

CAPSule

E-Mail CAPS at: caps@capsscientists.org

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July 2015, Issue #15-7

2015 Dependent Scholarship Winners

CAPS has awarded \$500 scholarships to dependents of 15 CAPS members in support of their college education. These lucky 15 were among the several dozen applicants for this year's scholarship program. CAPS will keep 2015 applications on file for next year's drawing. Thanks to everyone who participated! *NOTE: These scholarships are not funded by dues or fees from state scientists.*



Andrew Asoo, son of CAPS member Thomas Asoo (CDPH), is majoring in biological sciences at UC Irvine and will graduate in 2017.



Kiran Long-Iyer, daughter of CAPS member Poorni Iyer (OEHHA), is majoring in biochemistry at the University of San Diego and will graduate in 2018.

Kerina Blue, daughter of CAPS member Bendan Blue (CalRecycle), is majoring in health and society at Beloit College in Wisconsin and will graduate in 2019.



Caleb Marion, son of CAPS member David Marion (CDFA), is majoring in graphic design at California State University, Sacramento and will graduate in 2018.



Eric Diaz, son of CAPS member Jose Diaz (DTSC), is attending College of the Canyons in Santa Clarita and will graduate in 2019.



Matthew Sander, son of CAPS member Bonnie Sander (SCIF) is majoring in kinesiology/sports medicine at the College of the Canyons in Santa Clarita and will graduate in 2017.

Chris Dong, son of CAPS member Ke Dong (CDFA), is majoring in computer science at California State University, Sacramento and will graduate in 2018.



Sara Shirakh, daughter of CAPS member Elizabeth Shirakh (CEC), is attending California State University, Sacramento and will graduate in 2019.



Rachel Eya, daughter of CAPS member Bryan Eya (OEHHA), is majoring in animal science at Colorado State University and will graduate in 2019.



Pacifica Takata-Glushkoff, daughter of CAPS member Serge Glushkoff (DFW), is majoring in environmental economics at Bowdoin College in Maine and will graduate in 2019.

Nathaniel Folkman, son of CAPS member James Folkman (CEC), is majoring in English/Literature at BYU Idaho and will graduate in 2020.



Justin Traina, son of CAPS member Michael Traina (CDCR), is majoring in biological science at San Jose State University and will graduate in 2017.



Ryan Gilroy, son of CAPS member Michelle Gilroy (DFW), is majoring in engineering at Cuesta Community College and will graduate in 2016.



Hannah Leyva, daughter of CAPS member Jesus Leyva (DPR), is majoring in psychology at Sacramento City College and will graduate in 2016.



Robin Welte, daughter of CAPS member Harry Welte (CDFA), is majoring in early childhood development at San Joaquin Delta College and will graduate in 2017.

California State Scientists ... Knowledge, Innovation, Protection

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CalPERS Returns May Fuel Pension Measure

The very best thing to cool the jets on those anxious to further slash public pensions in California would be for CalPERS to exceed its projected investment returns. CalPERS members could rest easy knowing that their pensions are well-funded, and taxpayers could breathe easier knowing costs won't increase.

Except that's not what happened. CalPERS just announced an overall return of 2.4% for last fiscal year, well below its projected return rate of 7.5%. The CalPERS investment chief said the system tries "...not to get too fixated or excited by any one-year return, whether it's 18 percent from last year or a 2.4 percent return this year." After all, he noted, CalPERS has averaged 10.9 percent over the previous three years and 10.7 percent over the past five.

The low annual return last year could give new and unwarranted life to a proposed 2016 ballot measure that would require voter approval of future pension increases. The measure is still awaiting an official title and summary from Attorney General Kamala Harris. When that's complete, signature gathering can begin. If enacted, the measure would:

- Require **any** improvement in pension benefits for current public employees be approved by a vote of the people.
- Require **anyone** hired into California public service after January 1, 2019 be enrolled in a defined contribution, or 401(k)-type plan. (A defined "contribution" plan offers no formula-based benefit as the CalPERS defined benefit model does.)
- Prohibit the public employer from paying no more than half the total cost of the plan.
- Prohibit retirement boards (CalPERS is one of many in California) from imposing termination fees, accelerated payments on existing debt, or other financial conditions against a government employer that proposes to close a defined benefit pension plan to new members, unless approved by voters.
- Allow the measure's proponents, or any citizen, to intervene in a court action in order to defend the legality of this measure in the event the State fails to do so.
- Eliminate the ability of employee unions to collectively bargain over retirement as part of the overall compensation package and eliminate the authority of elected bodies to address these issues with their employees.

CalPERS Funding In Green Zone. CalPERS is more than 75 percent funded, meaning that if all contributions and investment returns ended today, and membership didn't increase, CalPERS would eventually pay over 75% of its pension obligations. While 100% funding remains the goal, a funding level of 80% is considered to be quite healthy for a retirement system. CalPERS' funding is in the green—not red—zone.

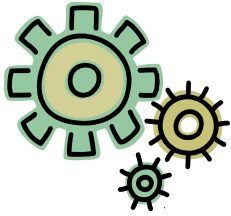
Public Sector Retirements Set Example For All. In the private sector, the average employee contributes 8.2 percent of his or her income to a retirement plan while the average employer contributes approximately 8.9 percent, including Social Security. Many public employees, such as teachers, police and firefighters do not receive Social Security. Around 75 percent of our public-sector employees are part of a retirement plan, but two-thirds of our state's private-sector employees are not.

Private sector employers have eliminated secure pension plans in favor of risky, 401(k)-style plans. As we have seen in recent years, these defined contribution plans have been decimated by a volatile stock market, and now, individuals are finding that they have nowhere near the savings needed for a secure retirement. When Social Security was enacted in the throes of the Great Depression, the average life expectancy was just 62 years. People weren't even eligible to collect benefits until they were 65. Pensions didn't cost as much because many people didn't live long enough to collect them.

Today, as people live longer, the need for retirement savings is growing, but people are saving less than ever before. One problem is that working class Americans are making less and falling behind as the super wealthy are making more than ever before.

The irony is that 401(k) plans were never meant to be replacements for pension plans. They were enacted by Congress to provide a tax deferred savings for top executives.

Retirement Priority. CAPS has no higher priority than to protect the pensions promised to state scientists. CAPS is an active participant in Californians for Retirement Security (CRS), a labor coalition dedicated to supporting sound and sustainable public pensions in California based on the defined benefit model. CRS will take the lead in opposing this proposed ballot measure, as it has with all such bad ideas in recent years.



NEVER GIVE UP!

By David Miller, President

I subscribe to the quote made famous by Winston Churchill: ***“Never, never, never give up.”*** I also like what he said about attitude, so I try my best to reflect it: ***“I am an optimist. It does not seem too much use being anything else.”***

We WILL have salary equity! I can’t promise just WHEN, but it WILL happen.

Too many people are working too hard to make this a reality. It’s completely justified. That was confirmed when Governor Brown last summer **restored** historical salary relationships for most scientific supervisors. That meant salary increases of between 28 and 43%. I will not rest until it’s done for **ALL** state scientists.

I hear plenty of frustration and anger from my colleagues because it hasn’t happened yet. We have waited a long time, and, for many of us, retirement looms on the horizon. Frustration is certainly understandable. But frustration alone doesn’t turn salary equity into reality. We need more action, more noise.

CAPS has been at the vanguard of these efforts at the bargaining table, in the state Legislature, and in court. Success at the bargaining table looks unlikely thus far this year. In fact, Governor Brown’s current offer wouldn’t get agreement from CAPS even if we WERE at parity! We’re in good company. None of the three other unions currently “negotiating” have reached agreement either.

Governor Brown knows who we are and knows what we want. He restored equity for most scientific supervisors; he can do the same for us. With a budget surplus some say exceeds \$10 billion, now is the time to make salary equity a reality.

Here’s my take on some frequently asked questions.

Why not just sue them? We may end up doing just that. Last summer’s pay letter which granted salary equity to most supervisors creates a new inequity, one that may give new life to the litigation angle. It would be much simpler and quicker to achieve our goals through bargaining – – bargaining is usually how we adjust salaries. But if Governor Brown won’t cooperate at the bargaining table, a lawsuit becomes more attractive, albeit with some high legal hurdles to jump.

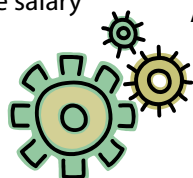
Why not strike? Bad things can happen to you if you don’t show up for work without a good excuse, no matter what the law allows. Tough talk sounds good, but here’s where things stand. Our last MOU expired June 30. State law allows (and requires) us to continue to work under the terms of the old agreement, with all of our pay and benefit provisions intact. This includes the 3% general salary increase effective this month. That’s a GOOD thing, because the state can’t unilaterally change your pay and benefits, or threaten to do so in order to force CAPS to accept contract terms we don’t like. It also continues the “no strike” clause (section 13.1). In summary, strikes and many other forms of work-related protest by public employees are indeed **legal** in California, but we have a **contractual** obligation not to engage in or to advocate them.

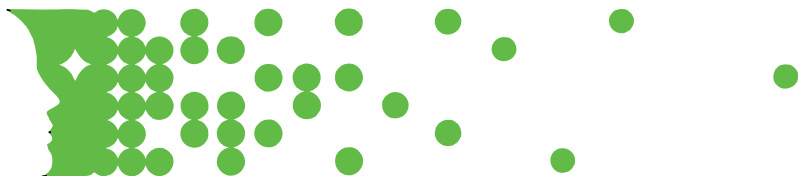
...if Governor Brown won’t cooperate at the bargaining table, a lawsuit becomes more attractive...

Why not informational pickets or the like? Perfectly acceptable, and we have organized these before. If we organize one or more such events, we need sizeable, enthusiastic crowds. Would YOU show up and carry a picket sign?

Contract bargaining this year is testier than before. These are frustrating and painful bargaining sessions. Through it all, the CAPS Team led by Patty Velez has made it very clear to CalHR that there will be no agreement without Reclassification and Salary Equity. This could well mean no new contract into the Fall.

Again, please don’t make criticizing CAPS your only contribution to this process. We have made exactly the correct salary and reclassification proposals, and we’re not giving up on them. There are many dedicated scientists volunteering their time to achieve salary equity. You can help in your own way by “making noise” in support of CAPS.





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Third Quarter CAPS Grants!


CAPS awards four \$300 professional development grants to CAPS members each quarter. CAPS does this because state departments don't do enough to support scientists' professional development. ANY CAPS members can apply for a CAPS grant via the CAPS webpage: www.capsscientists.org. Congratulations to these grant recipients for the **third** quarter of 2015:


In This Issue

- ◆ Dependent Scholarship Winners
- ◆ CalPERS Returns May Fuel Pension Measure
- ◆ NEVER Give Up!, by David Miller, President

 **Research Scientist Weiyang Jiang of the Department of Pesticide Regulation in Sacramento** will use his grant to attend the 250th Annual American Chemistry Society National Meeting in Boston during August 2015. Mr. Jiang will present findings from his strawberry harvester observation study. It will include a discussion of how the variations in past studies were calculated for workers' exposure rates and how they were used to develop a mathematical model to better predict dermal pesticide exposure for strawberry harvesters.

 **Environmental Scientist Melissa Farinha of the Department of Fish and Wildlife in Napa** will use her grant to offset the costs in attending the American Fisheries Society (AFS) Cal – Neva Chapter Conference in Santa Cruz during April 2015. The conference program supports Ms. Farinha in administering CDFW's Lake and Streambed Alteration Program and California Endangered Species Act in Santa Cruz County.

 **Staff Toxicologist Marilyn Silva, Ph.D., DABT, of the Department of Pesticide Regulation in Sacramento** will use her grant to help pay the extra costs for colored figures in a manuscript she wrote in collaboration with many others which has just been accepted by the Journal *Birth Defects Research Part B*. This paper marks a seminal collaboration between CDPR and OEHHA in the interpretation and use of data from the USEPA's ToxCast project for predicting chemical toxicity based on test performed *in vitro*, rather than using live animals. The four color figures cost \$500 each.

 **Research Scientist I Angelica Welsh of the Worker Health and Safety Unit of Pesticide Regulation in Sacramento** will use her grant to offset the costs incurred when attending the 66th Annual Meeting of the American Society for Enology and Viticulture (ASEV) during June 2015 in Portland, Oregon. Ms. Welsh presented a paper entitled "Handler Dermal and Inhalation Exposure to Sulfur Dust Applications on Grapevines."

Note: the CAPS Grant program is independent from the two days of professional development earned annually by every state scientist in accordance with CAPS MOU Section 15.3 (G)