours	a. Total time _____ hours			
SKELLY REVIEW (BEAT 835)		TIME BANK (BEAT 833)		
a. Total time _____ hours	a. Total time 16 hours			
COMMENTS				
833 = Attendance at the CAHP Board Meeting on April 19th and 20th				
834 = Representation during Form 8 interrogation				
EMPLOYEE'S SIGNATURE				DATE
SUPERVISOR'S APPROVAL AND SIGNATURE				DATE
COMMAND REVIEW AND SIGNATURE				DATE
OER REVIEW				DATE
Use previous editions until depleted.				

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## ANNEX B

### CHP 212, NONAUTOMATED PERSONNEL CONTRIBUTORY TIME BANK


STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL <b>NONAUTOMATED PERSONNEL CONTRIBUTORY TIME BANK</b> CHP 212 (Rev. 5-13) OPI 007				
<input type="checkbox"/> Supervisory, Organization: _____		<b>INSTRUCTIONS:</b> 1. Employees submit original and 2 copies to supervisor 2. Attach original and 1 copy to CHP 71 and forward to Personnel Services Section 3. Retain 1 copy in Command 4. PSS forward to Office of Employee Relations		
<input checked="" type="checkbox"/> Represented, Bargaining Unit: _____ 07				
NAME (PRINT)			ID NUMBER	
Suzie Smith			A01234	
CLASSIFICATION		LOCATION NAME	LOCATION CODE	
Public Safety Dispatcher		Sacramento CC	214	
<b>DONATION</b>				
Refer to appropriate contract and contract interpretation for policy regarding the types of credit which may be donated. Donations must be in one-hour increments except for holiday credits which must be in eight-hour increments.				
NUMBER OF CTO HOURS	NUMBER OF VACATION HOURS	NUMBER OF ANNUAL LEAVE HOURS	NUMBER OF HOLIDAY HOURS	NUMBER OF PERSONAL LEAVE HOURS
	8			
I hereby authorize the above donation(s) for use by an appropriate representative for employee organization business. I understand my donation, once authorized, may not be retracted.				
DONOR'S SIGNATURE			DATE	
<b>WITHDRAWALS</b>				
I hereby declare that I have been authorized by the appropriate employee organization to withdraw time from the appropriate Release Time Bank in one (1) hour increments as follows:				
NUMBER OF HOURS	BY DATE			
Employees who use bank time for representation purposed or employee organization business are reminded that HPM 9.1, Employee Relations Manual, Chapter 6, Release Time/Use of State Time for Representation, requires that a CHP 610, Representation Reporting, must be completed. The CHP 610 is to be submitted to the immediate Commander within two (2) working days from the date of representation then directly to the Office of Employee Relations.				
EMPLOYEE'S SIGNATURE			DATE	
SUPERVISOR'S APPROVAL AND SIGNATURE			DATE	
COMMAND REVIEW AND SIGNATURE			DATE	
OER REVIEW			DATE	
Use previous editions until depleted.				
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ANNEX C

REQUEST FOR PAID LEAVE OF ABSENCE

**Request for Paid Leave of Absence**



TO: \_\_\_\_\_  
 Department Employee Relations Officer \_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_  
 Department Mailing Address \_\_\_\_\_

FROM: \_\_\_\_\_  
 IUOE Official Requesting Leave \_\_\_\_\_

Pursuant to the existing contracts between IUOE and the State, IUOE requests a Paid Leave of Absence for the following employee:

1. \_\_\_\_\_  
Name of Employee
2. \_\_\_\_\_  
Social Security Number
3. \_\_\_\_\_  
Classification
4. \_\_\_\_\_  
Department
5. \_\_\_\_\_  
Work Location (Address, City and Zip Code)
6. \_\_\_\_\_  
Bargaining Unit
7. \_\_\_\_\_  
Period of Leave
8. \_\_\_\_\_  
Monthly Salary
9. \_\_\_\_\_  
Program #

	Shift Differential	Yes	No
	Bilingual Pay	<input type="checkbox"/>	<input type="checkbox"/>
	Alternate Range Pay	<input type="checkbox"/>	<input type="checkbox"/>

Departmental billing for reimbursement by IUOE should be forwarded to:

Mr. Tim Neep, Director  
 IUOE Division Central Office  
 1121 "L" Street, Suite 401  
 Sacramento, CA 95814

**WAIVER OF CLAIMS AND NOTICE OF ACKNOWLEDGEMENT FOR UNION PAID LEAVE OF ABSENCE**

I, \_\_\_\_\_, do hereby request a union leave of absence for the period \_\_\_\_\_ so that I may be able to perform duties on behalf of the International Union of Operating Engineers (IUOE).

I understand that if I am injured while on this paid leave of absence, in performance of my IUOE duties or any other activities, that I will not qualify or be eligible for workers' compensation or industrial disability leave benefits from the State of California. And, further, I am not, in fact, on the job nor in the course and scope of my employment with the State of California when I am out on this union paid leave of absence.

I further understand that while on this union paid leave of absence, performing duties for IUOE, any compensation I receive is being paid by the International Union of Operating Engineers and that IUOE will be my employer during this period.

I have also been advised that in the event I do file a workers' compensation claim against the State of California, or any agency thereof, for an injury or injuries sustained while on this paid leave of absence, that the International Union of Operating Engineers will be required to indemnify and hold harmless the State of California, or agency thereof, from both workers' compensation liability and any costs of legal defense incurred as a result of the filing of my claim.

\_\_\_\_\_  
 Department Employee Relations Officer \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
 IUOE Representative \_\_\_\_\_ Date \_\_\_\_\_

I, \_\_\_\_\_, have completely read the above notice prior to executing my signature and I hereby acknowledge that I fully understand its contents, meaning and significance.

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## ANNEX D

### CHP 614, REIMBURSEABLE PAID LEAVE OF ABSENCE REQUEST

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL <b>REIMBURSEABLE PAID LEAVE OF ABSENCE REQUEST</b> CHP 614 (Rev. 7-08) OPI 007		DATE 05/01/2013	
TO <b>COMMANDER OFFICE OF EMPLOYEE RELATIONS CALIFORNIA HIGHWAY PATROL</b>		FROM (OFFICIAL REQUESTING LEAVE) Frank Little, Association President	
REPRESENTATIVE'S NAME John D. Representative		CLASSIFICATION Officer	ID NUMBER 40177
COMMAND NAME San Diego		LOCATION 645	
COMMAND ADDRESS 4902 Pacific Highway, San Diego, CA 92110		MONTHLY SALARY	
LEAVE PERIOD	FROM	TO	
	YES	NO	
Senior Traffic Officer pay	✓		Pilot
Bilingual pay		✓	Flight Officer
Motorcycle differential		✓	Other:
Investigator Pay		✓	PPP Incentive pay <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Amount:
THE CALIFORNIA HIGHWAY PATROL SHOULD FORWARD THE BILLING FOR REIMBURSEMENT TO THE FOLLOWING: CAHP - 2030 V Street, Sacramento, CA 95818			
<b>CLAIMS WAIVER/NOTICE AND ACKNOWLEDGEMENT</b>			
I, _____, do hereby request a reimbursable paid leave for the period stated above, so that I may be able to perform my duties on behalf of _____ (Employee Organization).			
I understand that if I am injured while on this leave of absence, in performance of my employee organization duties or any other activities, that I will not qualify or be eligible for worker's compensation benefits from the State of California. And, further, I am not, in fact, on the job nor in the course and scope of my employment with the State of California when I am on this reimbursable leave of absence.			
I further understand that while on this reimbursable leave of absence performing duties for this employee organization, any compensation I receive is being paid by the employee organization and that the employee organization will be my employer during this period.			
I have also been advised that in the event I do file a worker's compensation claim against the State of California, or any agency thereof, for an injury or injuries sustained while on a reimbursable leave of absence, that the employee organization will be required to indemnify and hold harmless the State of California, or any agency thereof, from both worker's compensation liability and any costs of legal defense incurred as a result of the filing of my claim.			
<i>EMPLOYEE ORGANIZATION REPRESENTATIVE: I have read completely the above notice prior to executing my signature and I hereby acknowledge that I fully understand its contents, meaning and significance.</i>			
EMPLOYEE'S SIGNATURE		DATE	
SUPERVISORY APPROVAL		DATE	
EMPLOYEE ORGANIZATION OFFICIAL		DATE	
CHP EMPLOYEE RELATIONS OFFICER		DATE	

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