



## Presented by your 2019-2020 San Diego Section Officers

*Section Director: Cristina Nunez*

*Section President: John Williamson*

*President Elect: Oscar Cortes*

*VP Supervisory: Abu-Bakr Al-Jafri*

*VP Rank & File: Paul Swearingen*

*VP At Large: Ben Neill*

*Secretary: Alex Balce*

*Treasurer: Farah Kushkaki*

## Upcoming Events

- Until further notice, all events are postponed due to COVID-19 crisis.

## Retirements

- David Evans
- Vicente Garcia-Torres
- Carol Callejon

## Recruit a New PECG Member

1-Text or email PECG recruitment videos:

<http://pecg.org/pecg-delivers> or

<https://www.youtube.com/user/PECGCA>

2-Text or email to sign-up (e-application):

<http://www.pecg.org/join>

3-Monetary rewards for recruiting:

- \$50 for each rank and file employee
- \$200 for each supervisor/manager

## Engineers Week Awards Banquet

Friday, February 21<sup>st</sup>, 2020

The San Diego County Engineering Council (SDCEC) celebrated engineering through the annual Engineers Week San Diego Awards Banquet Program held at San Diego's Crown Plaza Hotel. PECG San Diego Section officers, members and Caltrans' student volunteers attended this event and listened to keynote speaker, Susan Tousi, discuss "Engineering a Healthier Tomorrow through Genomics." SDCEC presented awards to recognize the contributions of local engineers, projects and the advancement of engineering in the community. SDCEC announced during the banquet that the PECG San Diego Section was the award recipient for the "PECG Section of the Year 2019"



From Left: Claudia Soto, Shukky Sanni, Quds Omar, Ryan Fallica, Oscar Cortes, Cristina Nunez, John Williamson, Abu-Bakr Al-Jafri, William Vivar, Jessica Sutter, Mehi Nabizadeh, Pedro Aguilar.

## PECG Weekly Updates

### Week of: May 8, 2020

In less than two months, the COVID-19 pandemic has fundamentally changed the way we live and work. It has also, according to California's Department of Finance (DOF), plunged California into a deep recession and created, seemingly overnight, a projected \$54.3 billion state budget deficit over the next 14 months.

In a Fiscal Update released yesterday, the DOF concludes that from the start of the crisis through the end of the next fiscal year on June 30, 2021, state tax revenues will drop by \$41.2 billion, health and human services program costs will go up by \$7.1 billion, and there will be increased budget expenditures, mostly related to responding to COVID-19, of \$6 billion.

Long gone is the balanced state budget the Governor unveiled in January. It projected a \$5.6 billion surplus and had over \$20 billion in rainy day and other reserve funds.

In recent days, the Administration has said that the rainy day reserves and the federal funding received so far will not be sufficient to cover lost state revenue and increased COVID-19 response costs. To date, the State has received (or will receive in the near future) just short of \$20 billion in direct funding that can be used for programs or services that are currently being paid for out of the state budget. Last month, the Governor officially requested billions of dollars in additional federal assistance to cover increased COVID-19 related costs.

But any additional federal support is unlikely to arrive by May 14, the day the Administration will release its May Budget Revision for the 2020-21 state budget. Initially, the Administration had signaled that the May Budget Revision would propose a "workload" budget which would roll over the current year spending authority with minor adjustments where necessary. Today, with the release of the Fiscal Update, it becomes more likely that the Administration will need to propose budget cuts or adjustments next week to meet California's constitutional requirement that the

## Congratulations Cory Binns

Friday, February 28<sup>th</sup>, 2020

After nearly 21 years in District 11 San Diego, our District Director, Cory Binns is headed to Sacramento to be Caltrans Deputy Director of Maintenance and Operations. He was newly appointed by Caltrans Director, Toks Omishakin, and will begin on March 1, 2020. Cory was named Caltrans District 11 Director in July 2018. He was most recently in Sacramento and served as Acting Chief Engineer/Deputy Director of Project Delivery from August 2019 to February 2020. Cory joined Caltrans as an Engineer in 1999. During his Caltrans career, he held multiple positions in the Division of Design, Environmental Engineering, Construction and Maintenance before promoting to the position of District 11 Chief Deputy Director in 2012. Among his honors, Cory is the 2017 recipient of the Honorable Ray LaHood Award from San Diego Chapter of WTS. The award is designed to recognize a man who is not only a leader in transportation, but also one who has actively led by example in seeking opportunities to advance women and minorities. In addition, in 2018 Cory received the *Outstanding Service Award, Dr. Thomas Avolt Kanneman*, from the San Diego County Engineering Council for outstanding professional and/or public service for the advancement of the engineering profession in Southern California. The San Diego PECG family thanks you, Cory, for your leadership and wish you the best of luck on your new challenges and new adventure.





Legislature adopt a balanced state budget by June 15.

This week, the California Supreme Court heard oral arguments in *Alameda County Deputy Sheriff's Association v. Alameda County Employees' Retirement Association*. A decision in the case could have a significant impact on the "California Rule" – the 70-year-old legal precedent that holds public employee pension benefits cannot be reduced unless employees are provided a benefit of similar value in return.

At issue in the case was Alameda County's decision to eliminate pay and benefit items (standby pay, cash payments in lieu of health care) from current employees' pension calculations. The county argued that 2013 pension reform legislation that limited pension calculations to only regular, recurring pay required the elimination of the additional pay items from all pension calculations. In challenging that decision, the deputy sheriffs argued that these additional pay items had long been figured into retirement benefits in Alameda County and were part of the compensation package that was promised to them upon employment. By attempting to eliminate them, the deputy sheriffs argued that the county was taking away a vested pension right that violated the California Rule because they were not provided any offsetting benefit.

In making its case before the Supreme Court on Tuesday, the State argued that current employees have always known their pensions could be modified for benefits not yet earned. That means "prospective" changes can be made for current employees because they have no set expectation before retirement. Some justices took issue with the State's definition of a "prospective" change, noting that the traditional understanding of "prospective" has meant that changes should only apply to future employees. One justice noted that by accepting the State's definition, no contractual rights would ever be protected, which goes against the purpose of California's constitutional contract clause. The State responded that employees agreed to a pension and final compensation that was always going to be subject to change by the Legislature and interpretation by county retirement boards. Given that legislative changes





to address changing fiscal circumstances are well understood by employers and employees, altering the type of pay subject to pension calculations does not violate a contract or pension agreement.

In response, the deputy sheriff's attorney argued that the State's definition of "prospective" was not accurate, and that prospective had always been interpreted by the courts to mean new hires. He noted that Alameda County had always used the pay items at issue to calculate their employee pensions, each deputy sheriff understood that upon coming to work for the county, and the employees had every reasonable expectation that these items would be part of their final compensation. He noted that this is the basis of the agreement between public employers and employees and the foundation of the California Rule: employees agree to come to work for the government, they agree to the government's compensation package (including a pension), they provide service for a sufficient number of years to qualify for a pension, and are paid a significant amount of deferred compensation in retirement – as understood at the time they were hired. The Union also argued there were no comparable advantages being added to offset Alameda County's attempt to eliminate the use of the pay items in final pension calculations.

Now that the case has been argued and submitted, the Court has 90 days to issue its decision. PEGC will continue to monitor this case and other pension issues to protect your CalPERS defined benefit pension and vested pension rights.

Just a reminder: PEGC's Sacramento Headquarters and our offices in Pasadena and San Francisco are closed at this time due to the Governor's stay at home executive order. PEGC staff members in all three offices are working from home. If you need assistance or have a question, please contact your local PEGC office, but understand it may take some time.

## Legislative Conference in DC

Friday, February 28<sup>th</sup>, 2020

In late February, PEGC leaders were in Washington D.C. to attend two legislative conferences hosted by American Association of State Highway and Transportation Officials (AASHTO) and Association of California Water Agencies (ACWA). Our San Diego PEGC leaders in attendance were Robert Lumahan and Diane Vermeulen. Both events drew a number of legislative leaders and policy stakeholders who discussed federal transportation and water program funding and policies. Notable speakers at the conferences included House Transportation and Infrastructure Committee Chairman Peter DeFazio (D-OR), Senate Environment and Public Works Committee Chairman John Barrasso (R-WY), Administration officials, and several California Members of Congress, including Reps. Jim Costa (D-Fresno), TJ Cox (D-Hanford), Tom McClintock (R-Roseville), Mike Levin (D-Oceanside), John Garamendi (D-Fairfield), Ken Calvert (R-Corona), Harley Rouda (D-Newport Beach), Josh Harder (D-Modesto), and Alan Lowenthal (D-Long Beach). While in D.C., PEGC leaders also spent time on Capitol Hill meeting with Members of Congress and their staff to discuss PEGC's 2020 federal legislative priorities. Transportation-focused meetings were with California Members of Congress who sit on the Transportation and Infrastructure Committee. PEGC's federal priorities for transportation include increasing federal transportation funding, limiting outsourcing of engineering and related services, requiring a cost comparison prior to outsourcing, and cautioning against the use of public-private partnerships for transportation projects. PEGC also advocated in support of our sponsored bill, HR 1099, which would require construction inspection to be performed by public employees on federally-funded transportation projects.



From Left: Secretary of Transportation David Kim, Robert Lumahan, Diane Vermeulen, Steve Lee.

## Week of: May 1, 2020

Ensuring the health and safety of PECG members in the workplace has always been one of PECG's primary objectives. When you are in the middle of a pandemic, it becomes even more important. That's why PECG President Joe Mello on Wednesday asked Department of General Services (DGS) Director Daniel Kim to undertake a thorough evaluation to determine when and how the state can safely reopen state workplaces and buildings given the COVID-19 outbreak. DGS is responsible for all state offices, including workplace furniture, layouts, and designs.

In the near term, Mello asked Kim to include in his assessment how the state will meet the physical distancing requirements between employees as recommended by the CDC and public health officials to prevent virus transmission. Mello also requested that DGS reevaluate state office design philosophies which encourage open floor plans, reduce cubicle size and height, and crowd more employees into state offices.

"PECG would welcome the opportunity to take part in any evaluation process to update workplace guidelines as we contemplate reopening state offices and buildings in the days ahead," Mello's letter concludes. "We would simply urge that your department's guidance make the health and safety of employees and the public the top priority."

In addition to the DGS director, PECG's letter was sent to leading officials in Governor Gavin Newsom's office, all agency secretaries, and the leaders of state boards, departments, and offices that employ PECG members.

Yesterday, with Budget Letter 20-11, the Department of Finance cancelled all employee leave buy back programs this year, citing the fiscal emergency created by COVID-19 as the reason for doing so. PECG has been pressing the state for weeks to let us know the status of the leave buy back program so PECG members could plan accordingly.



*From Left: Steve Lee, Diane Vermeulen, Congressman John Garamendi, Robert Lumahan.*



*From Left: PECG Corporate President, Joe Mello, Diane Vermeulen, Brad Shelton, Shayla Silva, Nadine Westcott.*

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## PECG San Diego Section Meeting

Thursday, March 5<sup>th</sup>, 2020

PECG San Diego held a General Body Meeting for all members at the District Office in San Diego. The guest speaker was D'Arcy McLeod, a member of the PECG Corporate Bargaining Team Committee. D'Arcy discussed current negotiations with CalHR



Section 5.19 of the PECG Memorandum of Understanding (MOU) authorizes employees to cash out up to 80 hours of accumulated Vacation or Annual Leave each year if their department determines it has funds available to make the payments. Under the terms of the MOU, that decision is to be made on or before May 1 each year. With its budget letter, the Department of Finance has made the determination on behalf of all state departments that funds are not available for leave buy backs this year.

Given the “significant decreases in state revenues,” the Department of Finance budget letter also requires all state agencies and departments to halt all new goods or services contracts not specifically related to COVID-19 response, cancel all non-essential travel, and use discretion when hiring staff given reduced state revenues.

Caltrans held its 30th annual Fallen Highway Workers Memorial to honor the lives of 189 department employees who have died keeping Californians safe. Unlike prior tributes that have drawn family members, state dignitaries, and thousands of grateful Californians, this year’s ceremony did not include a public event on the West Steps of the State Capitol due to physical distancing measures.

Instead, Caltrans set up a tribute near the Caltrans Workers Memorial Bridge in Sacramento with 189 traffic cones, each bearing the name of a department employee lost since 1921. The orange and black cones were configured in a diamond shape to represent a highway caution sign, with a single black cone at the center of the formation to signify all personnel lost on the state highway system, including California Highway Patrol officers and contract workers. Three honor guards watched over the symbolic tribute, which was visible from the highway, and Caltrans trucks were onsite equipped with illuminated message signs reading “In Memory of Fallen Workers.” Flags flew at half-staff at the State Capitol and at Caltrans facilities statewide to honor the fallen.

To read more archived weekly updates:  
<http://pecg.org/communications/weekly-update/>

(representing the Governor) on the next Memorandum of Understanding (MOU). The current MOU will expire on July 1, 2020. The PECG’s Comprehensive Bargaining Survey is being reviewed for the new contract bargaining priorities for improvements to Unit 9 salary, benefits, and working conditions for all PECG members.



*From Left: Paul Swearingen, Roy Flores (back), Fred Abdipour, D’Arcy McLeod, John Williamson, Abu-Bakr Al-Jafri, Alex Balce, Cristina Nunez, Farah Kushkaki, Mehi Nabizadeh.*



## Member Involvement

If you are interested in volunteering on one of the San Diego Section Committees, please contact our Section Director, Cristina Nunez at:

Phone: (619) 718-7895

Email: [cristina.nunez@dot.ca.gov](mailto:cristina.nunez@dot.ca.gov)

## SD Section Committees

- Events Planning Committee
- Health & Safety Comment
- Membership Committee
- Nominations & Election Committee
- Policy & Bylaws Committee
- Political Involvement Committee
- Retirement Committee
- Scholarship & Student Monitoring Committee
- Public Outreach Committee
- Science Fair Committee Events Committee
- CHEERS Committee
- Grievance Committee
- STEM Committee

## QUICK LINKS

- Visit our Website
  - [sandiegopecg.org](http://sandiegopecg.org)
- Follow us on Twitter
  - [@PECG\\_SanDiego](https://twitter.com/PECG_SanDiego)
- 2020 Health Plan Premiums





- <http://pecg.org/wp-content/uploads/2020-Health-Plan-Monthly-Premiums.pdf>

- 2018-2020 PECG MOU

- <http://pecg.org/wp-content/uploads/Unit-9-MOU-2018-2020.pdf>

- PECG Objectives

- <http://pecg.org/wp-content/uploads/2018-PECG-Legislative-Priorities.pdf>

- PECG Informer

- <http://pecg.org/communications/informer/>

- Weekly Update

- <http://pecg.org/communications/weekly-update/>

## COMMUNICATIONS

- PECG Outreach Programs & Promoting Readiness for Engineering Professions (PREP) Foundation

- Science & Engineering Fairs
  - <http://pecg.org/communications/science-engineering-fairs/>
- Academic Decathlon
  - <https://academicdecathlon.org/>
- Lego Robotics Competition
  - <http://cafirst.org/programs/first-lego-league/>

## San Diego Science & Engineering Fair

Wednesday, March 11<sup>th</sup>, 2020

PECG members attended the 66<sup>th</sup> Annual Greater San Diego Science & Engineering Fair, held at 2145 Park Blvd, Balboa Park Activity Center from 12:00 – 3:00 pm. PECG members volunteered to be judges. Judging includes evaluating middle and high school student projects throughout San Diego. Christopher Caligiuri (Canyon Crest Academy HS) and Sanjana Gurram (West View HS) both won \$1,000 scholarships, with \$500 scholarships awarded to Dagny Whall (La Jolla HS), Kavya Gupta (West View HS) and Nicholas Usher (Classical Middle School). PECG is a major sponsor of the fair as part of our commitment to educating the next generation of engineers and related professionals.



(From Left):

(1st row) - Sam Amen, Jay Kinhal, Nadine Martin, Azar Habibafshar, Diane Vermeulen, Fred Abdipour.

(2nd row) - Paul Swearingen, Alex Balce, Stewart Migdal, Victor Garcia, Brent Berge, Shay Harrison, Kimberly Dodson.

(3rd row) - Brandon Martelli, Kareem Scarlett, Nadine Danjou.



- AASHTO TRAC & RIDES Teacher Training Program
  - <https://tracrides.transportation.org/>
- CA Bridge Bldg Competition
  - <http://prepfoundation.org/california-bridge-building-competition/>
- Innovate for Impact Zoo Design Challenge
  - <http://prepfoundation.org/innovate-for-impact/>

## PECG MEMBER BENEFITS

- Theme Parks & Discounts
- PECG Sponsored Insurance
- PECG Scholarships Programs
- PECG FED-PAC
- Health Plan Premiums

