

State of California
Department of Industrial Relations
Mediation and Conciliation Service

**MEMORANDUM OF AGREEMENT FOR AGENCY SHOP ELECTION
TO BE CONDUCTED THROUGH THE UNITED STATES MAIL**

The County of San Diego, hereinafter called the "Employer", and the Service Employees International Union Locals 2028 and Local 535, hereinafter called the "Employee Organizations", hereby agree as follows:

1. **AGENCY SHOP ELECTION:** An election by secret ballot shall be conducted by mail among the employees in the Units defined below to determine whether the employees in that unit wish to have an Agency Shop provision implemented. The election shall be conducted under the supervision of an impartial Election Supervisor from the California State Mediation and Conciliation Service (Service) jointly requested by the Employer and the Employee Organizations to serve as such.

2. **SENDING AND RECEIPT OF MAIL BALLOTS:** A voter's packet will be mailed to each eligible employee described below on June 22, 2001. The returned ballots must be received by the State Mediation and Conciliation Service no later than the regular mail delivery on July 5, 2001. Ballots will be counted at 8:00 A.M. at the offices of SEIU Local 2028, 4004 Kearny Mesa Road, San Diego, California 92111.

3. **THE UNIT:** Clerical, Construction Maintenance, Crafts, Health Services, Registered Nurses, Food Services, Probation Officers, Social Welfare.

EXCLUDED: All others, and certain classifications within the above bargaining units attached, as Addendum "A".

4. **ELIGIBLE VOTERS:** All employees in the classification(s) within the units described above who were employed during the payroll period ending May 17, 2001 except for the clerical unit for which the payroll period ending May 31, 2001, applies and who are named on an Eligibility List agreed to by the parties, a copy of which is incorporated herein as Addendum "B". There may be no additions to or deletions from this addendum without the signed authorization of each of the parties to this agreement or their authorized representatives.

5. **THE BALLOT:** The secret ballot shall include the question:

Do you wish to be covered by an Agency Shop Provision which requires all employees to either join the Employees Organization or contribute an agency fee for contract negotiation and representation costs?

The ballot shall contain two squares, one labeled "YES" and the other "NO". The employee voting shall mark the square of his/her choice. There shall be no names signed, or otherwise recorded on the ballot.

6. **SENDING AND RECEIPT OF MAIL BALLOTS:** A voter's packet will be mailed to each eligible voter described above on June 22, 2001. Any person who believes that they are eligible to vote in this election and has not received a voter's packet by June 25, 2001 may contact the State Mediation and Conciliation Service at (213) 576-7761 during normal business hours and a packet will be mailed to that person. No requests for a packet will be accepted after June 29, 2001.

7. **NOTICE OF ELECTION:** A suitable Notice of Election jointly approved by the Employer and the Employee Organization shall be mailed or posted to eligible voters by the employer no later than five (5) days prior to the mailing of ballots to eligible voters. An Affidavit of Posting will be required.

