

CAPSule

E-Mail CAPS at: caps@capsscientists.org

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Sick Leave Benefit Expanded

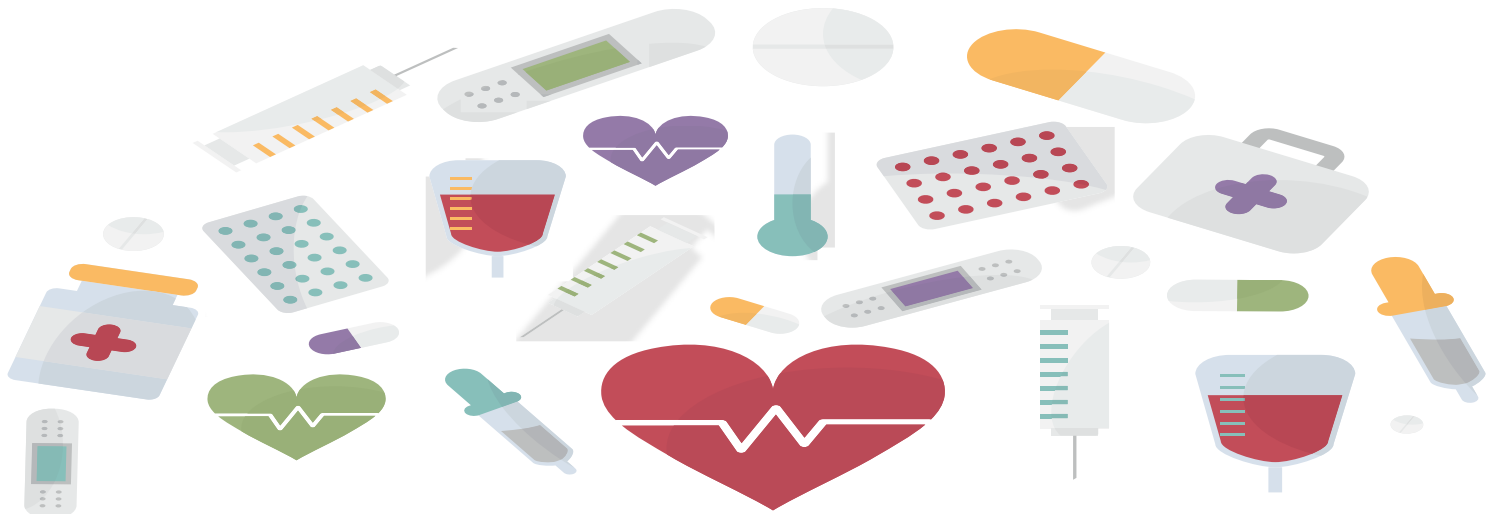
The CAPS MOU runs through July 1, 2018 and can't be amended unless both parties agree to it. That means that it is the "full and entire understanding of the parties" unless both CalHR (on behalf of Governor Brown) and CAPS agree to changes. Generally, substantive improvements to the MOU don't happen without extraordinary circumstances. Such circumstances rarely include newfound generosity by the Governor, but might result from litigation or legislation. (CAPS MOU Article 20, Entire Agreement, dictates the circumstances under which the MOU can be modified – and those circumstances are extremely limited.)

In fact, recently passed legislation allows sick leave benefits in the Unit 10 MOU to be improved. That legislation modified state Labor Code section 233 to include additional reasons for sick leave use specified in Labor Code section 246.5 (victim of domestic violence, sexual assault, or stalking) and extended the definition of a family member specified in Labor Code section 245.5 (adding grandparent and grandchild).

Consequently, CAPS and CalHR have agreed to modify Sick Leave Article 3.2 of the CAPS MOU. It now allows the use of sick leave for an employee who is a victim of domestic violence, sexual assault, or stalking.

The MOU now defines a family member as: a child to whom the employee stands *in loco parentis* (in place of a parent); the legal guardian of the employee or employee's spouse or registered domestic partner; a person who stood *in loco parentis* with the employee of a minor; and a grandparent or a grandchild. Consistent with state law, "son" or "daughter" in Article 3.2 includes biological, adopted, foster child or stepchild and "mother" or "father" includes biological, adopted, foster parent or step parent.

Section 3.2 is further modified so that there is no specific cap placed on the use of sick leave for the individual listed in this section. A copy of the change can be found on the CAPS webpage under "2015 - 2018 CAPS MOU."



California State Scientists ... Knowledge, Innovation, Protection

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Photos from the Oakland Military Institute Benefit Luncheon



CAPS President Patty Velez speaks with Governor Jerry Brown at a recent benefit for the Oakland Military Institute, a college prep high school that Governor Brown founded in 2001 when he was Mayor of Oakland.



From Left to right: District V Director Rebecca Garwood, Secretary Margarita Gordus, Governor Brown, Director At-Large Brittany Sheahan, and Treasurer Patti Rich-Crawford.

EnCAPSulations



• Order Your March For Science T-Shirt NOW!

If you are planning to March For Science on April 22, show your State Scientist pride by wearing a CAPS T-shirt! You can order yours today at no cost to you. Timely orders will

be mailed to the address you designate, and you can wear it PROUDLY with your fellow State Scientists on April 22. CAPS is also providing signage that can be personalized at a designated location at each March where CAPS members are participating. Order your shirt here: <http://capsscientists.org/march-for-science-gear/> For timely delivery, order by noon, April 3.



• Workplace Bullying—What To Do.

The CAPS Workplace Bullying Ad-Hoc Committee took up the challenge of evaluating the extent of bullying of State Scientists and offering guidance. The Committee's mission is to educate and provide resources to all CAPS members regarding workplace bullying. While most state departments explicitly prohibit workplace bullying, too often little is done to prevent it, or address it after it occurs. CAPS has produced resources that define bullying and what steps should be taken to prevent it and mitigate the effects. View the infographics on the CAPS webpage under Resources for Members:

<http://capsscientists.org/benefits/workplace-bullying/>



• State Scientist Day Preparations Are Underway.

CAPS has sponsored State Scientist Day on the west steps of the State Capitol for the last 29 years. This year is no different, with booths and hands-on

demonstrations from dozens of state departments. This year's event will be held on Wednesday, May 10, and will last for three hours, from 10am to 1pm. The stars are state scientists and other supportive employees. Crowding the grounds are thousands of students from grade schools near and far, all excited for a fun-filled field trip to the State Capitol. This event celebrates the contributions rank-and-file State Scientists make to the people of California. It's not only good public relations, but an important part of promoting state scientists with key decision makers. Best of all, it's lots of fun for the kids! Thanks to the many departments which year after year have supported State Scientist Day with time and materials from their scientific staff. EVERYONE is welcome! Make sure your department is participating and showing off your program! Contact CAPS (caps@capsscientists.org) today to organize a booth!



• CAPS Member in Need.

Associate Health Physicist Alan Rook needs **YOUR** help! Mr. Rook is a CAPS member (and CAPS Local Rep) who works out of the Brea office of the CDPH Radiologic Health Branch. He has experienced a series of serious medical problems and has exhausted his leave credits and needs contributions from others. If you can spare even one hour to donate, Alan would be moved by your generosity. **Section 3.10 of the CAPS MOU** allows transfer of annual leave, CTO, personal leave, vacation and/or holiday leave credits from one employee to another when a catastrophic situation is confirmed. Sick leave credits cannot be transferred. Mr. Rook and CAPS extends many thanks in advance for your support!

Donate via the CAPS web site: www.capsscientists.org/catastrophic-leave-donations

WHERE'S OUR RECLASS?!

by Patty Velez, President

What happened to the Reclassification and Pay Project, and why isn't it proceeding? Yes, that's the question on the mind of far too many State Scientists, including ME!

We can thank CalHR and the Government Operations Agency for dropping like a hot rock the results of the Reclassification and Pay Project that so many CAPS members participated in, and for offering nothing in its place. Most recently, CalHR proposed to abolish a long list of state classifications that have been vacant for 24 months, as if that will somehow make the state civil service process simpler and more useful.

CAPS was the only state union that opposed the abolishment of these classifications. We did so not to be obstructionist, but to point out that many of these classifications are within a classification series, and to abolish one class would prevent recruitment, or it would disrupt the promotional pattern within the classification series. In many instances, there wouldn't BE a vacancy if the salary range were competitive. We suggested retention of these classifications until the civil service reform process has run its course. The impartial State Personnel Board largely agreed with us. The classifications will remain intact – for now.

For successful "reform" to occur, it must start with modernizing and consolidating classification specifications. Far too many job hopefuls are not yet in state service and current state employees find the hiring and promotional process far too confusing and time-consuming. Job applicants can't easily navigate the internet portal that's supposed to make things easier, and promotional opportunities are few and far between for incumbents because classification specifications and the testing processes create artificial barriers.

There is a double whammy related to the state's failure to modernize its classification structure. The first is the salary inequity that rewards most State Scientific Supervisors spectacularly, but retains the same substandard salary ranges for others, including all rank-and-file State Scientists. The other, of course, is the jalopy of a state civil service structure that hasn't been modernized in decades and doesn't serve anyone very well.

Earlier this month Governor Brown's representatives proposed changes to state law that would extend probationary periods for up to two years: potentially including range changes within a classification series. So, for example, an Environmental Scientist hired into Range A could serve a probationary period of two years, instead of the current one year. When he or she advances into Range B, then Range C, new probationary periods could be required at each step. The bill includes a host of other far-reaching changes to civil service law, all purportedly to advance civil service "reform." CAPS opposes the bill.

This isn't the reform we have in mind. It must start with modernizing and consolidating classifications into a system that makes a lot more sense to people and is more useful to employees in state departments. During that process,

consideration can be given to the general duty statement, minimum qualifications, probationary periods and, not surprisingly, competitive salary ranges.

Getting all this done is complicated and sometimes tedious. But it's necessary, and that is something that was quite evident to all of the subject matter experts that participated in the Reclassification

and Pay Project. It's also evident to many state departments that want to see the same result - consolidation makes testing, hiring and promotional patterns produce better results in the recruitment process. One state department started the process of creating even more state classifications because the old project appears dead. That effort appears doomed to failure because Governor Brown's representatives thus far aren't committed to any kind of meaningful reform, at least not right now.

The message from CAPS is that the work has largely been done: Research Scientist, Laboratory Scientist, Energy Scientist, Heritage Scientist, etc. With a few additional amendments, roughly 54 scientific specialties can be consolidated into nine broad classification specifications. Unless something exceptional is offered up, and soon, it could be too late during the administration of Governor Brown. We continue to urge the Governor, state lawmakers and the State Personnel Board to get this project DONE!

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More CAPS Local Reps Needed!

YOU Can Be A CAPS Local Rep! CAPS Local Reps facilitate communication between the Board, the worksite and CAPS. Too many Unit 10 worksites lack a liaison on important CAPS services for all State Scientists. Duties typically include:

- Serving as CAPS "eyes and ears" to identify potential violations of the CAPS MOU;
- Sharing important worksite information with CAPS;
- Educating State Scientists about CAPS efforts to improve pay and benefits;
- Recruiting new members and promoting the CAPS agenda;
- Helping to schedule CAPS worksite meetings;
- Ensuring that state scientists with a grievance, disciplinary action or other personnel issue get the help they need.

CAPS Local Reps typically don't represent State Scientists on personnel issues themselves, but they do help ensure that members who need help get it from experienced staff. Please consider becoming the CAPS Local Rep for *YOUR* worksite. For more information, contact CAPS: caps@capsscscientists.org Find the application via the website: www.capsscscientists.org