



### Scenario #1

A new supervisor is assigned to your unit and begins holding you to a different standard than your co-workers. The supervisor imposes unreasonable production goals and begins to document alleged deficient performance via negative performance evaluations and counseling memos. It appears that you may be subject to an administrative investigation for neglect of duty.

#### **CSLEA Member:**

##### **(Full Coverage)**

A dispute over the negative performance evaluation could be grieved. CSLEA members are entitled to representation to challenge the counseling memos, to prepare a rebuttal or pursue a discrimination action before the State Personnel Board. Representation would also be furnished if the employee were the subject of an administrative investigation.

#### **Non-Member:**

**(Partial Coverage)** Due to CSLEA's obligation to enforce the express terms of the collective bargaining agreement (Article 6.16), a dispute over the negative performance evaluation could be grieved but only through the department level of the grievance procedure. The grievance would not be subject to arbitration.

*Note: A non-member cannot obtain representation by signing up for membership after they have knowledge they are subject to investigation.*

### Scenario #2

You have filed what you believe to be a legitimate workers' compensation claim for an injury which has been sustained in the course of your employment. State Compensation Insurance Fund (SCIF) assigns an investigator to follow you and take video which SCIF believes demonstrates you are engaging in activities which are inconsistent with the severity of your injury. A complaint alleging you have engaged in workers' compensation fraud is filed with law enforcement and your agency. Felony criminal charges are filed against you, and you are dismissed from employment.

#### **CSLEA Member:**

**(Full Coverage)** CSLEA members would be assigned an experienced CSLEA Legal Defense Fund (LDF) attorney to represent them in the criminal matter. Attorneys and expert witness fees, investigation expenses and litigation costs would be covered by LDF. A CSLEA attorney would provide representation in the administrative investigation and appeal before the State Personnel Board and, depending on merit, to the superior and appellate courts, without charge to the member.

#### **Non-Member:**

##### **(No Coverage)**

No representation would be furnished to a non-member for defense of either the criminal prosecution or dismissal from employment.



### Scenario #3A

You suffer from an injury or disability which makes it difficult to perform some aspects of your job duties. Your employer believes you are not capable of performing your duties competently and elects to either medically demote you or file for your retirement against your will.

#### **CSLEA Member:**

##### **(Full Coverage)**

CSLEA members would receive proven representation including the cost of an expert medical witness to fight the action against them.

#### **Non-Member:**

##### **(No Coverage)**

No representation would be provided to a non-member in either a forced medical demotion or separation.

### Scenario #3B

Based upon injury or disability, you file for disability retirement. However, CalPERS determines your condition does not meet the standard to award disability benefits and you have no choice financially but to return to work. Your employer refuses to reinstate you without a complete certification by a physician that you do not suffer from a disabling medical condition in violation of State law.

#### **CSLEA Member:**

##### **(Full Coverage)**

CSLEA members would receive full representation under these circumstances, including an appeal to the State Personnel Board or a writ of mandate in superior court compelling the employer to comply with the law.

#### **Non-Member:**

##### **(No Coverage)**

No representation would be furnished to a non-member in a refusal to reinstate after the denial of an application for disability retirement.

### Scenario #4

During your probationary period as a new Unit 7 employee or supervisor, you are notified that you are being rejected on probation.

#### **CSLEA Member:**

##### **(Full Coverage)**

CSLEA members, including a supervisory member, receive full representation to challenge the rejection or to ensure that the member is reinstated to a former civil service position in which they held permanent status.

#### **Non-Member:**

##### **(No Coverage)**

No representation would be furnished to a non-member.



### Scenario #5

You are involved in a promotional examination process and it appears that other candidates were given an unfair advantage by receiving some of the examination questions in advance. The candidates who received the information in advance scored higher than you did in the exam and were ranked higher on the promotional list.

#### **CSLEA Member:**

##### **(Full Coverage)**

CSLEA would pursue an appeal of the promotional examination results before the SPB on behalf of a member.

#### **Non-Member:**

##### **(No Coverage)**

No representation would be provided to a non-member.