

essential work | extraordinary workers

CSEA Wrote the Book



For more than **80 years**,
CSEA has sponsored
and passed the laws
that protect classified
employees. This booklet
describes some of the
highlights of our
legislative victories.



AFL-CIO

CSEA Wrote the Book



“Before CSEA began to work on legislation, classified workers had nothing. Now, classified leaders from other states are astounded because we are the only state in the country that has an entire section of laws for our protection . . . and these laws exist because of the hard work by CSEA and its members. Truly, CSEA is the most important thing that ever happened to classified workers—it changed our lives, gave us hope and a future.”

— Bill Parker

*Retired CSEA Legislative Committee chairperson
and committee member for 26 years*

Classified Employee Rights

CSEA sponsored “The Classified Bill of Rights”— a landmark in classified employee rights.



1959 CSEA sponsors “The Classified Bill of Rights.” Described by one historian as “the most spectacular breakthrough in legislative achievements by any single organization”, it is divided into different bills guaranteeing classified workers’ rights to fair wages, benefits, job classifications, leaves, a merit system and much more.



1961 Workers win full protection of their negotiated rights regardless of how a district is reorganized.

1968 Workers guaranteed access to their personnel file.



1970 Districts must give workers adequate information about a pending disciplinary action, and time to prepare a defense.

1972 Workers must be given a 30-day notice of a layoff.



1980 Employers are prohibited from requiring workers to be sterilized as a condition of employment.

1999 AB 2472 Classified employees are granted all “whistleblower protections.”

2001 • AB 365 Classified employees who fail to make a promotion may return to their former classifications.

• AB 128 Classified school employee unions can bargain to refer discipline to a neutral third party.

• SB 235 Classified school employees unions have the right to appoint a representative to a district task force or committee.

2002 SB 1419 The criteria for contracting-out classified work and contracting-out state services must be similar.

2003 • AB 290 Protects classified jobs by requiring that school and community college districts provide classified school employees with a 45-day layoff notice, and short-term employees must be laid off first.

• SB 644 Ensured adequate representation by adding a classified employee as a member to the Board of Governors of the California Community Colleges.

Retirement and Pension Protection

CSEA was formed in the late 1920s to win retirement rights for classified employees.

1928 School districts with more than 500 teachers are allowed to set up a retirement system for all school workers.

1937 School workers' retirement legislation is challenged in state court and revoked. In response, CSEA pushes through legislation establishing voter approved retirement systems for districts with more than 800 students.

1939 Districts are authorized to become part of the State Employee Retirement System.

1949 All districts not covered by existing retirement systems must become members of the Public Employees' Retirement System (PERS).

1961 Workers cannot be required to retire before age 70 and those working in the merit system will retain their merit status through age 70.

1982 Workers can negotiate district-paid PERS contributions.

1987 Beneficiaries of PERS members receive survivor benefits.

1988 Part-time workers (less than 4 hours) gain option to negotiate to join PERS.

1990 Worker organizations can negotiate agreements where full-time workers, who become part-time, still receive full-time retirement credit.

1999 • **SB 400** Landmark legislation that helped classified employees achieve fair retirement pay.

- **AB 50** Increased the lump-sum death benefit from \$600 to \$2,000 for classified employees who die after retirement.

- **AB 2177** Classified employees must receive PERS pension service credit for all time worked up to 40 hours per week and all summer school hours.

2006 Classified employees must receive CalPERS retirement credit even while they are on workers' compensation temporary disability leave.



Work Hour Protections

CSEA's efforts won a 40-hour week, overtime pay and specific work hours for classified employees.



1959 • Workers win a 40-hour work week and overtime—paid in cash or in time off.

- Districts must grant workers one year contracts, the merit system or some other system of permanency.

1967 • Districts required to pay overtime for work over eight hours in one day.

- Overtime guidelines established for workdays shorter than eight hours.

1974 Districts must give workers job titles and regular, specified work periods such as hours per day and days per week.

Guaranteed Time Off

Many of us had to work holidays and had no vacation or sick leave until CSEA won guaranteed time off.

1939 Workers may receive paid leaves of absence for illness.

1955 Workers are guaranteed paid annual vacation and bereavement leave.

1959 Workers guaranteed one day of sick leave per month with unlimited accumulation of those sick days.

1963 Workers guaranteed the traditional holidays—such as Christmas, New Year’s Day and Thanksgiving—as legal holidays.

1965 • Districts may extend leave time to workers who have exhausted their sick leave. If a worker is unable to return to work after the extension, the worker is put on a 39-month re-employment list.



- Districts must give workers 60 days of paid industrial-accident leave—per accident or illness—over and above sick leave.

1967 Workers guaranteed 10 paid holidays, including a week-day off if the holiday falls on a weekend.

Wages and Fringe Benefit Guarantees

It took tough lobbying in the 1960s and 1970s to guarantee our wages and fringe benefits.

1963 Substitute and short-term employees working at least 75 percent of the fiscal year must be given classified employee status.

1967 Districts must increase the salaries of all workers in a reclassified position.

1968 Overtime eligibility expanded to include time worked, paid sick leave, vacation or any other paid leave.



1969 Districts must pay workers out-of-class pay for working outside their classification in duties requiring higher-level skills.

1970 • Workers may seek compensation for performing dangerous or unique labor.

- Workers must receive supplemental payment within three working days of the time a payroll error is detected.

- Instructional aides are granted the same salary protection as teachers.

1972 Districts must reimburse workers for distinctive clothing or equipment required by the district.

2003 • **AB 918** Classified school employees must get their usual, fair salary even when performing work other than their regular assignment.

- **SB 162** Classified school employees are allowed to participate in the Extra Credit Home Purchase Assistance Program.



Merit Systems

CSEA first battled for an equitable personnel system more than 55 years ago, when it successfully lobbied for a merit system.

1936 The merit system is created and outlines district hiring, promotion, transfer, dismissal and vacation policy.

1963 Child-care workers in a merit system district must be covered under the system.

1967 • Districts with an average daily attendance of less than 3,000 can adopt the merit system. If, after five years, the system doesn't benefit workers, they have the right to vote it out through a district ballot measure.

- School districts unified with a merit system district must adopt the merit system.

1975 Workers win the right to appoint a member of the merit system personnel commission.

1985 District personnel directors are prohibited from making recommendations to merit commissions regarding appealed disciplinary actions.

1990 Districts must hold open hearings for joint appointments to personnel commissions.

Defining Classified Positions

Our job opportunities have been greatly expanded by CSEA-sponsored legislation defining classified positions.

1965 Classified workers are eligible for all district positions not requiring a certificate.

1968 Districts must adopt the common title of “instructional aide” and classify the position as part-time, not short-term, making the position eligible for pro-rated benefits.

1971 Artificial barriers and certification requirements must be removed from certain types of district positions—such as personnel manager, food service director and budget officer—thus opening them up to classified workers.

1973 Districts must give workers copies of their classification, salary data, assignments or work location, duty hours and prescribed work week upon employment or change in classification.



1985 Districts can only employ a substitute to replace a classified worker who is temporarily absent from duty or to fill a vacant position that is in the process of being filled.

2001 AB 500 Before hiring short-term employees, school districts must specify the work that needs to be performed and they must certify the starting/ending date of service.

Guaranteed Insurance Benefits

Insurance programs, like group life and unemployment, didn't exist for classified employees until CSEA successfully lobbied for them.

1941 Workers win the right to become members of a group life insurance plan and have their premiums deducted from their salary.

1963 • Part-time workers win a pro-rated share of insurance and fringe benefits enjoyed by full-time workers.

- School districts must offer payroll deductions for group life and for health and welfare insurance for all workers.

1971 Workers win the right to unemployment insurance.

2005 AB 256 Required a study to examine the cost and feasibility of creating a school healthcare pool to cover all school employees.



Career Opportunities

CSEA-sponsored legislation has expanded career opportunities for classified employees.



1941 Districts can hold training sessions for classified workers and pay the necessary expenses for conducting the trainings.

1965 Workers may be granted unpaid leaves of absence for training.

1967 Districts must establish a “Suggestions Awards Program” that rewards workers for work-saving suggestions.

1972 • Residency requirements and residence-weighted examinations are eliminated as a condition of employment.

• Non-merit system school districts must post notices of tests, vacancies and transfer opportunities no later than 15 working days before the final filing date.

Funding Classified Positions

Our job security has been increased by CSEA-sponsored legislation defining the funding of classified positions.

1949 Districts are permitted to pay food service workers from their general fund.

1963 Districts must pay food service workers from the district's general fund.

1967 All classified workers retain their rights and status regardless of how their positions are being funded.

1974 Districts are prohibited from displacing classified positions to "restricted" classified positions through the use of federal or state funds.

2001 SB 6 Eliminated the PERS contribution offset, repealing conditions that financially punished school districts when they hired more classified employees.



Workplace Safety for Classified Employees

For over 50 years, CSEA has shown it understands that classified employees see workplace safety and safety for school children as one and the same.

1968 “Stop When Red Lights Flash” signs must be placed on school buses.

1974 Classified and certificated workers are authorized to seize weapons found on campuses.

1977 • School districts must monitor school bus routes and schedules, and establish procedures for notifying the California Highway Patrol if a school bus is unreasonably overdue on a route.



• Districts must provide drivers with training on how to deal with school bus hijackings.

1982 The State Department of Education is required to distribute information to all districts regarding the safe handling, storage, clean-up and disposal of any toxic substances used on school grounds.

1985 The California Highway Patrol is required to establish procedures and guidelines that specify the circumstances warranting the suspension or revocation of a school bus driver’s certificate.

1990 School bus drivers can direct their local law enforcement agencies to issue warning letters to registered owners of vehicles passing a stopped school bus that has its red lights flashing.



Union and Political Rights

Our union & political rights are guaranteed because of CSEA's lobbying success.

1961 Workers have a right to belong to any worker organization, and school districts are prohibited from harassing or interfering with workers who belong to an organization.

1967 School districts cannot establish or maintain a worker "Advisory Council" when a worker organization, such as CSEA, is functioning in the district.

1970 Worker organizations, such as CSEA, have the right to represent workers suing a school district.

1975 Workers are guaranteed collective bargaining rights.

1976 School districts are forbidden from retaliating against workers because of their political activities.

1987 Worker organizations can negotiate the hire date, for seniority purposes, to be used for layoffs and re-employment.

2000 Every school employee covered by a collective bargaining agreement will be required to either join the union or pay a fair share fee.

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