



March 20, 2008

David Gilb, Director
Department of Personnel Administration
1515 S Street, North Building, Suite 400
Sacramento, CA 95814

Dear Mr. Gilb:

Please find attached CAPS' initial bargaining proposals for 2008 pursuant to the provisions of Government Code Section 3525. As requested, 50 copies of this proposal will be made available for public review.

Sincerely,

Christopher J. Voight
Chief Spokesman

/Enclosure

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FAX (916) 442-4182
E-mail: caps@capscientists.org

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**CAPS
BARGAINING UNIT 10
INITIAL BARGAINING PROPOSALS
March 20, 2008**

In accordance with Government Code Section 3523, this Notice is provided to the State of California, the public and all other interested parties. The California Association of Professional Scientists (CAPS) proposes to modify the Memorandum of Understanding between CAPS and the State of California (July 1, 2006 – June 30, 2008), as specified below. CAPS reserves the right to make additional proposals during the course of negotiations.

PREAMBLE

CAPS proposes to continue this provision.

ARTICLE 1 – RECOGNITION

CAPS proposes to continue this provision.

ARTICLE 2 – SALARIES

- 2.1 **Salary Increase.** CAPS proposes one or more salary increases for state scientists to reach salary equity with corresponding classifications and jurisdictions, and to cover cost-of-living increases, starting with an effective date of July 1, 2008.
- 2.2 **Merit Salary Adjustments.** CAPS proposes to continue this provision.
- 2.3 **Night Shift Differential.** CAPS proposes to continue this provision.
- 2.4 **Bilingual Differential Pay.** CAPS proposes to continue this provision.
- 2.5 **Timely Payment of Wages.** CAPS proposes to continue this provision.
- 2.6 **Staff Specialist Compensation.** CAPS proposes to continue this provision.
- 2.7 **Diving/Climbing Pay.** CAPS proposes to continue this provision.
- 2.8 **Overpayment/Payment Errors.** CAPS proposes to continue this provision.
- 2.9 **Alternate Range 40.** CAPS proposes to continue this provision.
- 2.10 **Recruitment and Retention Differentials.** CAPS proposes to continue this provision.
- 2.11 **Payroll System.** CAPS proposes to continue this provision.
- 2.12 **Out-of-State Pay Differential.** CAPS proposes to continue this provision.
- 2.13 **Tax Deferral of Lump Sum Leave Cash Out Upon Separation.** CAPS proposes to continue this provision.
- 2.14 **Emergency Pay (VMOs).** CAPS proposes to continue this provision.
- 2.15 **Canine Differential Pay.** CAPS proposes to continue this provision.
- 2.16 **Field Training Biologist.** CAPS proposes to continue this provision.
- 2.17 **One Time Payment.** CAPS proposes to discontinue this provision.

- 2.18 **Labor Market Adjustments.** CAPS proposes to continue the increases provided by this section but drop this language from the MOU.

ARTICLE 3 – LEAVES

- 3.1 **Vacation Leave.** CAPS proposes to continue this provision.
- 3.2 **Sick Leave.** CAPS proposes to continue this provision.
- 3.3 **FMLA.** CAPS proposes to continue this provision.
- 3.4 **Bereavement Leave.** CAPS proposes to continue this provision.
- 3.5 **Parental Leave.** CAPS proposes to continue this provision.
- 3.6 **Union Leave.** CAPS proposes to continue this provision.
- 3.7 **Unpaid Leave of Absence.** CAPS proposes to continue this provision.
- 3.8 **Jury Duty.** CAPS proposes to continue this provision.
- 3.9 **Nonindustrial Disability Insurance.** CAPS proposes to continue this provision and to add SDI as an option.
- 3.10 **Catastrophic Leave.** CAPS proposes to continue this provision.
- 3.11 **Work and Family Program.** CAPS proposes to continue this provision.
- 3.12 **Catastrophic Leave – Natural Disaster.** CAPS proposes to continue this provision.
- 3.13 **Annual Leave.** CAPS proposes to continue this provision.
- 3.14 **Enhanced Nonindustrial Disability Insurance – Annual Leave.** CAPS proposes to continue this provision.
- 3.15 **Blood Donation.** CAPS proposes to continue this provision.
- 3.16 **Mentoring Leave.** CAPS proposes to continue this provision.
- 3.17 **Mentoring Leave Authorization – Science Fairs.** CAPS proposes to continue this provision.
- 3.18 **Precinct Election – Paid Time Off.** CAPS proposes to continue this provision.
- 3.19 **Voluntary Personal Leave Program (VPLP)-** CAPS proposes to continue this provision.

ARTICLE 4 – HOLIDAYS

- 4.1 **Holidays.** CAPS proposes to continue this provision.

ARTICLE 5 – HEALTH AND WELFARE

- 5.1 **Health, Dental, Vision Plans.** CAPS proposes to continue these provisions with the state picking up the same proportional share of the cost of each plan while maintaining the benefit level.
- 5.2 **Employee Assistance Program.** CAPS proposes to continue this provision.

- 5.3 **Medical Monitoring.** CAPS proposes to continue this provision.
- 5.4 **Employee Injury on the Job.** CAPS proposes to continue this provision.
- 5.5 **Independent Medical Examination.** CAPS proposes to continue this provision.
- 5.6 **Employee Injury or Disability.** CAPS proposes to continue this provision.
- 5.7 **Flex-Elect Program.** CAPS proposes to continue this provision.
- 5.8 **Pre-Tax of Health/Dental/Vision Premiums.** CAPS proposes to continue this provision.
- 5.9 **Benefits Advisory Committee.** CAPS proposes to continue this provision.
- 5.10 **Pre-Retirement Death Continuation of Benefits.** CAPS proposes to continue this provision.
- 5.11 **Accidental Death/Dismemberment Benefits – Department of Fish and Game.** CAPS proposes to expand this program to the Department of Forestry Unit 10 classes.
- 5.12 **Rural Health Subsidy Program.** CAPS proposes to continue this provision.
- 5.13 **Health Promotion Activities.** CAPS proposes to continue this provision.

ARTICLE 6 – BUSINESS AND TRAVEL EXPENSES

- 6.1 **Business and Travel Expenses.** CAPS proposes to continue this provision but with travel reimbursement rates that enable state scientists to do the state's work safely and timely.
- 6.2 **Moving Expenses.** CAPS proposes to continue this provision.
- 6.3 **Business Equipment, Materials and Supplies.** CAPS proposes to continue this provision.
- 6.4 **Uniform Replacement Allowance.** CAPS proposes to continue this provision but with sufficient funding to purchase required uniforms.
- 6.5 **Damage of Personal Items.** CAPS proposes to continue this provision.
- 6.6 **License Renewal Fees.** CAPS proposes to continue this provision.
- 6.7 **Safety Footwear.** CAPS proposes to continue this provision but with sufficient funding to purchase required footwear.

ARTICLE 7 – HOURS OF WORK AND OVERTIME

- 7.1 **Meal Period.** CAPS proposes to continue this provision.
- 7.2 **Alternative Work Schedule.** CAPS proposes to continue this provision.
- 7.3 **Overtime Scheduling.** CAPS proposes to continue this provision.
- 7.4 **Call Back Time.** CAPS proposes to continue this provision.
- 7.5 **Fair Labor Standards Act.** CAPS proposes to continue this provision.
- 7.6 **Duty Officer, DTSC.** CAPS proposes to continue this provision.

- 7.7 **Work Week Group Definitions and Compensation.** CAPS proposes to continue these provisions.
- 7.8 **On Call Assignments.** CAPS proposes to continue this provision.
- 7.9 **Arduous Duty Differential.** CAPS proposes to continue this provision.
- 7.10 **Telecommute/Telework Program.** CAPS proposes to continue this provision.

ARTICLE 8 – RETIREMENT

- 8.1 **Retirement-Miscellaneous Members.** CAPS proposes to continue this provision.
- 8.2 **Retirement-Safety Members.** CAPS proposes to continue this provision.
- 8.3 **Second-Tier Retirement Plan.** CAPS proposes to continue this provision.
- 8.4 **Savings Plus Program.** CAPS proposes to continue this provision.
- 8.5 **Items Excluded from Compensation for Retirement Purposes.** CAPS proposes to continue this provision.
- 8.6 **Enhanced Industrial Retirement.** CAPS proposes to continue this provision.
- 8.7 **First Tier Retirement Formula (2% @ 55).** CAPS proposes to continue this provision.
- 8.8 **First Tier Eligibility for Employees in Second Tier.** CAPS proposes to continue this provision.

ARTICLE 9 – GRIEVANCE AND ARBITRATION PROCEDURE

- 9.1-9.13 **Grievance and Arbitration.** CAPS proposes to continue these provisions.

ARTICLE 10 – CAPS REPRESENTATIONAL RIGHTS

- 10.1 **Representational Designation.** CAPS proposes to continue this provision.
- 10.2 **Access.** CAPS proposes to continue this provision.
- 10.3 **Use of State Phones.** CAPS proposes to continue this provision.
- 10.4 **Distribution of Literature.** CAPS proposes to continue this provision.
- 10.5 **Use of State Facilities.** CAPS proposes to continue this provision.
- 10.6 **Representative Time Off.** CAPS proposes to continue this provision.
- 10.7 **Employee Time Off.** CAPS proposes to continue this provision.
- 10.8 **Representation Protection.** CAPS proposes to continue this provision.
- 10.9 **Release of Home Addresses.** CAPS proposes to continue this provision.

ARTICLE 11 – ORGANIZATIONAL SECURITY

- 11.1 **Organizational Security.** CAPS proposes to continue this provision.

ARTICLE 12 – STATE RIGHTS

- 12.1 **State Rights.** CAPS proposes to continue this provision.

ARTICLE 13 – GENERAL PROVISIONS

- 13.1 **No Strike.** CAPS proposes to continue this provision.
- 13.2 **No Lockout.** CAPS proposes to continue this provision.
- 13.3 **Individual Agreements.** CAPS proposes to continue this provision.
- 13.4 **Savings Clause.** CAPS proposes to continue this provision.
- 13.5 **Reprisals.** CAPS proposes to continue this provision.
- 13.6 **Supersession.** CAPS proposes to continue this provision.
- 13.7 **Non-Discrimination.** CAPS proposes to continue this provision.
- 13.8 **Sexual Harassment.** CAPS proposes to continue this provision.
- 13.9 **State-Owned Housing Rental and Utility Rates.** CAPS proposes to continue this provision.

ARTICLE 14 – HEALTH AND SAFETY

- 14.1 **Health and Safety Committees.** CAPS proposes to continue this provision.

ARTICLE 15 – CAREER DEVELOPMENT

- 15.1 **Release Time for State Civil Service Examinations.** CAPS proposes to continue this provision.
- 15.2 **Performance Appraisal.** CAPS proposes to continue this provision.
- 15.3 **Training.** CAPS proposes to continue this provision.
- 15.4 **Certification or Registration.** CAPS proposes to continue this provision.
- 15.5 **Departmental Orientation.** CAPS proposes to continue this provision.
- 15.6 **Professional Papers.** CAPS proposes to continue this provision.
- 15.7 **Volunteer Training.** CAPS proposes to continue this provision.
- 15.8 **Professional Society Dues.** CAPS proposes to increase the reimbursement amount.

ARTICLE 16 – TRANSFER AND LAYOFF

- 16.1 **Layoff and Reemployment.** CAPS proposes to continue this provision.
- 16.2 **Reducing the Adverse Effects of Layoff.** CAPS proposes to continue this provision.
- 16.3 **Change in Work Location.** CAPS proposes to continue this provision.
- 16.4 **Appeal of Involuntary Transfer.** CAPS proposes to continue this provision.

ARTICLE 17 – CLASSIFICATION

- 17.1 **Classification Changes.** CAPS proposes to continue this provision.
- 17.2 **Out-of-Classification Grievance Process.** CAPS proposes to continue this provision.
- 17.3 **Salary Survey.** CAPS proposes to continue this provision.

ARTICLE 18 – PERMANENT INTERMITTENT APPOINTMENTS

- 18.1 **Permanent Intermittent Appointments.** CAPS proposes to continue this provision.

ARTICLE 19 – MISCELLANEOUS

- 19.1 **Request for Reinstatement After AWOL Separation.** CAPS proposes to continue this provision.
- 19.2 **Incompatible Activities.** CAPS proposes to continue this provision.
- 19.3 **Personnel and Evaluation Materials.** CAPS proposes to continue this provision.
- 19.4 **Release Time for State Personnel Board Hearings.** CAPS proposes to continue this provision.
- 19.5 **Peer Review.** CAPS proposes to continue this provision.
- 19.6 **Transportation Incentives.** CAPS proposes to continue this provision.
- 19.7 **Group Legal Services.** CAPS proposes to continue this provision.
- 19.8 **Workplace Violence Prevention.** CAPS proposes to continue this provision.

19.9 **CalEPA Relocation and Transportation Agreement.** CAPS proposes to continue this provision.

19.10 **Contracting Out.** CAPS proposes to continue this provision.

ARTICLE 20 – ENTIRE AGREEMENT AND DURATION

20.1 **Entire Agreement.** CAPS proposes to continue this provision.

20.2 **Duration.** CAPS proposes a definite term.

Side Letter-Recruitment and Retention-CAPS proposes to delete this side letter as its provisions have been implemented.

SIGNATURE PAGE

CAPS proposes to include a signature page.

SALARY SCHEDULE

CAPS proposes to retain and update this section.

DEPARTMENT OF PERSONNEL ADMINISTRATION

LABOR RELATIONS DIVISION

1515 "S" STREET, NORTH BUILDING, SUITE 400

SACRAMENTO, CA 95814-7243



March 7, 2008

TO: Personnel Management Liaisons
Affected Recognized Employee Organizations
Representatives of the Media
Other Interested Parties

RE: Collective Bargaining Proposals
Public Meetings Notice

Pursuant to Section 3523 of the Ralph C. Dills Act, DPA has scheduled the following public meetings to allow the public to comment on initial collective bargaining proposals and counterproposals made by State management and employee unions.

Thursday, March 20, 2008

Thursday, April 3, 2008

Thursday, April 17, 2008

Thursday, May 1, 2008

These meetings will be held at 11:00 a.m. at the Department of Personnel Administration, 1515 S Street, North Building, Fourth Floor - Conference Room A/B, Sacramento, CA. Each meeting will follow this format:

- I. New proposals
- II. Responses to any new proposals presented at the previous public notice meeting
- III. Public comment on union or management proposals or counterproposals

State employee unions or State management may present initial proposals at any public notice meeting. Parties presenting proposals must arrive no later than the scheduled start of the meeting, and have in their possession at least 50 copies of their proposals to distribute to interested members of the public.

If further public meetings are needed to present additional initial proposals, DPA will announce the dates in another public notice.

Copies of the proposals and counterproposals from these public meetings will be available at the DPA website www.dpa.ca.gov within one day. If no proposals or counterproposals are presented, we'll indicate on the website that no initial bargaining proposals were presented or received.

March 7, 2008

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Copies of proposals and counterproposals from these public meetings, as well as any additional proposals that arise during negotiations, will also be available at the following locations:

Department of Personnel Administration
1515 S Street, North Building, Suite 400
Sacramento, CA 95814

Department of General Services
455 Golden Gate Avenue, Room 3248
San Francisco, CA 94102

If you have any questions about this schedule, please call Dana Manning of my staff at (916) 324-9379.

Sincerely,

Julie Chapman
Deputy Director of Labor Relations