

CAPS Conceptual Counterproposal

Bargaining Unit 10

June 3, 2010

8am

Purpose. This agreement recognizes that state scientific programs and the scientists who staff them are essential for the preservation of public health and safety, for supporting industries essential to the California economy, and for protecting and preserving California's bountiful natural resources. The purpose of this agreement is twofold. First, it must ensure the continuity of state scientific programs for the benefit of the general public and the environment. Second, it must continue to provide financial relief to the state's General Fund until the state's economy improves and the state's political leaders generate structural solutions that result in the state's revenues exceeding its expenses.

1. Compensation.

Personal Leave Program 2010. Mandatory unpaid furloughs consisting of two furlough days per month shall continue through June 30, 2011 with the first two Fridays of each month taken off by state scientists as equivalent compensation.

Salary. Effective July 1, 2011, the salaries of all Unit 10 classes, at each salary step, shall increase by 5%. Each succeeding year during the term of this agreement the salary steps of state scientist classifications shall increase by at least 5% in order to reach salary equity for the state's scientific classifications.

Salary Equity. Salary equity means implementation of the April 2008 Like Pay Like Work decision rendered by the Department of Personnel Administration for all rank-and-file Unit 10 state scientific classifications related to the supervisory classifications named in the decision.

For all state Bargaining Unit 10 employees not included in equivalent rank-and-file classifications pursuant to the April 2008 Like Pay Like Work decision, salaries shall be adjusted in accordance with the most recent joint salary survey conducted jointly by the Governor's Department of Personnel Administration and CAPS.

Salary equity shall be achieved upon the conclusion of the term of this agreement.

2. Budget Savings

Budget savings shall be achieved primarily through the budget process, not through continued salary and benefit cuts to state scientists. It is recognized that nearly 80% of state scientists are funded from Special Funds, not the General Fund, and thus across-the-board cuts do little to achieve savings for the state's General Fund. Accordingly, CAPS and the state agree to pursue meaningful cost-saving measures in order to provide relief to the state's General Fund.

Stop hiring. All departments with Unit 10 positions paid from the General Fund shall immediately discontinue hiring new employees. This "hard" hiring freeze shall continue unless and until new funds are available to resume hiring. Available funds shall be used to maintain existing state programs.

Employee Pension Contribution. The monthly contribution of state scientists to CalPERS represents their share of funding their own retirement: 5% of monthly salary which exceeds \$513 per month. This contribution formula has not changed for state scientists in decades. Henceforth, during the term of this agreement, state scientists may be required to increase or decrease their contribution to CalPERS based on changes in the state employer's contributions required by CalPERS to maintain an actuarially sound retirement program. The amount of increase or decrease shall be determined by changes in the state's contribution as calculated annually by CalPERS. Each percent increase in the employer's contribution to the CalPERS "Miscellaneous" retirement plan shall require an additional one percent contribution by state scientists, to a maximum of 8

percent of monthly salary which exceeds \$513 per month. Should the employer's contribution be reduced during the term of this agreement, the employee contribution shall be reduced equivalently, to an amount that shall never be less than two percent of any amount over \$513 per month. CAPS will not oppose legislation sponsored by DPA that requires additional reporting by CalPERS regarding its actuarial determinations.

Formula Changes. CAPS won't oppose legislation that will change the Miscellaneous retirement formula to pre-SB 400 levels for any state scientist first hired on or after January 1, 2011.

Holidays. CAPS agrees to the statutory change that eliminated February 12 and the second Monday in October as state holidays. CAPS agrees to restore time-and-one-half overtime compensation for employees who work on certain state holidays identified by DPA.

Overtime. CAPS agrees to current state law that no longer counts leave time as time worked for purposes of calculating overtime compensation.

Health Benefits. CAPS agrees to eliminate the Rural Health Care Equity Program through June 30, 2011. This program shall be implemented again effective July 1, 2012 consistent with terms agreed to pursuant to future good faith negotiations between the parties.

Contract Term. The term of this agreement shall be from July 1, 2010 through June 30, 2015.