

Jim Funk

Hello, my name is Jim Funk. I work for CPS in Region 8, in San Antonio, and am a member of Texas State Employees Union. I have been a CPS caseworker since 1990, and have **never applied for advancement because I know I can make the most difference in children's lives as a frontline worker.** This is where my heart is and our kids are my commitment.

I have the responsibility of assisting children being adopted and facilitating one of the few exit doors for children in our system. More often than not, when we fail, our kids face a very bleak future that often leads them to prison or to repeat the same abusive behavior they experienced growing up. These are our kids that we, as a state, are responsible for. When we fail to find permanent homes, we are terrible parents without enough motivation to set them on a better path.

The Sunset Report did a good job of describing the problems in FPS. I'm here to offer Committee members insight directly from the frontlines of our agency, and to make sure you know that we, as employees, hold Legislators responsible for many of the systemic problems we face. Like constructing a building, Commissioners serve as foremen, while Legislators are the architects and engineers.

To improve our agency, the following issues have to be addressed.

1. Our pay is grossly inadequate, and there is no room for advancement past a Worker IV position. Our pay is controlled by the legislature, not the agency. Our last meager pay raise is mostly being wiped out by increases in health care premiums. So, after 5 years without raises, many of us are seeing only \$13-\$16 raises. Ignoring the clear need for a real pay raise increases the turnover in our agency. During the last legislative session, the Chair of the Senate Finance Committee told our Commissioner that his staff doesn't need a raise because we love the work. Obviously, there is a huge disconnect in the Capitol, and decision makers do not understand the economic realities of FPS employees. We need a real across the board raise, and a career ladder that will encourage staff to continue working with the agency.
2. High caseloads burn out employees, and mean children and families aren't getting the time and attention they need. We need caseload limits with hard ceilings. All CPS degreed employees should carry a caseload, allowing all

employees (especially administration and state office staff ) to not lose touch with the needs of caseworkers, children and families.

3. As the Stephen Group Report made clear, 26% of our time is spent with kids and families. This is caused by an overload of paperwork and policy making. For example, one month of policy changes is 4 inches thick when printed out. Instead of having a "retention officer" to guide the new worker to "work smarter", we need a retention officer at the state office level to review every new policy to verify that the policy is needed and that is also staff and client friendly.
4. The punitive work environment is described very accurately in the Sunset Report. Our overwhelming focus on timeliness for everything we do makes it impossible to do our job. And when we do everything we can to meet expectations, we are still required to work mandatory Saturdays. And, the icing on the cake, we are then instructed WHEN to take the leave we earned. It is perceived that Administration approving our requests to work overtime is doing us a favor. As if we desire to work 50-60 hours a week, and be told when to take vacation. This practice needs to stop immediately (an example of this practice is included in the packet). The Sunset recommendations related to strengthening the internal complaint process are good starting points to put a check on Administrators at all levels. Supervisors who are successful at retaining staff should be rewarded and sought out for development as a future leader in the agency.
5. Since I've been working here, it's always been unclear who are clients are. If kids it's the kids, we need to interview, listen and devote time to them. We need to spend our time interviewing them, following their desires with full intent, and have focused time and creative interaction with them. If it's the Legislature, the focus needs to remain on documentation (that no one reads), redundant plans (that no one reads), 28 page affidavits (that no one reads), state office policy makers and policy changes (that no one reads), meetings, trainings. If profit making private placing agencies are our clients, the focus

needs to be on paperwork reducing liability, reducing responsibility, and transforming our children into commodities. This strategy is already having a negative effect on our foster families, who are starting to feel unsupported and ready to quit fostering (in large numbers). This will ripple into a great loss of resources for our children and ultimately cause a greater frequency of placement changes. This is simply a supply and demand equation in the world of economics, which is where we are, if our children are viewed as commodities. I hope we see a significant shift back towards our clients being children and families, and look forward to working in an agency that makes this crystal clear to staff, clients, the community, and Legislators.

We handle some of the most bizarre behaviors of children anywhere, staying in the office with them overnight, and dealing with every situation. We are on call 24 7 as our kids have emergencies that no one else can handle. Please provide all you can to help keep quality staff, **that have to solve unimaginable issues**. Frontline staff need to be actively sought out to ensure that changes in policy, practice, and mission are realistic and coherent.

**Jim Funk**

# Pay Inquiry

## View/Print Earnings Statement

Dept of Family & Protective Svc  
 P. O. Box 149030  
 Austin, TX 787149030

Pay Group: PRS Monthly Pay Group      Business Unit: 08CPS  
 Advice #: 008014227      Period Begin Date: 06/01/2014  
 Period End Date: 06/30/2014      Advice Date: 07/01/2014

James W Funk  
 San Antonio, TX, 78238

Employee ID: ~~XXXXXXXXXX~~  
 Department: 08008001E2 - CVSCPS08  
 Location: 1717 - 3635 SE MILITARY DR  
 Job Title: CPS CVS Spec IV  
 Pay Rate: \$3,360.36      Monthly

Description	TAX DATA	
	Federal	TX State
Marital Status	Single	Not applicable
Allowances	0	0
Addl. Percent	0.000	0.000
Addl. Amount	\$0.00	\$0.00

Description	HOURS AND EARNINGS			
	Current Hours	Current Earnings	YTD Hours	YTD Earnings
Base Pay	168.00	3,360.36	1,208.00	23,522.52
LOG		220.00		1,540.00
Banked OT			95.25	1,967.48
<b>Total:</b>		<b>3,580.36</b>		<b>27,030.00</b>

Description	TAXES	
	Current Taxes	YTD Taxes
Fed Withholding	397.02	3,236.58
Fed MED/EE	51.57	389.54
Fed OASD/EE	220.52	1,665.63
<b>Total:</b>	<b>669.11</b>	<b>5,291.75</b>

Description	BEFORE-TAX DEDUCTIONS	
	Current	YTD
DEN	23.58	165.06
401k	234.08	1,776.28
ERS RET	236.30	1,654.10
<b>Total:</b>	<b>493.96</b>	<b>3,595.44</b>

Description	AFTER TAX DEDUCTIONS	
	Current	YTD
TSEU	25.00	175.00
<b>Total:</b>	<b>25.00</b>	<b>175.00</b>

Description	EMPLOYER PAID BENEFITS	
	Current	YTD
MED	500.92	3,506.44
Basic Life	2.22	15.54
ERS RET	268.53	1,879.71
PRC - ERS	16.80	117.60
* Taxable		
<b>Total:</b>	<b>788.47</b>	<b>5,519.29</b>

	PAY CHECK SUMMARY						
	FED TAXABLE GROSS	OASDI TAXABLE GROSS	MED TAXABLE GROSS	TOTAL GROSS	TOTAL TAXES	TOTAL DEDUCTIONS	NET PAY
Current	3,086.40	3556.78	3556.78	3,580.36	669.11	518.96	2,392.29
YTD	23,434.56	26864.94	26864.94	27,030.00	5,291.75	3,770.44	17,967.81

NET PAY DISTRIBUTION		
Advice #	8014227	2392.29

James W Funk

EARNINGS STATEMENT

**Funk, Jim W (DFPS)**

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**From:** Funk, Jim W (DFPS)  
**Sent:** 4, 2014 10:54 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: OT- leave

I did more than insinuate, I stated that we have a plan.  
I have scheduled 9 days off (approved) by the end of July and can take another day off, by then.  
That is 2 weeks and is a plan

I would love nothing better than to commit to only working 40 hours a week. Not 0 and not 60. It is very difficult for Sylvia to suggest that we take leave (use our OT) when we are asked to work till midnight, drive 500 miles in a day, spend the night with kids, come in on Saturdays to document, file. Everyone in the unit has been doing this for well over a year and continues to. All have large OT hours. It says a lot for the commitment of your employees and should not be viewed as a negative, or punished. It should actually be celebrated and applauded (in my opinion): I fully understand (for me anyway) that getting my OT down is of top priority and will do so.

In February, top priority was to get my cases in order. I left all 33 of my cases in much better shape than they were given to me and if case read, would pass with flying colors, more so than any case I received. My top priority now is getting to know my cases, my kids, my caregivers and to move the case out of our system, while continually assessing the situation. I can do this and not earn ANY OT and reduce my OT to make sure I do not earn any in the future. Please allow me to stay kid focused. I am very excited about this new venture and helping these kids and their families. Please do not dampen or extinguish my enthusiasm.

You have a very ethical, liked, respected, conscientious supervisor that you have entrusted in supervising me. Allow her to supervise me and OT will not be an issue again!!!!

I cannot ethically, morally or professional accept the punishment that is being imposed upon me.  
I will be happy to meet with you to discuss this further.

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**From:** [REDACTED]  
**Sent:** Friday, March 14, 2014 7:35 AM  
**To:** [REDACTED]; Funk, Jim W (DFPS)  
**Cc:** [REDACTED]  
**Subject:** RE: OT- leave

Jim,

In a previous email you insinuated that both you and Kristy had come to an agreement regarding taking the two weeks off however it appears that is not the case. You do need to take two weeks off by April 2014. You and your supervisor can discuss the details of when that will occur.

[REDACTED] LMSW  
Program Administrator  
Permanent Managing  
Conservatorship Services (Bexar County)  
[REDACTED] (office)  
[REDACTED] (cell)

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**From:** [REDACTED]  
**Sent:** Thursday, March 13, 2014 3:54 PM  
**To:** Funk, Jim W (DFPS)  
**Cc:** [REDACTED]  
**Subject:** RE: OT- leave

If you are talking about the leave that you requested prior to you taking time off to use OT leave then you are correct, otherwise we will still need to discuss further in reference to more time off. As well as trying to fit it in your leave by the end of April.

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**From:** Funk, Jim W (DFPS)  
**Sent:** Thursday, March 13, 2014 3:50 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: OT- leave

We have talked about and have all but 1 day of the 2 weeks scheduled off, by the end of July, but will definitely discuss this with u further,,, thanx for ur support. :)

Sent from my iPhone

On Mar 13, 2014, at 3:29 PM, "Garcia, Kristy M (DFPS)" <[Kristy.Garcia@dfps.state.tx.us](mailto:Kristy.Garcia@dfps.state.tx.us)> wrote:

Jim,

You and I still need to develop a plan because a plan has not been discussed as of yet.

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**From:** [REDACTED]  
**Sent:** Thursday, March 13, 2014 3:25 PM  
**To:** [REDACTED]; Funk, Jim W (DFPS)  
**Cc:** [REDACTED]  
**Subject:** RE: OT- leave

Should the leave be scheduled prior to the end of April, 2014 or by what date is the OT leave needed to be taken?

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**From:** [REDACTED]  
**Sent:** Thursday, March 13, 2014 2:16 PM  
**To:** Funk, Jim W (DFPS)  
**Cc:** [REDACTED]  
**Subject:** RE: OT- leave

Jim,

You and your supervisor can develop a plan to take leave. Please remember that you must get prior approval to work OT unless it is an emergency and that any leave you take unless you are losing your time, you will be asked to take OT.

[REDACTED]  
Program Administrator  
Permanent Managing  
Conservatorship Services (Bexar County)  
[REDACTED]  
[REDACTED]

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**From:** Funk, Jim W (DFPS)  
**Sent:** Thursday, March 13, 2014 2:10 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: OT- leave

Hello Maria,

I understand your desire to get my OT down and I will commit to that, but do not feel that punishing me is appropriate or desired. I do consider this a punishment. Kristy and I have developed a plan and I can commit to taking 2 weeks off by the end of July. Would you be willing to allow Kristy and I to resolve this issue, please??

If not, can I schedule a time to meet with you, please? thank you

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**From:** [REDACTED]  
**Sent:** Thursday, March 13, 2014 10:30 AM  
**To:** Funk, Jim W (DFPS)  
**Cc:** [REDACTED]  
**Subject:** RE: OT- leave  
**Importance:** High

Jim,

Please find the attachment with your leave balances and the OT policy that supervisor's must adhere to. At this point, I will leave it up to you and Kristy to work out a time when you can take the two weeks off. However the leave **must occur within the next couple of months** (between now and end of April). I also want to let you know that as a Program, we are looking at everyone's OT balances and asking them to take leave if needed however we're also considering the needs of the children/families we work with. Please be aware that if you are not in danger of losing time, you will be asked to take OT when taking leave.

[REDACTED]  
Program Administrator  
Permanent Managing

Conservatorship Services (Bexar County)

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**From:** Funk, Jim W (DFPS)  
**Sent:** Wednesday, March 12, 2014 12:09 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** OT- leave

Hello all,

I was just informed that, as I have "too much OT" I must take 2 weeks off, from my new job, that I am just getting my bearings on.

Taking 2 weeks off (mandated) is not acceptable to me and definitely not beneficial to my new kids and caregivers.

I have not accumulated 240 hours of OT recently, but is a conglomeration of me working within the agency since 1990 and me being in a unit that had numerous emergencies causing out of town trips (at least weekly), multiple placement breakdowns and several overnight stays with or for our children. Believe me, I would much rather spend my after work hour time with my family and friends than doing work.

My OT is a symbol of my dedication to the unit and to CPS and (I believe) should be met with appreciation rather than looking to be punished. I take leave on a very regular basis (including 2 days next week, 1 day next month and 6 days in July). I am more than happy not accruing any OT. Mandating me to not work and to sit at home and twiddle my thumbs is insulting.

I earned my OT to help and benefit CPS, I have not asked to be paid my OT at this time (never have). I have earned this OT and should be allowed to use it at my convenience, especially as I earned it at a great cost, to my convenience.

Please reconsider this request, I will work diligently to keep from obtaining OT and will use my OT for scheduled leave.

Thank you  
Respectfully,  
Jim