

Labor judge rules Madera County must return pay to workers forced to take furloughs

By Marc Benjamin

Madera County should not have placed about 200 employees on furlough in 2009 when the county was in a financial emergency, an administrative law judge ruled.

The Public Employment Relations Board ruling gives the county 60 days to negotiate with the union. Without reaching a deal, the county would have to provide back pay with 7% interest to affected employees.

By unilaterally imposing furloughs, Chief Administrative Law Judge Shawn P. Cloughesy said, the county failed to negotiate in good faith with the union.

Service Employees International Union officials called the decision a “significant victory” for union members.

One of those affected workers, Paul Provenzano, a county appraiser, said he is hopeful the “county does the right thing (and) meets with us in good faith” to resolve the financial issues.

The county’s cost in back pay and interest is about \$2 million, said Eric Fleming, Madera County’s administrative officer. He said the furloughs were a better alternative than permanent layoffs or permanent salary cuts.

In 2009, he said, the Madera County Board of Supervisors was seeking a solution to its budget shortfall that would have as little impact as possible on employees.

“Though a furlough program is the hardest option to implement, they (supervisors) chose it because they care about employees and it saved jobs,” Fleming said.

Since furloughs will no longer be an option, the county will use layoffs and pay cuts to settle its financial issues if similar budget problems occur in the future, he said.

Madera County employees were issued 5% cost-of-living raises in January.

David Rogers, Madera County Board of Supervisors’ chairman, said he is worried about the financial impact that the employment relations board decision will have on the county.

“We believe our employees deserve every dollar they earn, and with the recent 5% cost-of-living adjustment approved by our board, we have demonstrated that fact,” he said. “It is unfortunate that the proposed ruling could have a severe impact on Madera County and its employees.”

Contact Marc Benjamin: mbenjamin@fresnobee.com, (559) 441-6166 or [@beebebenjamin](https://twitter.com/beebebenjamin) on Twitter.

Copyright

© 2015 www.fresnobee.com and wire service sources. All Rights Reserved. <http://www.fresnobee.com>