

AFSCME Local 1902

MWD AB 2561 Hearing
May 13, 2025

Presenters:

- Alan Shanahan, Exec. President
- Laura Garcia, Exec. Vice-President
- Amparo Munoz, Exec. Secretary



Alan Shanahan, Executive President

AFSCME Officer since 2009

AFSCME Intl Vice-President (CA) 2016-2024

AFSCME California Board 2009-Present

CA DOL IACRA Pre-Apprentice Chair, 2018/19

MWD Planner/Scheduler Mills Plant

2009 Graduate MWD Mechanical
Apprenticeship

1997-98 MWD Comms/Microwave Weymouth

2003 MWD SCADA USHQ

22+ years of service



1. Introductions/Presenters
2. AFSCME Member Work
3. AB2561 Intent & Defining Vacancy
4. MWD & AFSCME Data
5. Notices/Impediments/Concerns
6. Personnel Levels by Bargaining Unit
7. Temporary Employee Use/Compliance
8. Professional Services Augmenting Positions
9. Understaffing Impacts on Maintenance & Employee Safety
10. Understaffing Impacts to Public Service
11. Cascading Effects from Understaffing
12. AFSCME Conclusions
13. Questions and Discussion







Gov't Code § 3502.3 (AB 2561)

*— A Right to Be Heard, A
Duty to Be Transparent*

California Government Code § 3502.3, enacted through **AB 2561**, grants public sector unions the legal right to present staffing and labor condition analysis directly to the governing body.

This isn't a loophole or a protest — it's law. And it was written to protect **the public's right to know** how their money is spent and who is doing the work that sustains California's most essential services.



What This Is — What It Is Not

*We are here because we believe
MWD can be better, stronger,
and more trusted when we align
our policies with our principles
— and with the law.*

- This presentation is **not about scoring points** or declaring winners
- It's about **ensuring public trust** in an agency that serves 19 million Californians
- It's about **upholding transparency, equity, and accountability** — values embedded in the law
- This is about representing **AFSCME members which currently account for ~70%** of positions at MWD.

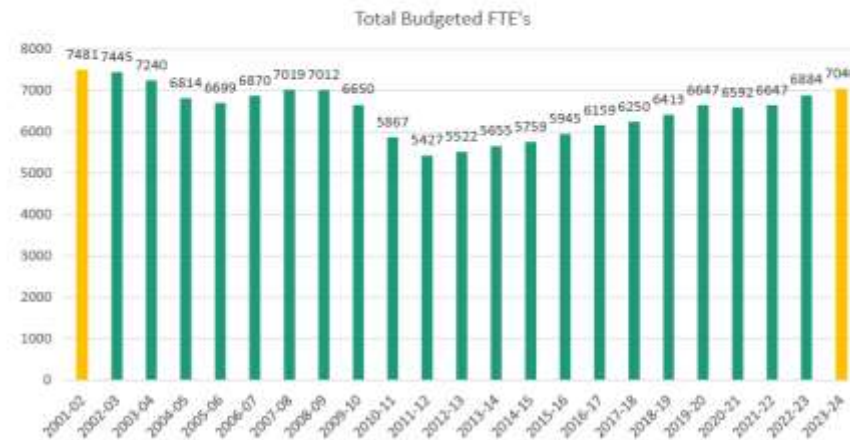


What It Looks Like

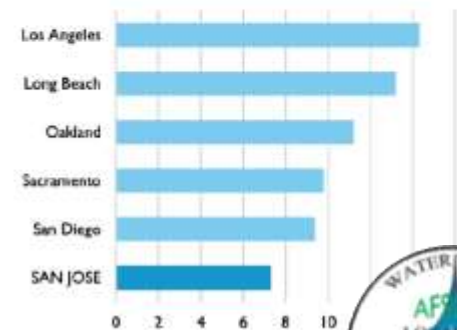
*“Without data, you are just another person with an opinion”
— W. Edwards Deming*



San Jose Budgets 441 fewer full-time positions than 20 years ago, the lowest staffing of any large city in California.



Authorized Full-Time Equivalent Positions per 1,000 Residents



What is a Vacancy?

A Position on Paper — Not in Practice

Vacancy isn't savings. It's silence where service should be.

- **The intent of AB2561** is to determine current and future operational needs including persistent job vacancies and to partner with Unions in a transparent manner.
- Simply providing data which shows how many positions are in a bargaining unit, how many are filled, and how many are being recruited does not provide the full picture.
- **AFSCME** believes **extensive data and analysis is necessary** to inform the **Board** and **Public** about actual personnel needs to maintain and be prepared for emergency needs during the **budget process** and meet **intent of AB2561**.





Data Provided by MWD
May 5, 2025, 7:09PM

Barg Unit	# of positions	# filled	# vacant	% filled	% vacant
Dept Head - 00	5	5	0		0%
Unrep - 01	43	39	4		9%
AFSCME - 02	1347	1212	135		10%
SA - 03	99	85	14		14%
MAPA - 04	362	330	32		9%
ACE - 05	147	132	15		10%
Totals	2003	1803	200		10%



Is this the Correct MWD Data? Revision Found on Board Website

Barg Unit	No. of positions	No. filled	No. vacant	% filled	% vacant
DEPT HEAD – 00	4	4	0	100%	0%
UNREP – 01	43	39	4	91%	9%
AFSCME - 02	1342	1207	135*	90%	10%
SA - 03	99	85	14	86%	14%
MAPA - 04	356	324	32	91%	9%
ACE - 05	145	130	15	90%	10%
Total	1989	1789	200	90%	10%

*15 of these are apprentice positions. Offers have been extended.

May 8, 2025: HR Acted as a Barrier to Transparency

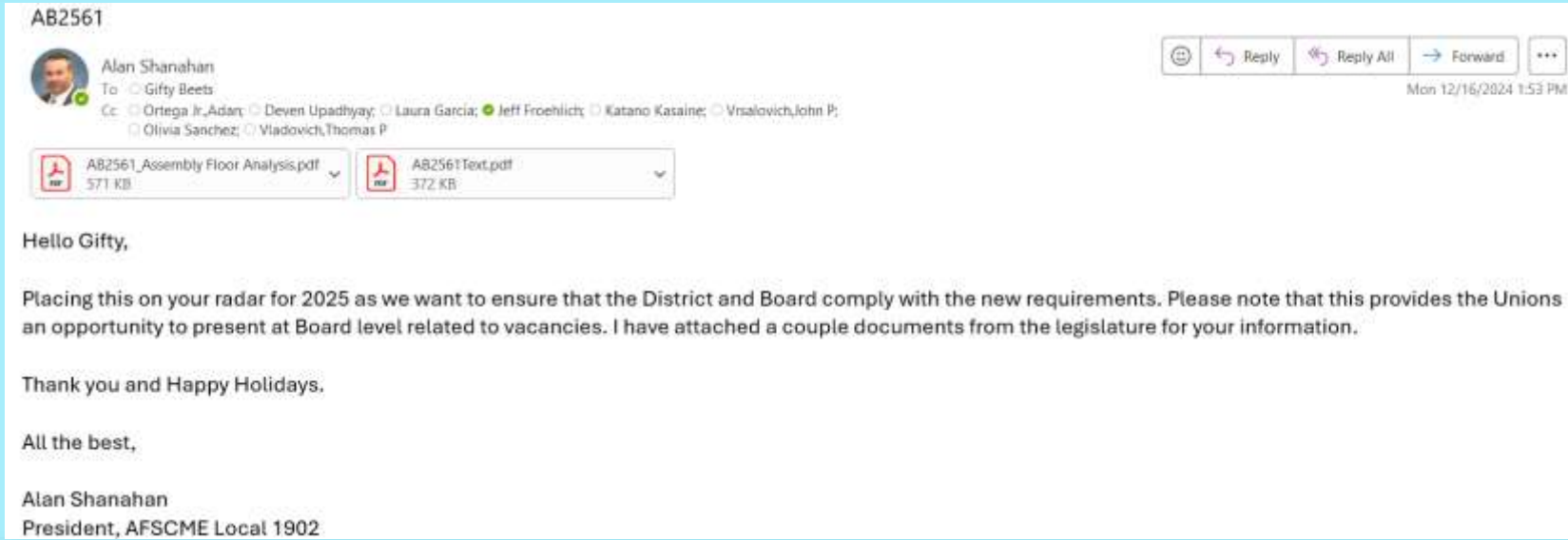
*—Roadblocks for the
People of California*

- MWD's Human Resources department delayed, denied, and withheld data critical to this process
- These delays actively hindered AFSCME's ability to carry out its responsibility under § 3502.3
- **Our role under this law is not optional — it is an obligation.**
- The intent of the law was to create transparency and analyze data to better inform this Board and the public of operational needs.



Dec 2024

Starting the Dialogue



December 2024
AFSCME AB2561
Notification Email to HR
CC'd: Board Chair, General Manager, CFO, MAPA, ACE, and Supervisors

From: Beets, Gifty J <GBeets@mwdh2o.com>
Sent: Monday, December 16, 2024 6:43 PM
To: Alan Shanahan <ashanahan@afscme1902.org>
Cc: Ortega Jr., Adan <AOrtegaJr@mwdh2o.com>; Upadhyay, Deven N <DUpadhyay@mwdh2o.com>; Laura Garcia <lgarcia@afscme1902.org>; Jeff Froehlich <jfroehlich@afscme1902.org>; Kasaine, Katano <KKasaine@mwdh2o.com>
Subject: RE: AB2561

Hi Alan,

Thank you for the information. The District is aware and will be in compliance.

Thank you for sharing and happy holidays to your team and family!

Gifty



Dec 2024

Reasonable Request, Lack of Response & Collaboration


RE: AB2561



Alan Shanahan

To ○ Beets,Gifty J

Cc ○ Ortega Jr.,Adan; ○ Upadhyay,Deven N; ○ Laura Garcia; ● Jeff Froehlich; ○ Kasaine,Katano; ○ Amparo Munoz

 You replied to this message on 2/27/2025 10:16 AM.

Thank you, please provide us with at least 60 days notice prior to sessions as we know the district has a long planning process and multiple sessions.

Happy Holidays!

Alan Shanahan

**AFSCME Respectfully asked for 60 days to
prepare the presentation**



Dec 2024 FEB 2025 MAR2025

More Delays, Bad Information

RE: AB2561 Date Verification



Beets, Gifty J <GBeets@mwdh2o.com>

To: Alan Shanahan

Cc: Laura Garcia; Jeff Froehlich; Trinh, Mimi

This sender GBeets@mwdh2o.com is from outside your organization.

You replied to this message on 3/17/2025 6:20 PM.

Reply Reply All Forward ...

Mon 3/17/2025 6:19 PM

Hi Alan,

I will provide the exact date and time as soon as I get it. Right now, looks like I was being informed that it is happening the week of May 11, 2025. Sorry for the confusion.

Gifty

From: Alan Shanahan <ashanahan@afscme1902.org>

Sent: Monday, March 17, 2025 9:13 AM

To: Beets, Gifty J <GBeets@mwdh2o.com>

Cc: Laura Garcia <lgarcia@afscme1902.org>; Jeffrey Froehlich <jfroehlich@afscme1902.org>; Trinh, Mimi <MT Trinh@mwdh2o.com>

Subject: AB2561 Date Verification

Hello Gifty,

Thank you for the response, can you please verify the date as you stated May 11, 2025, and that is a Sunday. It is our understanding that MWD committees are scheduled for May 12/13, 2025 and full Board May 13, 2025.

Mar 17 – HR continues to provide vague elusive information



Dec 2024 FEB 2025 MAR2025 APR2025

April Withholding

AB 2561 Update to Board



Beets, Gifty J <GBeets@mwdh2o.com>

To ✓ Alan Shanahan; ○ Laura Garcia

This sender GBeets@mwdh2o.com is from outside your organization.

You replied to this message on 4/2/2025 1:34 PM.

Reply

Reply All

Forward

Wed 4/2/2025 11:46 AM

Good morning,

This is to officially notify you that on May 13, 2025, the District will be providing an update on AB 2561 related to public agency vacancy reporting requirements to the entire Board. The District's presentation is expected to last approximately 15 minutes. Although the District does not anticipate your bargaining unit having a 20% vacancy rate, AFSCME is welcome to also present to the Board as part of this presentation. Please let me know as soon as possible if you intend to do so and how much time you may need.

Thank you so much!

Gifty

Apr 2 – MWD Provides AB2561 Notice and correct hearing date.

Apr 2 – AFSCME/MWD Emails regarding staff presentation length, 20%, RFI.

Apr 16 – Brown Act discussions going back and forth and HR makes statement that Chair may not have discussion if materials presented day of meeting. AFSCME does not agree with not holding discussion and will attempt to provide materials 72 hours in advance of meeting.

Apr 21 – AFSCME sends RFI to HR

Apr 24 – HR responds providing current MHR803 report and begins challenging RFI purpose, intended, and will only share MWD presentation materials under Brown Act access.



Dec 2024 FEB 2025 MAR2025 APR2025

RFI Impediments

This letter responds to your April 21, 2025, Request for Information submitted on behalf of AFSCME Local 1902 regarding the District's upcoming presentation to the Board of Directors scheduled for May 13, 2025, pursuant to Government Code section 3502.3 (AB 2561). We appreciate your engagement and provide the following responses to the items listed in your request:

1. Full and complete copies of all materials that will be presented by the district during this hearing.
The District is currently preparing materials for the May 13 Board presentation. At this time, the content remains in draft form and is undergoing internal review. As such, there are no finalized materials available for release. It is appropriate and consistent with legal standards for the District not to disclose draft or pre-decisional materials, which are protected under the deliberative process privilege. Once finalized and formally scheduled for Board presentation, the materials will be made available in accordance with the Brown Act and applicable disclosure obligations.
2. Full and complete copy of the District MHR803 report for the pay period that includes April 15th for calendar years 2000 – 2025. Please do not remove or eliminate any data as it is imperative to the AFSCME presentation to see how the entire district was staffed during these time periods. To provide clarity, this will result in AFSCME being provided with one MHR803 report for each calendar year.
This request seeks MHR803 reports for the April 15 pay period for each calendar year from 2000 through 2025. To ensure a clear understanding of your intent and avoid unnecessary compilation of voluminous historical data, the District respectfully requests that AFSCME clarify the specific purpose and intended use of this information. Once we better understand the scope and how this data relates to your AB 2561 presentation, we will evaluate the feasibility and timeline of responding as the District does not maintain 803 reports beyond a year. Attached is the 803A report for April 2025.

Apr 2 – MWD Provides AB2561 Notice and correct hearing date.

Apr 2 – AFSCME/MWD Emails regarding staff presentation length, 20%, RFI.

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Dec 2024 FEB 2025 MAR2025 APR2025

Gov't Code § 3502.3

AFSCME is seeking some clarity on the AB2561 presentation process. AFSCME reviewed the MWD Board agenda and noticed that there are two positions on the agenda 4.a. & 9-2 (agenda attached) for presentations on AB2561. As the district is aware, AB2561 provides that the BU and employer present on this at the same meeting but it appears that the district has generated an additional agenda item 9-2 (*Report on status of job vacancies and recruitment/retention efforts as required by Government Code § 3502.3 (Assembly Bill 2561) (CWC)*) on top of 4.a. which is lumped into public comment.

It is our understanding of the law and its intent that, the presentations should then trigger discussion by the legislative body including ability to answer question not just limited to a public comment which the board cannot discuss, debate, or ask questions of speakers. As we have seen at other public agencies, that are complying with the law, the legislative bodies are placing AB2561 presentations for employer and BUs on the same agenda item, not as a public comment agenda item to ensure that legislative bodies can have discussion, debate and ask questions of presenters.

Therefore, because the district decided not to engage in the M&C process on AB2561 as it relates to its decisional effects and impacts, AFSCME is requesting clear and decisive responses to the items listed below. This will enable AFSCME to better understand how the district intends to comply with the law, how AFSCME and its members are impacted, whether the format and submission process is reasonable, and determine whether the district is meeting the plain language and intent of the law.

1. Please inform AFSCME as to when the district intends to hold a public meeting for its next budget approval. **Our next budget will get released in January 2026, then we typically hold workshops (4 total) in February and March, with adoption in April. We will likely have this hearing next fiscal year in March 2026.**
 1. If the district does not have a specific date, please provide an approximation such as July 2025 or June 2026, etc.
2. Please inform AFSCME as to whether the district is presenting during 4.a. and/or 9-2. **4a. 9-2 has been withdrawn.**
3. Please inform AFSCME as to whether its public comment policy, which limits public comment to 3 minutes, is applying to 4.a. which clearly states the agenda item is per Gov Code §54954.3(a) while AB2561 falls under Gov Code §3502.3 not §54954.3(a) which speaks to public comment, not AB2561/§3502.3. **It is not applying to AFSCME's presentation.**
 1. As the district is aware, it must apply the rules/policy on public commentators time equally and be announced at the meeting if it is being changed and the parties did not bargain a limit on BU presentation length.



Dec 2024 FEB 2025 MAR2025 APR2025

Delay, Delay, Delay

RE: AB2561 RFI



Alan Shanahan

To ○ Munoz Marroquin,Isamar

Cc ● Jeff Froehlich; ○ Laura Garcia; ○ Amparo Munoz; ○ Beets,Gifty J; ○ Kraynek,Angela C



Fri 4/25/2025 9:11 AM

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2. Full and complete copy of the District MHR803 report for the pay period that includes April 15th for calendar years 2000 – 2025. Please do not remove or eliminate any data as it is imperative to the AFSCME presentation to see how the entire district was staffed during these time periods. To provide clarity, this will result in AFSCME being provided with one MHR803 report for each calendar year.

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3. Full and complete copy of additional PCNs which were authorized by the Board when approving the various CIP Projects related to Ozone facilities at the various Water Treatment Plants. For example, when the Board approved Ozone CIP for Diemer, it included 3 additional PCNs for that worksite.

We understand this request pertains to additional Position Control Numbers (PCNs) authorized by the Board in connection with ozone-related capital improvement projects at various Water Treatment Plants. To conduct a focused and efficient review, we respectfully request that AFSCME provide additional parameters—such as:

- Specific project names or treatment plant locations; All ozone projects at MWD Water Treatment Plants: Jensen, Weymouth, Diemer, Mills, Skinner.
- Relevant fiscal years; As they are district records, the district is in a better position to determine this as the Ozone Projects were built in the 90s to present day and were approximately on 5 projects and a demo plant.
- Whether the request is limited to Board letters resulting in Board-approved PCNs or other documents. That would be acceptable.

Once clarified, the District will review available records and provide responsive documents, as appropriate.



Dec 2024 FEB 2025 MAR2025 APR2025 MAY2025

Impeding AFSCME

Timeline of Events: May 1–8, 2025

- **May 1** – AFSCME and MWD HR have a phone discussion regarding RFI materials and alternatives to the unavailable 803 reports.
- **May 2** – AFSCME emails HR requesting clarification on AB 2561, noting refusal to meet and confer effects/impacts, and highlighting agenda errors.
- **May 5** – RFI data is finally provided by HR — after 7:00 p.m. (Providing the people of California and AFSCME seven days to comply with AB 2561.
- **May 6** – Ongoing emails between AFSCME and HR regarding meet & confer, agenda corrections, 2026 budget presentations, PowerPoint submission needs, and publication of materials.
- **May 7** – AFSCME alerts HR that agenda errors remain; Item 4.a. no longer accurate; submission deadline for May 8 deemed unreasonable.
- **May 8** – AFSCME submits materials to the Board Secretary and asserts that per the **Brown Act**, it is MWD's responsibility to distribute materials to the Board and public. AFSCME ensures legal compliance by including the Secretary in the email chain.

Final Week: Procedural Delay & Legal Compliance



Barriers to Transparency & Collaboration

May 6 – Ongoing email exchange between AFSCME and District regarding:

- HR refused to meet and confer, then provided fragmented, incomplete data
- Agenda materials included formatting and content errors
- AFSCME faced separate and unreasonable submission deadlines, undermining transparency
- Logistical hurdles for PowerPoint and public posting appeared punitive, despite AFSCME initiating dialogue in December 2024
- The 2026 Budget AB2561 presentation misrepresented the process and intent of the law

AB2561 Collaboration To Address Operational Needs

AB2561 Fact Sheet states, *"This bill promotes transparency, improves recruitment and retention strategies, and encourages timely collaboration between public agencies and employee organizations to address critical workforce challenges."*



2026 Budget Approval Timeline

AB2561 Legislative Digest states, *"The act requires the governing body of a public agency to...consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action."*





AFSCME Stands For MWD Resilience

- After five months of misinformation, deflection, and delay, AFSCME Local 1902 stands firm — not just for our members, but for the 19 million Californians who depend on us.
- Despite barriers, we took the fragmented data, cleaned it, and built this report to begin what we hope is the **first of many honest, public-facing conversations** about staffing, safety, and service at MWD.



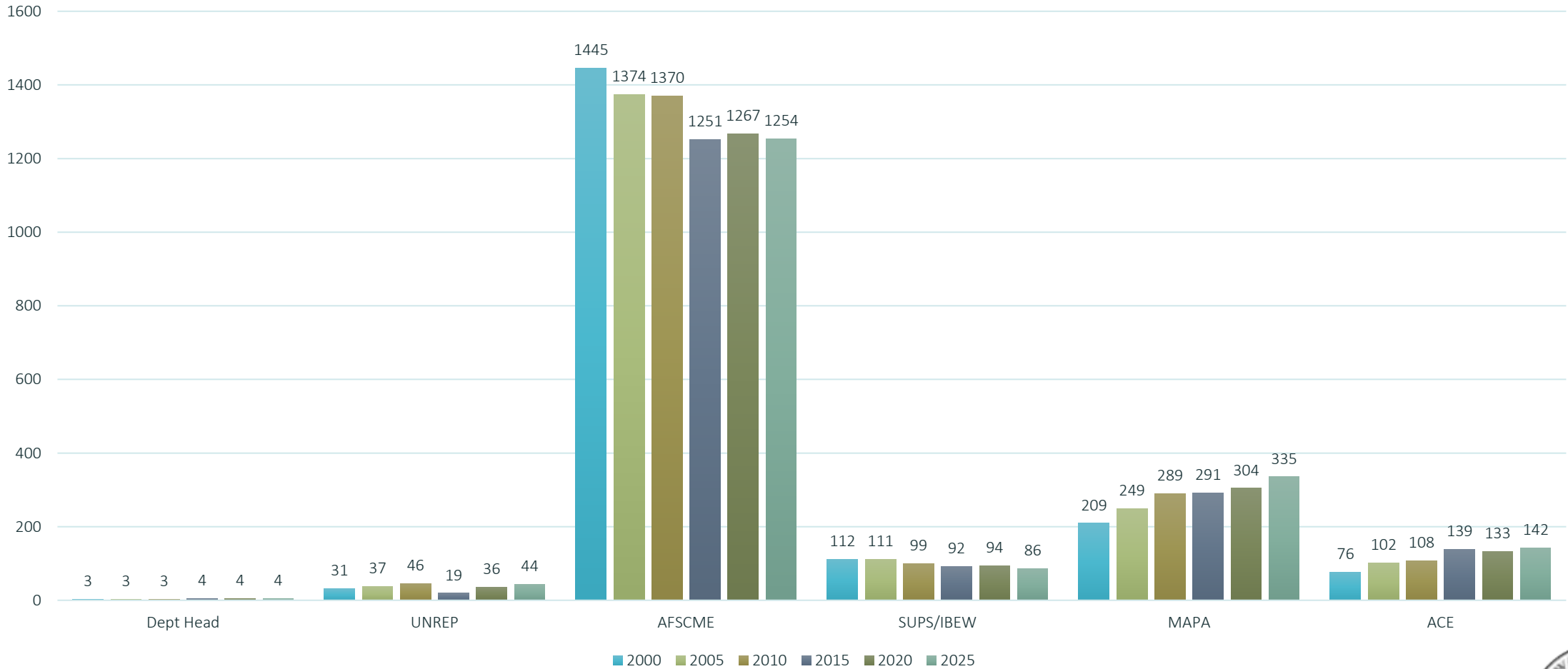


“I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California... and that I will faithfully discharge the duties upon which I am about to enter.”

— Oath of Office, MWD Public Service Employees



REPRESENTATIONAL GROUPS 2000 - 2025



OPERATING POLICIES

O.P. NUMBER	TITLE	ISSUE DATE	REVISION DATE
H-08	Temporary Workers	08/27/02	6/2/05

Annual Compliance Review

6. Once a temporary worker reaches his or her completion date, the worker is released. Thereafter, the worker is ineligible during the next six months for rehire as a temporary worker.

7. Prior notice for time extension must be provided to the affected bargaining unit. The Chief Operating Officer shall approve any time extensions.

8. Temporary workers may only be used for the following categories of assignments:

- Capital projects;
- Grant funded projects;
- Seasonal positions;
- Specific term-limited projects; and
- Temporary replacement for regular employees on leave.

10. Human Resources performs an annual review of temporary workers to ensure that the policy is being applied correctly.

- facilitating the placement of temporary labor; and
- conducting annual compliance reviews.
- providing quarterly reports to the Bargaining Units containing the names of temporary workers and the following information on each temporary worker:
 - work classification;
 - start date;
 - planned release date;
 - category of assignment;
 - organizational placement; and
 - Metropolitan supervisor.



Who Works for MWD?

Contracting Analysis of MWD

by AFSCME Local 1902



Laura Garcia, Exec. Vice-President

AFSCME California Board 2021-Present

MWD Administrative Analyst, WRM USHQ
13 years of service

History:

- 2012: Administrative Assistant I in Human Resources, Agency Temporary hire via Apollo Professional Solutions (Agency: 38% mark-up, as of 2018)
- 2013: District Temporary in HR
- October 2013: Hired as full-time regular in the Engineering Services Group



Problem: Two Decades of Delay

While AFSCME pushes to build the workforce, MWD keeps outsourcing — and shifting the blame.

Since 2004, AFSCME Local 1902 has raised concerns about the District's continued outsourcing of work that should rightfully be performed by our members.

Management asserts that hiring is restricted by the Board and that capital project workloads are too unpredictable to support stable labor planning.

These justifications have been used to sideline union labor for over two decades — not as a matter of necessity, but as a matter of choice.



Solution: The Evidence Was Always There

We're not guessing — we're
showing the full picture

- Highlight where hiring justification already exists
- Present data in full context — not in isolation
- Map contracted work to existing MWD classifications
- Compare costs, classifications, and scope differences
- Clarify risks and tradeoffs between outsourcing and internal staffing



Professional Services Reports

Oaths Don't Come with Invoices

You are seeing the contract numbers — not the people missing from them.

- Consolidates reporting from 2018 through April 2025 agreements:
 - 2018: 356
 - 2021: 360
 - 2023: 397
 - 2024: 423
- Summarizes total expenditures
 - 2020-21: \$16 M
 - 2021-22: \$19 M
 - 2022-23: \$31 M
 - 2023-24: \$47 M
 - 2024-25: \$34M, with \$62M budget
- Data can be sorted by various criteria



Limitations

- Incomplete Data
 - Budget data only available for 4 past fiscal years (FY2020-21)
- Some expenditures predate review period
 - Data collected from various reports back to 2018



10 consultants were paid **over \$1 million each** in a single year

Together, they received **51 contracts** — nearly **1 in 5** awarded by MWD

These are public dollars, but the work is being handed to private firms with no long-term obligation to the people of California

FY 2023-24 Top Consultants

*Million-Dollar Contracts, Zero Public
Accountability*



FY 2023-24 Top Consultants (1M+)

continued

AECOM & BC TEAM (\$6.6M)

BLACK & VEATCH CORPORATION (\$3.8M+\$1.3M= \$5.1M)

HDR ENGINEERING, INC. (\$2.2.M+\$1.4M= Total \$3.6)

STANTEC CONSULTING SERVICES, INC. (\$2.1M+\$1.2M= \$3.3 M)

BROWN AND CALDWELL (\$1.6M)

PURE TECHNOLOGIES U.S., INC. (\$1.3M)

JACOBS ENGINEERING GROUP, INC. (\$1.2M)

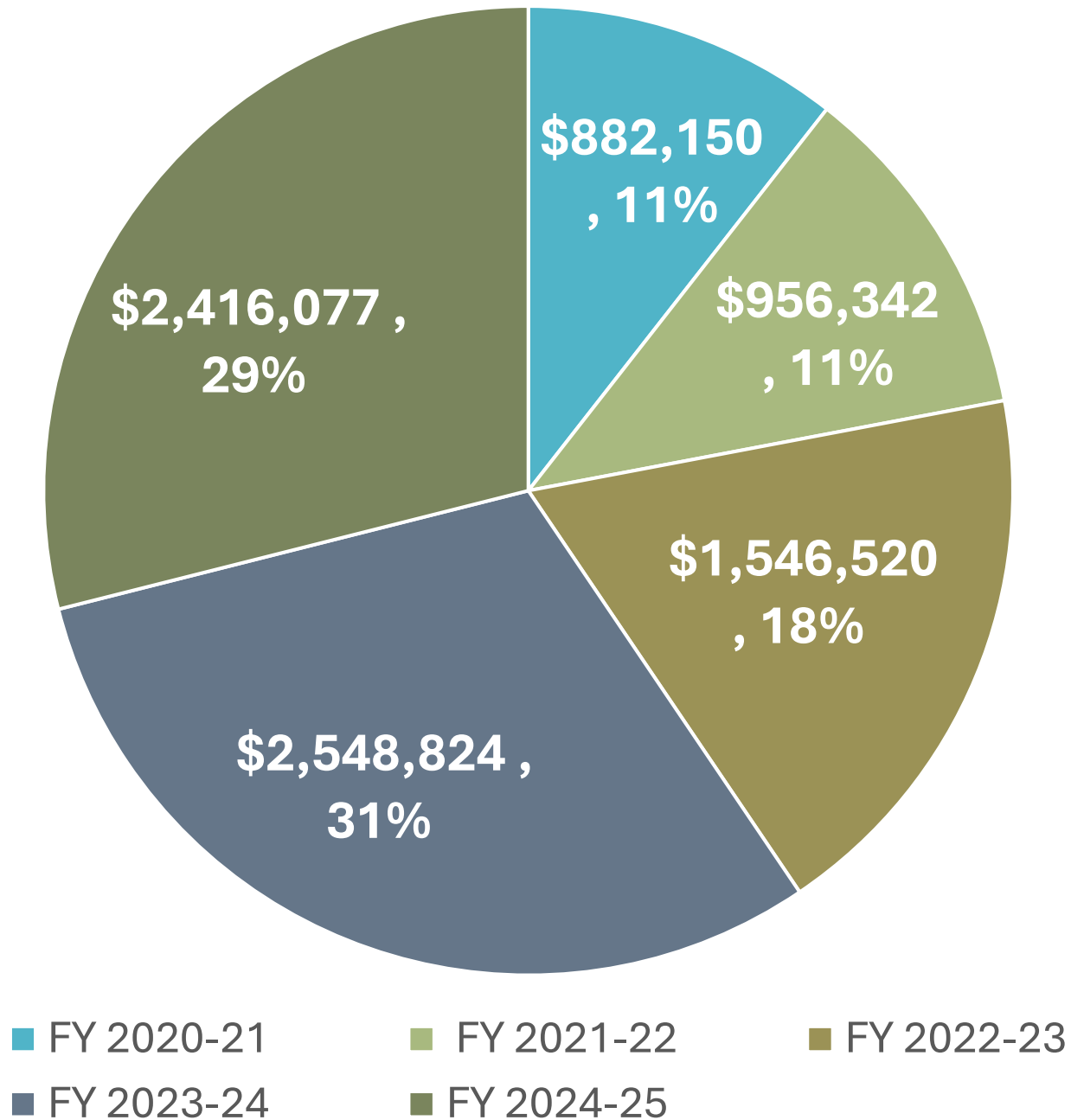
STANTEC CONSULTING SERVICES, INC. (\$1.2M)

MOTT MACDONALD GROUP, INC.(\$1.1M)

LA CANADA DESIGN GROUP, INC. (\$1.1M)



Information Technology-Professional Services



IT contracting has nearly tripled since 2021 — leaving MWD's public workforce behind and Californians exposed.



AFSCME IT Classifications include:

Information Technology (IT) Analyst

IT Enterprise Application Analyst

IT Network Engineer

IT Software Developer

IT System Administrator

IT Support Analyst (cybersecurity)



- February 11 MWD Board Meeting, AFSCME publicly opposed Item 7-3 — a \$6 million contract with Computer Aid for 24/7 cybersecurity staffing
- MWD framed it as “temporary staff augmentation,” but this is not temporary — it’s structural outsourcing
- January 2024: District did their last recruitment for an IT Support Analyst in Cybersecurity

AFSCME Hourly Salary Range for

- Sr IT Support Analyst \$55.59-73.04
- Sr IT Software Developer \$57.22-74.97

Computer Aid hourly rate for:

- Cybersecurity Analyst \$126.54
- Cybersecurity Engineer \$230.07

IT Support Analyst vs. Computer Aid Agrmt

Paying More to Bypass the People Who Serve California

MWD stopped hiring union talent — and started overpaying contractors to do the same work without the oath.



- In FY 2023–24, MWD paid Computer Aid **\$875,000** — equal to **3–4 full-time positions (FTE)**
- New \$6 million contract equals **23–30 FTEs** — but **none are sworn public employees**

MWD created this crisis by downsizing IT over time.

Now, the Board is being told there’s “no choice” but to outsource — while internal positions remain frozen or eliminated. Temporary workers who know our systems have no full-time position to move into.

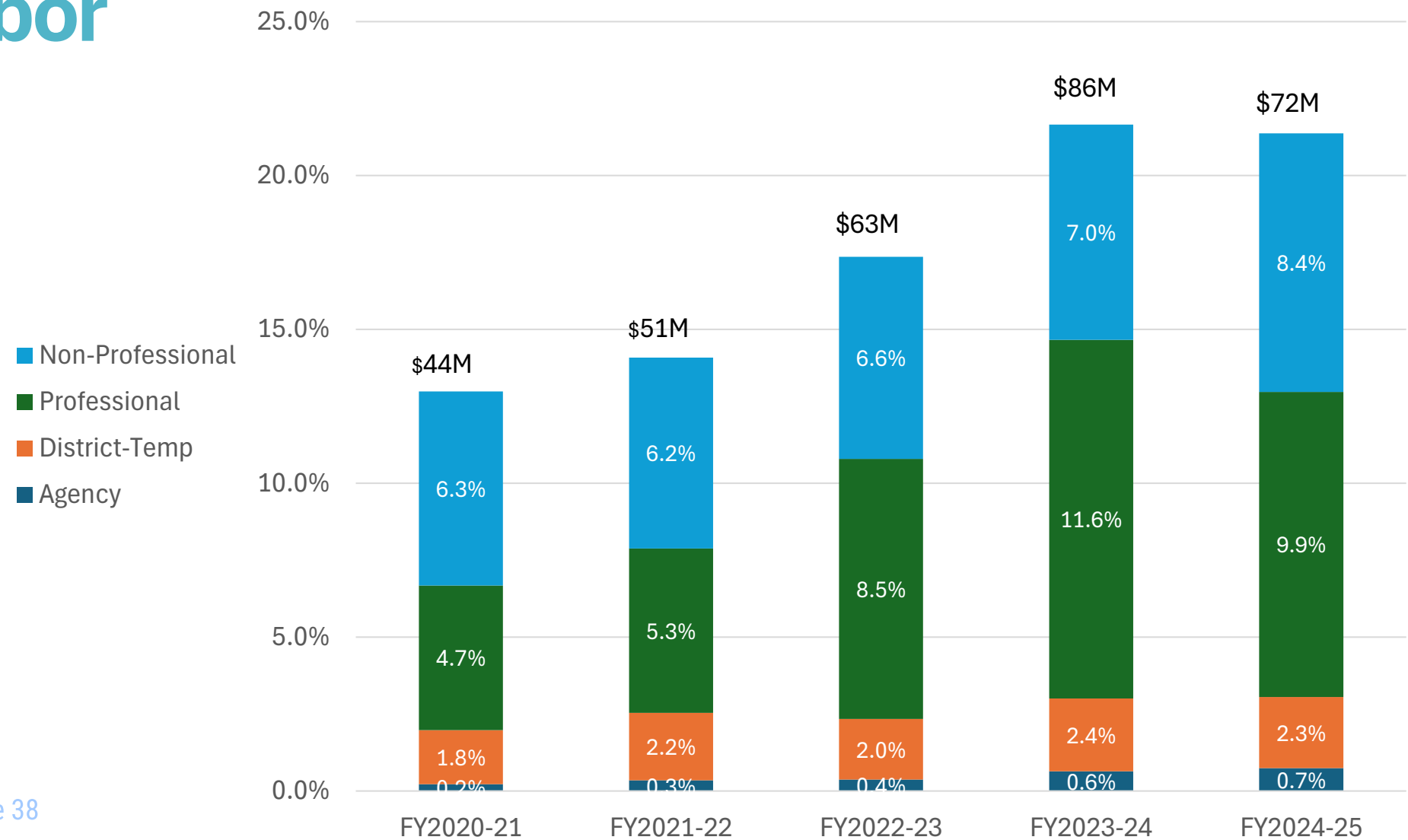
This is a system designed to fail — and the public will be left holding the risk.

Example: Computer Aid Agreement

*February 11, 2025: A Risk Manufactured
Over Time*



MWD Contracting as a Percentage of In-House Labor



- MWD develops a **20-year forecast** of water demand and supply
- The **Integrated Resource Plan (IRP)** accounts for drought, population growth, and climate impacts
- Yet, there is **no equivalent workforce plan** — even though staffing is just as essential to delivering safe, reliable water

MWD Plans for Water — But Not for Workers

**Planning for Water, Forgetting the People
Who Deliver It**

*The future of California's water is mapped
out — but the workforce behind it is left out.*



- MWD does not forecast labor like it forecasts water
- **“Workload unpredictability”** is used to justify shrinking staff and expanding private contracts
- But project timelines, asset lifecycles, and maintenance demands are **well-documented** — the truth is, there’s plenty of work
- The real question isn’t *if* there’s work — it’s **who’s being allowed to do it**

The Illusion of Planning — Built to Justify Less People

Forecasting the Future — Then Outsourcing It

MWD’s labor plans don’t reflect reality — they’re built to justify fewer workers and more contracts.



Category	Impact of Outsourcing
Litigation Liability	Higher — reduced oversight, unclear accountability
Institutional Knowledge	Greatly Reduced — contractors walk out with critical know-how
Loyalty & Morale	Lower — internal staff sidelined and feel disrespected
Emergency Response	Significantly Reduced — contractors lack mission training and continuity
Abuse / “Pay for Play”	Increased — repeated, high-value contracts with limited transparency
Flexibility	High — but only for the contractor, not the District
Attrition Risk	High — experienced staff are leaving or being pushed out
Strategic Planning	Firefighting — no capacity left for long-term workforce strategy

The Real Cost of Contracting: What MWD is Risking

Short-Term Fixes. Long-Term Fallout.

Outsourcing doesn't solve problems — it just buries them until they explode.



- **Understaffing in O&M, Engineering, and IT** means internal teams are doing more with less — or not at all
- **Contractors don't swear an oath to protect public health and infrastructure** — AFSCME members do
- **Slide-of-hand budgeting is shifting resources out of the public eye**, and out of public control
- Critical safety considerations are being **outsourced, or worse failing to be considered**, while MWD continues high-risk capital projects

Risk to California & MWD Employees



Critical safety considerations and long-term asset management is being set aside while MWD expands high-risk, capital-intensive operations

OSHA 1910 Subpart S and General Duty Clause (Section 5(a)(1)) require that employers provide safe systems of work — including sufficient staffing, training, and hazard documentation

NERC CIP-004 and CIP-007 standards mandate cyber-physical system protections, secure access controls, and incident response protocols — these functions are stunted without trained, in-house IT and safety personnel

Asset documentation, safety procedures, and incident tracking are increasingly fragmented as internal roles are outsourced or eliminated — putting both employees and the public at risk

When Safety Becomes a Footnote

Capital projects are growing — but safety staffing is shrinking. The risks aren't hypothetical. They're documented.



Metropolitan-specific bill proposal for 2025 regarding an amendment to the Public Contract Code; that item is included as a priority, although sponsorship of a bill is contingent on receiving the necessary board authorization.

The 2025 Legislative Priorities and Principles below are respectfully submitted for consideration and discussion; input from the Board will be incorporated into the final draft, which will be coming back in December 2024 for adoption by the Board.

What Happened?

In December 2024, MWD pushed to raise the limit on non-competitive bid contracts from **\$25,000 to \$150,000**, citing urgency to address backlog and accelerate project delivery.

Why This Matters:

This action attempts to circumvent **California's legislative safeguards** designed to ensure **transparency, fairness, and public accountability** in public infrastructure spending.

December 2024: MWD's began work to Amend the Public Contract Code

November 19, 2024, Item 9.3



In 2004, AFSCME Local 1902 and 450 members wrote to the board and asked this Board to adopt the same standard used for Professional Engineers: **prove that the work truly can't be done in-house before contracting it out.**

What's Next: A Call for Leadership, Not Just Labor

Twenty years later, we're asking again — but this time, with even more urgency.



We're asking the Board to lead — not follow a false narrative of scarcity.

Direct District staff to rebuild the internal workforce — especially in critical classifications

Pause further budget increases for:

- Professional services
- Agency temps
- District temps

Hold leadership accountable to staffing plans that prioritize long-term public service over contracts

Californians trust
MWD with their
water — they
should be able to
trust us with the
workforce too



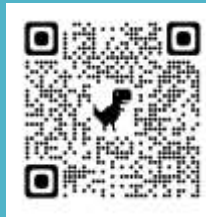
Amparo Muñoz, Executive Secretary

AFSCME Safety Comm. Co-Chair

Maintenance Engineering Team (MET)

Sr. Engineering Tech La Verne

2.5 years of service



Chair, Underground Safety Board Office of Energy Infrastructure Safety

Appointed April 11, 2018 by Speaker of the Assembly Anthony Rendon.

Chair Muñoz, of Fontana, works as a Senior Engineering Tech at the Metropolitan Water District of Southern California. Before that, Member Muñoz worked as a Maintenance and Engineering Manager at Steelscape, an **Asset Manager** for the City of Rialto, and a Maintenance Planner for Gilead Sciences and Aspect Solutions USA. She received her Bachelor of Science Degree in Biology at California State University at Los Angeles.

Member Muñoz was voted Board Chair on January 9, 2023 and was reelected on January 8, 2024.



AFSCME Staffing Trends Analysis: 2000–2025

From 2000 and 2025, AFSCME-represented classifications at MWD experienced a net staffing reduction of 193 positions, representing a 13.36% overall decrease. This downward trend in union-represented staffing coincides with MWD's increasing reliance on contracted, interim, and temporary labor.

Key concerns include the elimination of skilled technical roles, operational support positions, and information technology classifications that once formed the backbone of internal services.



AFSCME Staffing Trends Analysis: 2000–2025

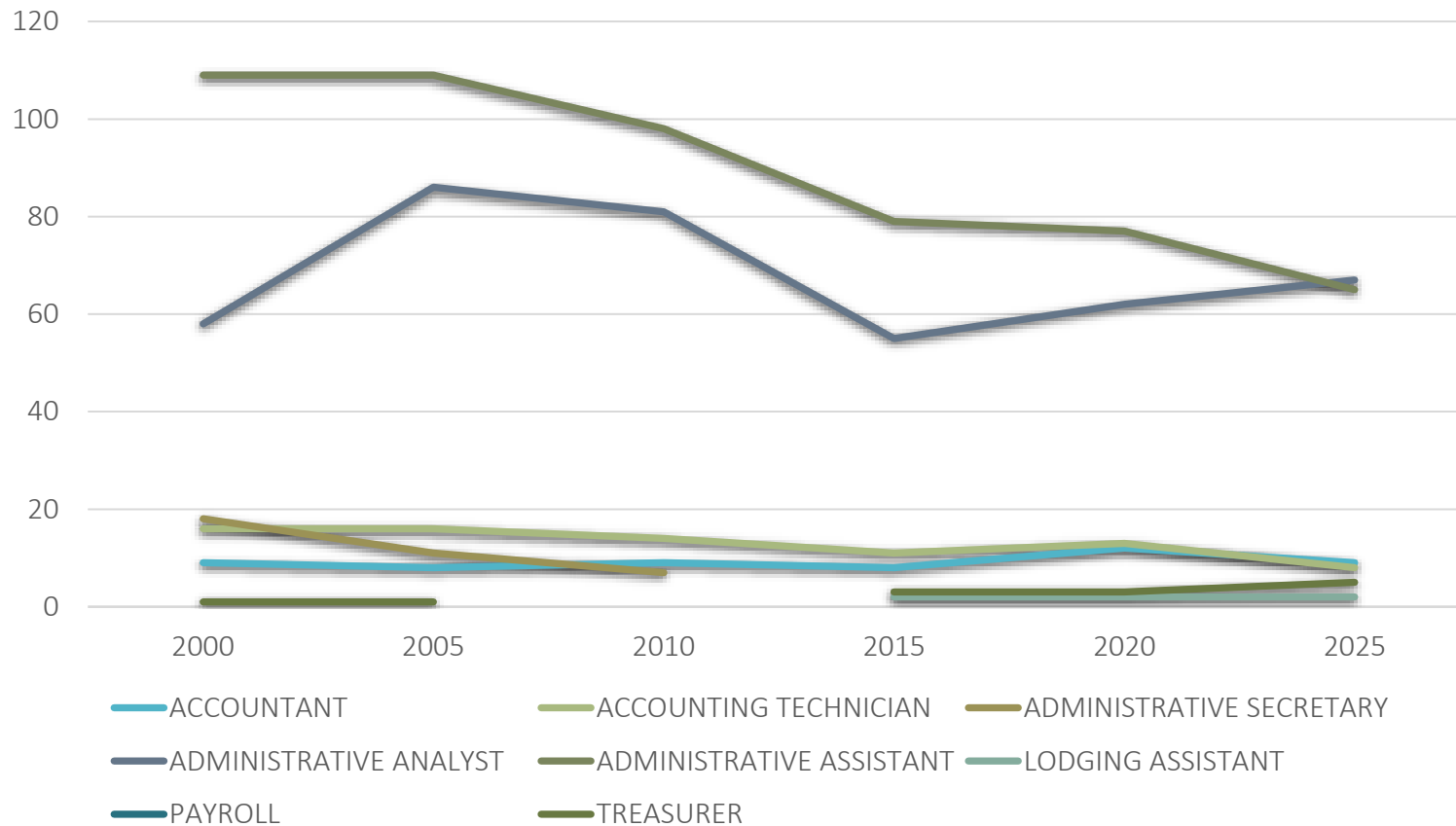
Year	Total AFSCME Positions
2000	1,445
2005	1,374
2010	1,370
2015	1,251
2020	1,266
2025	1,252

Net Change (2000–2025): -193 positions

Percent Change: -13.36%



Staffing Trend of Administrative And Financial Job Families



Job Families	2000	2005	2010	2015	2020	2025
ACCOUNTANT	9	8	9	8	12	9
ACCOUNTING TECHNICIAN	16	16	14	11	13	8
ADMINISTRATIVE SECRETARY	18	11	7			
ADMINISTRATIVE ANALYST	58	86	81	55	62	67
ADMINISTRATIVE ASSISTANT	109	109	98	79	77	65
LODGING ASSISTANT				2	2	2
PAYROLL						3
TREASURER	1	1		3	3	5
GRAND TOTAL OF YEAR	211	231	209	158	169	159

Administrative & Financial Job Families



Administrative Assistant

- Declined 40% from 2000 to 2025.
- This poses a threat to operational coordination, document control, and staff support



Accounting Technician

- Decline 50%
- Increasing risks related to compliance reconciliation, and audit vulnerability



Administrative Secretary

- Positions were eliminated entirely,
- Reducing high-level administrative continuity



Treasurer Staffing has increased

- Payroll appears late in implementation
- Raising concerns about systemic financial capacity building



Staffing Shortage Impacts in Administrative and Financial Roles

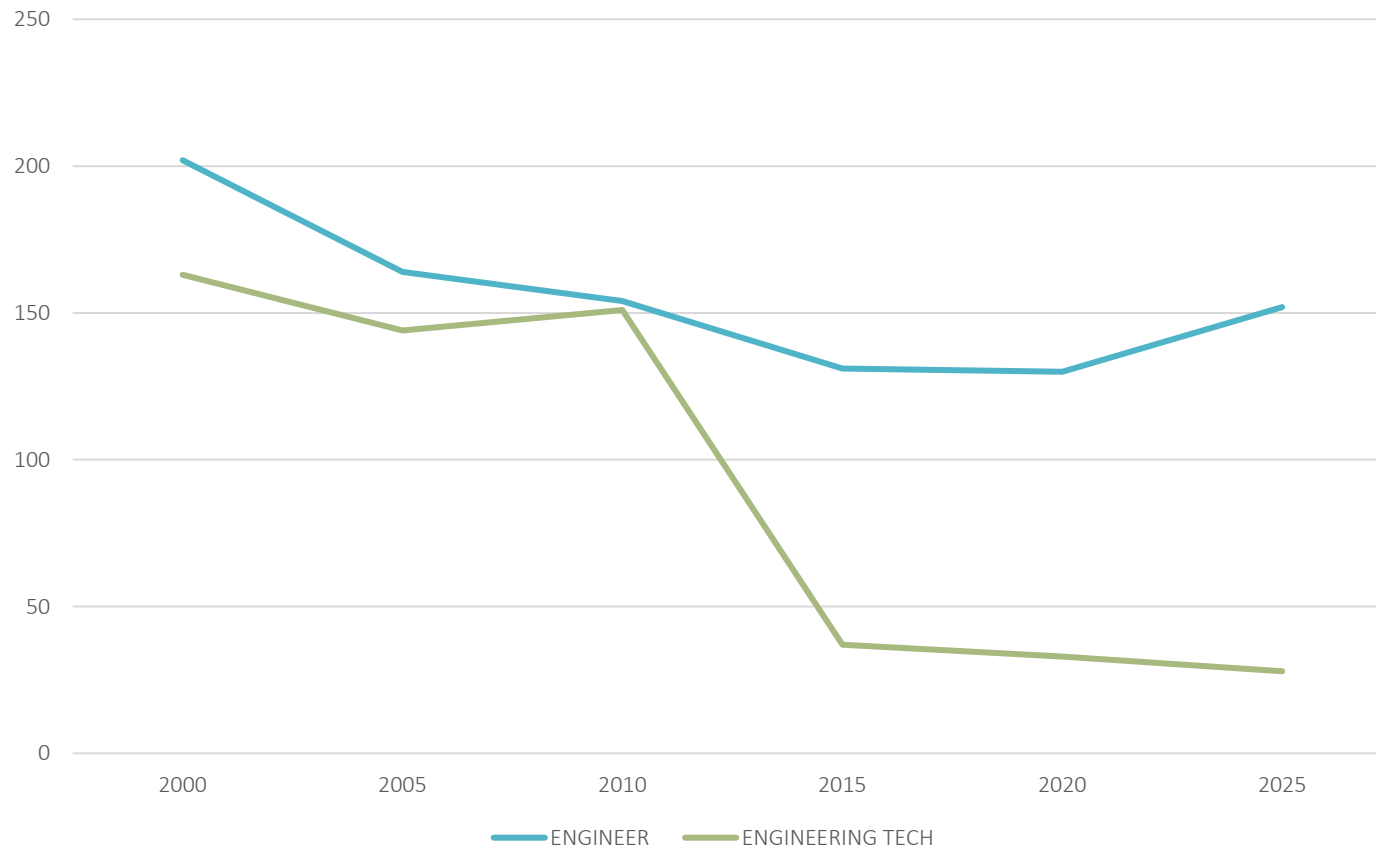
Risk	Description	Explanation
Administrative Gridlock	Without sufficient staffing in administrative and financial roles, MWD is facing an internal bottleneck that blocks progress on climate adaptation, operational modernization, and strategic growth.	Current payroll systems are outdated and built on decades of fragmented data, putting any transition like the PeopleSoft transition at risk without proper cleanup and business process support.
Continuity of Operations	Administrative attrition erodes emergency readiness and scheduling capacity.	Insufficient admin coverage may delay emergency coordination or scheduling logistics.
Critical Tasks Transferred out of Class	As administrative support decreases, more admin tasks are reassigned to operational staff.	Diverts operations and maintenance personnel from core duties, impacting field efficiency.
Managerial Efficiency	Professional staff are burdened with admin responsibilities.	Limits strategic efficiency by pulling skilled staff into support functions.
Financial Oversight	Understaffed finance teams increase risk of late filings or audit findings.	Increases the likelihood of compliance issues and missed financial reporting deadlines.
Documentation Integrity	Loss of admin roles hinders historical knowledge retention.	Reduces continuity of internal records and procedural memory across departments.

Administrative Gridlock

When the Frontline Bogs Down the Backbone Breaks
Administrative shortages don't just slow us down — they stall the system.



Staffing Trend of Engineer and Engineering Tech Job Families



Job Families	2000	2005	2010	2015	2020	2025
ENGINEER	202	164	154	131	130	152
ENGINEERING TECH	163	144	151	37	33	28
GRAND TOTAL OF YEAR	365	308	305	168	163	180

Engineer & Engineering Tech Job Families



Design–Execution Gap: Contractor-led projects lack long-term planning; poor handoffs burden internal teams.



Dependency on Operations: Maintenance staff pulled from core work to support project gaps.



Aging Assets, Delayed Response: With fewer engineers and techs available, MWD's ability to diagnose and plan for the replacement or repair of its own assets cannot keep pace with aging equipment or climate change impacts.



Budget vs. Results Paradox: Engineering budget grows, but internal capacity shrinks.



Design. Deliver. Disappear.

*Outsourced engineering completes projects
— with no plan to maintain them*

Risk	Description	Explanation
Loss of Institutional Knowledge	Outsourcing weakens continuity of internal engineering expertise and site history.	AWWA and ISO 55000 emphasize the need for internal engineering for system stewardship.
Fragmented Asset Management	Contractors may not maintain consistent records, disrupting lifecycle asset planning.	Inconsistent data and asset records increase system vulnerability and planning errors.
Regulatory Misalignment	External teams may not adhere to regulatory and procedural standards tailored to MWD.	Only in-house staff are trained in MWD-specific compliance, safety, and reporting.
Delayed Maintenance & Capital Projects	Stretching internal staff delays essential maintenance and project delivery.	MWD risks falling behind on mission-critical work, affecting reliability and safety.
Higher Long-Term Costs	Short-term contracting often leads to rework, inefficiencies, and repeated costs.	External consultants cost more over time due to scope gaps and change orders.
Reduced Public Trust	Service lapses or failures attributed to outsourcing diminish public confidence.	Communities expect accountability from public servants, not private vendors.

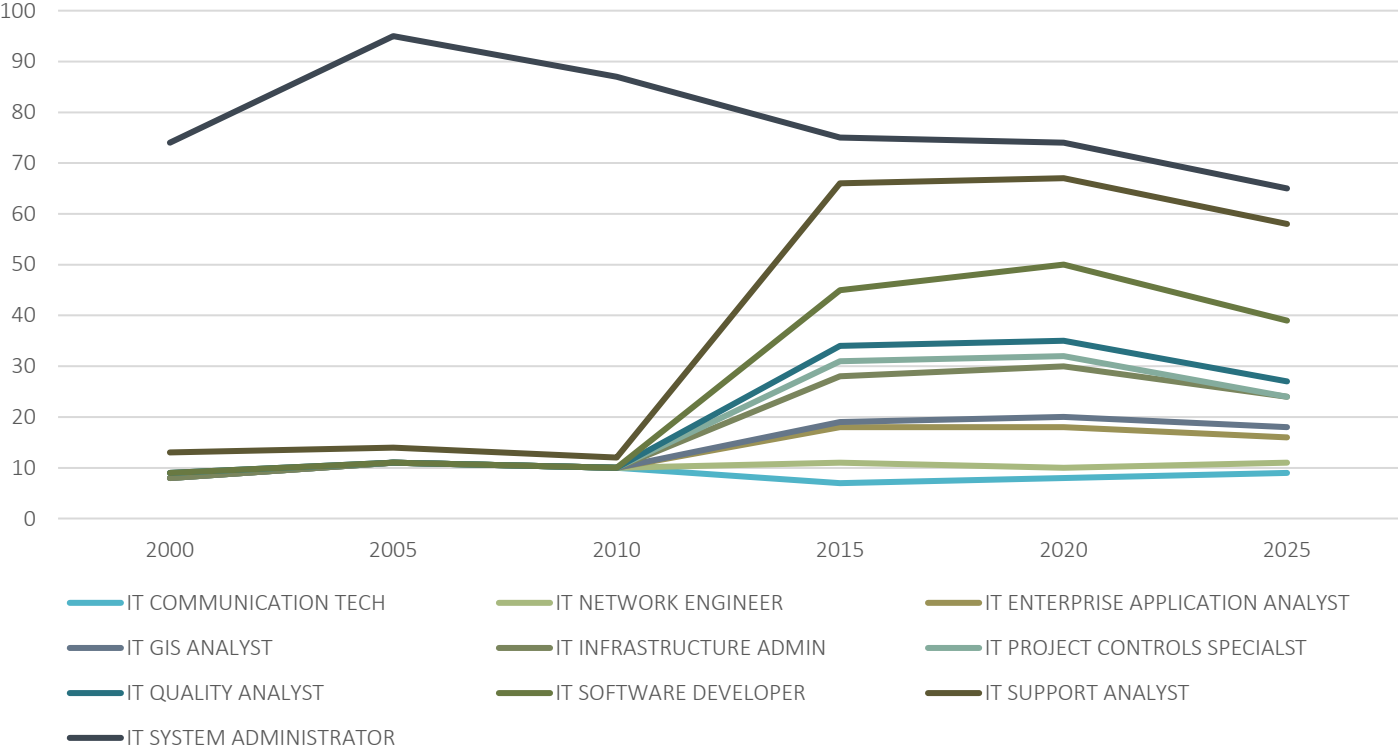
When Loyalty is Subcontracted

Hired Hands, Missing Minds

Contractors may deliver projects — but not the deep knowledge or accountability Californians deserve.



Staffing Trend for IT Job Families



Job Families	2000	2005	2010	2015	2020	2025
IT COMMUNICATION TECH	8	11	10	7	8	9
IT NETWORK ENGINEER				4	2	2
IT ENTERPRISE APPLICATION ANALYST				7	8	5
IT GIS ANALYST				1	2	2
IT INFRASTRUCTURE ADMIN				9	10	6
IT PROJECT CONTROLS SPECIALST	1			3	2	
IT QUALITY ANALYST				3	3	3
IT SOFTWARE DEVELOPER				11	15	12
IT SUPPORT ANALYST	4	3	2	21	17	19
IT SYSTEM ADMINISTRATOR	61	81	75	9	7	7
GRAND TOTAL OF YEAR	74	95	87	75	74	65

IT Staffing Risks to California’s Water Reliability



Shrinking System Resilience
IT staffing has dropped 32% since 2005. Fewer experts are managing more complex, digital infrastructure — increasing risks of outages, delays, and cyber threats to 19 million Californians.



Outsourcing Replaces Stewardship
System Admin roles dropped from 81 to 7. MWD now relies on vendors who serve contracts, not Californians. Long-term knowledge is walking out the door.



Bad Data, Bad Decisions
Inconsistent staffing across key analyst roles has left data fragmented and unreliable. AI can’t fix broken inputs — it magnifies them.



Oversight or Optics?
AB2561 ensures AFSCME can bring the truth to the Board. But without real investment in public IT workers, governance risks becoming performative — with the public bearing the consequences.



The Cloud Won't Save You

*MWD is uploading broken processes and calling it progress
— without the people to make it work*

Risk	Description	Explanation
Reduced Internal IT Capacity	Staffing in IT has dropped by 32% since 2005 despite increasing digital reliance.	AWWA (2020) and ISO/IEC 27001 emphasize the need for dedicated internal teams to ensure secure, reliable IT infrastructure. Reduced staffing undermines this resilience.
Unharmonized & Fragmented Data	Engineering and operations data enters MWD systems inconsistently from multiple outsourced sources.	ISO 8000 and WRF (Project #4667) highlight that fragmented data across siloed systems leads to long-term inefficiencies, audit risks, and poor asset management.
Outsourced IT Without Governance	MWD has outsourced IT roles without union bargaining or long-term workforce planning.	According to AWWA's Workforce Guide and EPA's Water Sector Workforce Initiative, outsourcing without in-house oversight degrades institutional knowledge and increases system risk.
Inability to Deliver Data-Driven Efficiency	AI and automation goals are unattainable without dedicated staff to align systems with internal workflows.	The WRF (2020) study and ISO 55000 stress that effective asset and data management requires internal subject matter experts to align digital tools with operational needs.
Cloud Overinvestment Without Workflow Redesign	Legacy paper processes are being transferred to cloud platforms without actual efficiency gains.	Simply digitizing inefficient processes inflates cloud costs and adds complexity without improving outcomes, per AWWA Tech Brief: 'IT & OT Convergence' (2021).
Vendor Lock-In and Knowledge Drain	MWD is not investing in developing internal IT and data expertise, instead depending on external vendors to manage essential systems and fixes.	This creates a cycle of dependency where vendors control critical knowledge and can dictate costs. According to WRF #4667 and ISO 55000, sustainable utilities invest in internal capacity to preserve institutional knowledge and ensure system continuity. MWD staffing trend undermines California's public workforce and its long-term resilience.

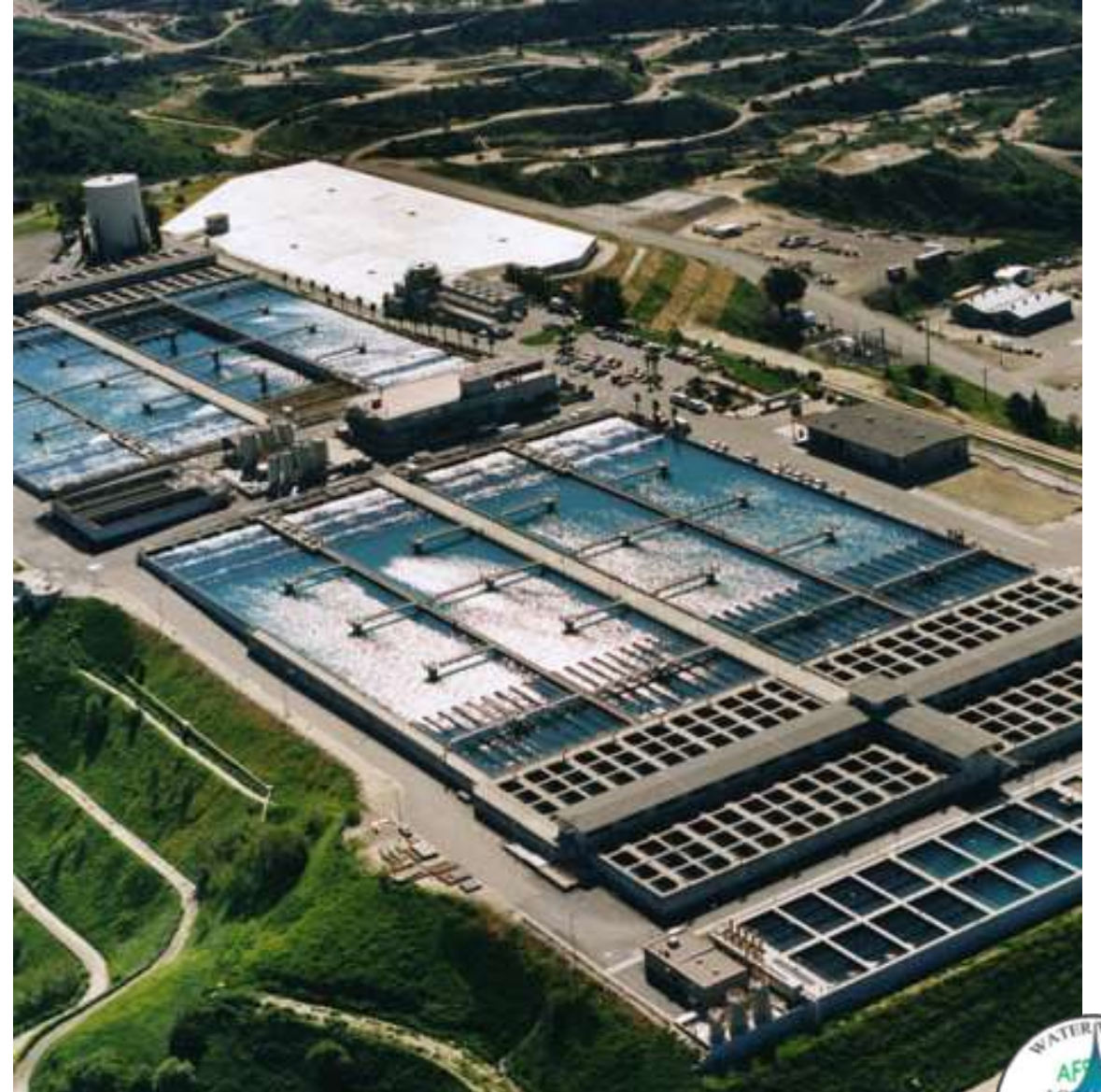
When Data Lies and No One Knows Why

As IT staff vanish, California's most critical systems are left in the hands of those who don't answer to the public.



Staffing Levels at Robert D. Diemer Treatment Plant: A Closer Look

Beneath the Surface: Staffing Realities at Diemer



Diemer Plant 10-year Staffing Analysis

Job Family	2015	2025
ADMINISTRATIVE ASSISTANT	2	2
CHEMIST	1	1
ENGINEER	1	1
ENVIRONMENTAL SPECIALIST	1	1
INSTRUMENTATION AND CONTROL TECHNICIAN	8	5
INTERIM		2
OM TECHNICIAN ELECTRICAL MECHANICAL CRAFT	45	38
PLANNER/SCHEDULER	1	1
STOREKEEPER	1	1
WATER TREATMENT PLANT OPERATOR	14	13
Grand Total	74	65

Workforce Shifts at the Diemer Treatment Plant (2015–2025)

Overall Staff Decline

- **Total staff decreased by 12%** over 10 years (from 74 in 2015 to 65 in 2025)

Reductions occurred **without corresponding reductions in operational risk**



Critical Jobs Staffing Analysis

- **OM Technicians (Electrical/Mechanical Craft)**
 - Down from 45 → 38 (15.6% decrease)
 - These are core maintenance positions essential to system reliability and emergency response
- **Instrumentation & Control Technicians**
 - Dropped from 8 → 5
 - Reduced capacity to monitor, calibrate, and respond to real-time water quality and equipment signals
- **Water Treatment Plant Operators**
 - Slight decline from 14 → 13
 - Even minimal cuts in this group affect regulatory compliance and shift coverage

Diemer 10-year O& Maintenance Analysis

O & M Department Name	2015	2025
CONTROL SYSTEMS TEAM, DIEMER	8	5
DIEMER UNIT	3	3
EAST FLEET TEAM	2	2
ELECTRICAL O&M TEAM, DIEMER	14	12
MECHANICAL O&M TEAM, DIEMER	13	11
ORANGE COUNTY TEAM	16	14
TREAT PLANT LAB TEAM	1	1
TREATMENT O&M TEAM, DIEMER	14	14
TREATMENT PLANT PM TEAM	1	1
WAREHOUSING TEAM	1	1
WESTERN SES/SRS SITE SUPPORT TEAM	1	1
Grand Total	74	65



EASTERN REGION UNIT: ORANGE COUNTY TEAM (1209)								
FORECASTED LABOR HOURS PMS ONLY								
Monthly PM's					Yearly PM's			
FREQUENCY	LABORHRS	Cadence	Sum of Hours		FREQUENCY	LABORHRS	Cadence	Sum of Hours
1	623	12	7,476.00		1	3597	1.00	3,597.00
2	29	6	174.00		2	696	0.50	348.00
3	75	4	300.00		3	128	0.33	42.24
4	451	3	1,353.00		4	104	0.25	26.00
6	1756	2	3,512.00		5	660	0.20	132.00
	Forecasted Hours		12,815.00			Forecasted Hours		4,145.24

Total Hours	World Class 55%	MWD 40%	WC ANNUAL 55%	MWD ANNUAL 40%
36	19.8	14.4	1029.6	748.8

Annual Forecasted Hours	16960.24
WC Crew Needed	16.47
MWD Crew Needed	22.65
2025 Crew	14
Current Deferred Maintenance Hours	(6,477.04)

Staffing Increase Needed for PMs only				
0%	20%	40%	50%	60%
14	16.8	19.6	21	22.4

Deferred Maintenance = Compounded Risk



Current State: Equipment and Asset Data Standardization

Current State

Lack of Asset Standardization

GAP

- Assets lack an installation date
- Asset lack condition and criticality
- Assets lack Manufacturer
- Assets lack a model number
- Assets lack serial number
- Assets lack a custodian
- Assets lack classifications
- Assets lack failure code

Prevents

Visibility for Level of Effort of O&M

IMPACT

- Prevents prioritizing the replacement of aging and poor condition assets
- Prevents prioritizing critical assets
- Prevents standardized preventative maintenance job plans
- Prevents right size inventory
- Prevents a functioning reliability programs
- Prevents appropriate staffing levels

Contributes to a culture of a siloed approach that directly correlates to inefficiencies and investment mismatch

Current State: PM Labor Standardization

Current State

Lack of PM Est. Hours Standardization

GAP

- PMs currently lack accurate estimated work hours
- PMs currently lack accurate crafts and quantities of crafts
- PMs are currently not timed to coincide with labor availability
- PMs have not been reviewed for frequency effectiveness

Prevents

Visibility of Required Workforce

IMPACT

- Estimated hours, craft and craft quantity are used to determine staffing and workforce needs
- PMs should be annually smoothed to align PM completion with labor availability
- PMs should be reviewed periodically to review effectiveness
- PMs should be reviewed after a CM for PM effectiveness

Contributes to the creation of skeleton crews and a culture that lacks transparency and reduced confidence

Building on KPIs: Adherence to Grace Periods

Current State

Misaligned with Industry Standards

Full Frequency

- Teams are allocated a full frequency to complete the PM, thus reducing visibility of resource demands
- Delay in PM execution can give the false impression that PMs should be completed more frequently than needed
- Increases administrative workload for all team members, reducing field labor
- Creates an artificial accumulation of incomplete labor.

Future State

Align with Industry Standards

Grace Periods

- Increases transparency of actual workload
- Increases transparency of staffing needed
- Increases transparency of the actual cadence to PMS, so that frequencies can be adjusted
- Increases the autonomy of the roles within Maintenance Management as problem solving becomes paramount to success
- Aligns with Business Best Practices

Grace Periods that adhere to industry standards allow us to maintain transparency and foster Maintenance Management Maturity

With 6,477 hours of unaddressed work annually, Team 1209 isn't keeping pace with operational needs — and the gap is growing.



AFSCME Safety Committee Commitments



Educate our membership on current safety regulations



Empower Members To IDENTIFY, ADDRESS, AND RESOLVE SAFETY CONCERNS



lead by example, showing empathy, support, and a willingness to engage in courageous conversation to steer the safety culture



Continuous Improvement providing members a process to ensure that our safety program is effective and ever evolving

AFSCME Safety Committee Goals

Our Safety Advocacy Goals

- Be the unified voice for members whose safety concerns are being overlooked
- Strengthen local safety committees to address issues quickly and effectively
- Create a safe environment for speaking up by eliminating fear of retaliation
- Encourage courage and leadership in members to raise and address safety concerns
- Work collaboratively with management to resolve safety issues — and elevate concerns when all efforts at resolution have been exhausted, because our families depend on us coming home safe



The GAP in hours does not include Training or Safety. This is leading to a decline in safety culture and a reduction of skills.





Highlights of Concern for the Report



Sustained 13% workforce reduction over 25 years despite infrastructure expansion and population growth.



Engineering classifications are among the hardest hit, with major losses in both **technical** (O&M, Lineman) and **administrative support** roles.



Information Technology roles like **IT System Administrator** and **Project Controls Specialist** have been cut or wiped out, potentially reflecting outsourcing trends.



A concerning drop in **public-facing, clerical, and creative classifications** (mailroom, reprographics, photographer), many of which appear to be quietly eliminated.



Meanwhile, **“Interim”** roles and **inspector** positions have surged, possibly suggesting greater reliance on **temporary, project-based, or contracted staffing** models.



A Call to Rebuild — With Trust and With Data

After 25 years of workforce data, AFSCME's greatest concern isn't just about staffing levels — it's about the erosion of **trust, morale, and shared purpose** between MWD and its workforce.

This is about recognizing the opportunity to build a **bridge forward** — where data isn't a weapon, but a tool for collaboration.



Conclusions

- AFSCME believes based on our preliminary analysis, **MWD requires an estimated 350–400 additional positions** to meet operational demand.
- **Systemic understaffing** continues to strain our workforce — even as new programs and projects are introduced.
- This effort must not stop here — **ongoing staffing assessment is critical** to long-term success.
- AFSCME has been **proactive and collaborative**: your Board has already approved a **staffing level and OT study** in our MOU.
- Our members bring **deep knowledge, technical skill, and operational insight** to this organization.
- We are ready to **support further analysis and partner** in building a staffing model that works for California's future.



JANUARY 1, 2022 – DECEMBER 31, 2026

MEMORANDUM OF UNDERSTANDING BETWEEN
THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA
AND
THE EMPLOYEES ASSOCIATION OF THE
METROPOLITAN WATER DISTRICT OF SOUTHERN
CALIFORNIA, AFSCME LOCAL 1902

- 1.5.5. The following items will be removed from the 2022-23 MOU re-openers and dealt with in a 2024 reopener, and the parties agree to make every reasonable effort to complete those negotiations by July 2026. The parties may agree to reopen sooner by mutual agreement, but no sooner than July 1, 2024:

B. Staffing Study

1. The parties mutually agree to study appropriate staffing levels and overtime for the AFSCME bargaining unit for presentation to the MWD Board of Directors and use in determining reasonable staffing levels and workloads.



Best Practice References

1. AWWA (American Water Works Association) – Workforce Management Guidance:

"Managing Workforce Challenges: A Guide for Public Water Utilities" (AWWA, 2004) emphasizes the need for *"retaining institutional knowledge and ensuring internal capacity for mission-critical support services."*

Reductions in administrative roles were flagged as a top risk in succession planning and emergency operations continuity.

2. EPA Water Workforce Initiative:

Recommends **retaining multigenerational support staff** to bridge data systems, documentation, and compliance work—roles often held by administrative support classifications.

3. Water Research Foundation (WRF) – Report #4667:

Warns against **"hollowing out the middle layer"** (e.g., technicians, analysts, admin roles), as this *"creates fragility in emergency response, financial compliance, and long-term planning."*

4. Water Research Foundation (2017). *Advancing Workforce Development Programs for the Water Sector*. Project #4667. Denver, CO.

5. OSHA, "General Industry Standards" (29 CFR Part 1910)

6. NERC CIP Standards (CIP-004-7, CIP-007-6)

7. U.S. EPA, *Cybersecurity Best Practices for the Water Sector*, 2021

