

California Department of Corrections & Rehabilitation
Division of Adult Institutions
Registered Nurse and Psychiatric Technician Overtime at State Prisons

The California Department of Corrections and Rehabilitation (CDCR) prudently plans to meet routine staffing needs and adequate inmate patient care without the use of mandatory overtime. Well outlined staffing plans, avoidance of chronic staffing shortages, and securing contracts to fill temporary needs, alleviates the use of mandatory overtime. However, there are times when both voluntary and mandatory overtime is needed to operationally provide for the safety, security and the well-being of the inmate population.

Mandatory and/or voluntary overtime is governed by the Collective Bargaining Agreements for Bargaining Unit (BU) 17, Registered Nurses, and BU 18, Psychiatric Technicians, which were agreed to by the State of California and the Service Employees International Union Local 1000, ratified by the membership and the Legislature, and signed by the Governor. The overtime provisions set forth in the individual contracts are designed to ensure the health and well-being of both staff and the inmates. The Division of Adult Institutions supports the current safeguards outlined in these provisions that limit overtime hours for an individual while still maintaining the ability to provide quality care. In addition, each work site must attempt to exhaust all other options for filling the staffing need, i.e., voluntary overtime, prior to enforcing mandatory overtime provisions.

Pursuant to various lawsuits and court orders, CDCR must ensure adequate access to medical and mental health services. As such, when a position is vacant, that need must be met with existing resources which includes the use of overtime. Overtime addresses the temporary staffing needs to fill behind various leave. In addition, to address the permanent staffing needs, extensive recruitment is being conducted to fill actual vacancies outside the vacancies created by leave usage. Currently, registry staff is utilized to fill vacancies when all other efforts to fill the position have been exhausted.

In 2014, there were approximately 8 (6 originating from BU 17 and 2 originating from BU 18) employee grievances filed on the use of mandatory overtime. The grievance process is available to employees who believe a violation to the contract has occurred. It is the intent of CDCR to resolve all grievances at the lowest possible level. In addition, to proactively address issues, in accordance with the Collective Bargaining Agreements, CDCR also has established joint labor-management committees which include local managers and members from each bargaining unit. Areas of concern regarding the safety and well-being of staff can be addressed through this avenue.