

CAPS PROPOSAL

Bargaining Unit: 10

Date: May 1, 2018

Exclusive Representative: CAPS

Article: X.3 New Language

Subject: Hardship Transfer

X.3 Hardship Transfer

The State and CAPS recognize the importance of hardship transfers as a way of dealing with work issues and family issues. An employee experiencing a verifiable hardship, including but not limited to domestic violence; a substantiated complaint of workplace violence or workplace bullying; mandatory job transfer of a spouse or domestic partner; or family illness, injury, death, serious health condition, or other important consideration; may request a transfer to another geographic area, work location, or unit to mitigate the hardship.

The State shall endeavor to reassign the employee to a comparable or lesser (if comparable is not available) position in the requested geographic area, work location, or unit. If the employee accepts the position of a lower paid classification, the State shall endeavor to reinstate the employee to his/her former classification and comparable salary level. Reasons for the inability to grant the transfer shall be provided in writing.

Transfers under this section shall be considered voluntary and any associated relocation costs shall be subject to the applicable CalHR laws and rules.

The parties agree that disputes under this section are grievable through Step 4 (CalHR) and are not arbitrable.