

# CAPSule

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## CAPS Wants Changes To CalHR Reclass Proposals

On May 11 the CAPS Bargaining Team identified several changes that are needed to the CalHR Research Scientist and Energy Specialist proposals to gain CAPS' support. More importantly, the CAPS Team insisted that State Scientist involvement is needed much earlier in the development process on all such reclassification projects. The CAPS Team had these **specific** concerns on behalf of the many State Scientists who have reviewed and commented on these proposals:

**CAPS should have been involved early in developing these proposals.** CAPS' interest continues to be to produce a final product that reduces the number of state scientific classifications, increases and improves efficiency, promotes recruitment and retention of State Scientists and generally improves the responsiveness and efficiency of state government. In previous reclassification projects, CAPS was involved **from the beginning**. CAPS expects early involvement in these projects, not just as a courtesy but as an essential element of producing the best possible outcome.

**The CalHR proposals are piecemeal.** CAPS has always envisioned proceeding with a comprehensive reclassification of **ALL** state scientific classifications, from rank-and-file through the top managerial level. That's the way the 2013 – 2015 project was structured. CalHR at the time agreed to proceed that way. Yet during the May 11 bargaining meeting CalHR said that it is now considering 17 occupational groupings for future reclassification in Unit 10. CAPS demanded to know what they are and the proposed timeline.

**Regarding the Research Scientist proposal**, CAPS told CalHR:

- The allowance for a Master of Science degree was inexplicably dropped as an option for promotion to the first supervisory level. CAPS sees no reason why an experienced State Scientist with a qualifying Master's degree should be excluded from consideration as a candidate for supervisor.
- The CalHR proposal is limited only to departments that currently use the RS classification. The RS classification revision was intended to serve as an umbrella that would consolidate other classifications with similar minimum qualifications and duties such as Veterinarian, Toxicologist and the various diagnostic scientific classifications utilized by the California Department of Food and Agriculture. CAPS wants these classifications to be considered for consolidation into the RS series.

- Recently added clinical licensing requirements aren't reflected in the classification specification, and they should be.
- The classification titles for the series should remain as I, II, III, IV and V.

**Regarding the Energy Specialist proposal:**

- The classification title should be Energy "Scientist," not Energy "Specialist."
- Having what are clearly nonscientists hired into and promoted through a Professional Scientific Bargaining Unit is incongruous with the intent of the Bargaining Unit. This must be more fully evaluated.
- The elimination of the second supervisory level removes promotional opportunities for scientists in the Energy Series.

**SPB Makes the Final Decision.** CalHR can't implement anything unilaterally. The agency ultimately responsible for adopting **all** revisions to state classifications is the State Personnel Board, a constitutional agency. The SPB has requested more information from CalHR before they can be evaluated fully. CAPS has urged the SPB to add the CAPS suggestions before any classification changes are made.

**There's Still Time for Improvements.** CAPS hopes to resume a **bilateral** process with CalHR to review any and all classification revisions, one where the actual State Scientists doing the work are involved in the process from the outset. And while **these** proposals are unacceptable, the fact that CalHR is now churning out new stuff may open the door for what could be more productive discussions in the future, **including a salary review**.

**Other Classification Series are Important Too!!** Whether it's the classification groupings from 2015 (**Research Scientist; Energy Scientist; Lab Scientist, Industrial Hygienist, Hazardous Materials Scientists, Heritage Scientist, Earth Scientist, and Health Physicist and continuing classes**), or the 17 new unspecified groupings CalHR has in mind, we **must** have a place at the table from the outset, including CAPS' subject matter experts.

**Science Matters. California State Scientists**

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## EnCAPSulations...



**Media Program Dividends.** A Sacramento-area educational video firm has approached CAPS Director Jim McCall about contributing to its “Superstars of Science” series. “Driving last week I heard your interview on KFBK,” a firm representative wrote McCall after he was on the radio talking about State Scientist Day, “and thought you might be the right person for our school video production. Its purpose is to encourage kids to become scientists!” The series tells the life stories of science titans such as Isaac Newton and Rachel Carson via engaging whiteboard animation. Then the narratives pivot to the modern application of those pioneers’ discoveries through the work of scientists today. McCall will participate in the series as a way to help teach kids and to raise the profile of State Scientists and CAPS.



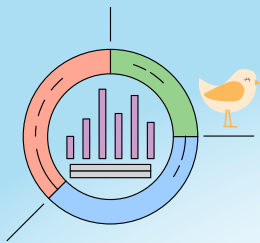
**Environmental Scientist at CDPH awarded Range Correction.** A CAPS member reached out to CAPS recently to review her range placement after she saw that a coworker in a higher range with less experience was

placed in a higher range. CAPS staff worked with the member to develop the best argument in support of a higher range placement. Her experience in professional positions outside of state service was extensive but she hadn’t approached CAPS because she didn’t question her initial placement. At the conclusion of the review her range correction was backdated to the date of her hire – making the estimated value of this back pay approximately **\$28,000!!!**

**John Grant Passes Away.** Former CAPS President and Legendary CDFW Retired Biologist John Grant passed away peacefully on May 14. He left many close friends behind. Rest in peace, John.



**June 3 Board of Directors’ Meeting.** The next CAPS Board of Directors’ Meeting is scheduled for Saturday, June 3, 2017 at 8:30 a.m. at the Holiday Inn – Sacramento Downtown Arena Hotel (300 J Street, Sacramento). Parking in the adjacent city lot is validated at the front desk.



## Retirement Planning Tips

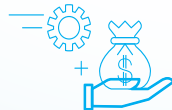
**Retirement planning doesn’t need to be complicated — or last-minute.**

CalPERS has created a new series of videos to help inform members in their early- to mid-careers about financial planning resources. The 10-video series will help you better understand resources available so you can better meet your retirement goals. You’ll also find a wide variety of other topics and links to tools, including a planning checklist and information about the CalPERS Retirement Estimate Calculator.

You can find the videos and resources at [www.calpers.ca.gov](http://www.calpers.ca.gov).

The “Planning Your Financial Future” series covers a variety of topics that make retirement planning easier through short videos:

**Financial Literacy:  
Are You on Track?**



**Retirement Income  
Sources**

**Examples of Tax- Deferred  
Savings**



**Budgeting**



**Managing Debt**

**Health Care Costs**



**Managing Risk**

# Continuing The March

By Patty Velez, President

If you were one of the hundreds of State Scientists who Marched for Science on April 22, you probably wore one of our green “Science Matters” t-shirts. Those were part of a major effort we made to support GREAT events while increasing the profile of State Scientists and the essential work we do. State Scientists attended marches across the state, a united sea of green.

CAPS had volunteer point-people to organize their fellow State Scientists—in San Diego, Fresno, Los Angeles, Santa Rosa, San Luis Obispo, Monterey, Santa Cruz, San Francisco, and Sacramento. We provided members with branded signs, t-shirts, buttons, and lanyards. Marches with more than ten CAPS members confirmed to be attending received a banner, boldly proclaiming — “Science Matters. California State Scientists.”

**In Sacramento**, where we have the greatest concentration of State Scientists, and thus the biggest turnout, CAPS members marched alongside researchers from UC Davis, federally-employed scientists, engineers, and other concerned citizens. At one point, the local police estimated the crowd to be somewhere between 20,000 and 30,000. **CAPS leaders and staff were on-site to assist members and the public with the preparation of signs that were science positive and apolitical** as the March was a nonpartisan demonstration advocating for science.

I had the privilege of addressing the crowd. My comments were reprinted in last month's *CAPSule*.

Here are a few more things each of us can do.

- ☑ **Send us pictures of you giving back.** Do you volunteer as an after-school program instructor/assistant/mentor? Work on a community project outside of work hours? Send us your pictures participating in citizen science, and we'll tweet it out as part of CAPS' media campaign.
- ☑ **Contact the President, your Congressional Representatives, and your State Assembly and Senate Representatives.** We made our voices heard in the streets – tell your elected officials that the March was just the beginning. Let them know your views. It makes a difference especially if you are a voting constituent.
- ☑ **Attend a “Town Hall” near you.** Elected representatives are increasingly using these meetings to connect with constituents. Let them hear directly from YOU!
- ☑ **Register to Vote** for next year's elections, and please VOTE!

For everyone who marched on April 22, **Thank You** again for all you did to ensure the Marches for Science around the state and the nation were successful. Let's use the momentum built from these marches to ensure our government supports fact-based science in its policies!

**Science Matters.  
California State Scientists!**





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## YOUR Right to Representation

*Your supervisor begins to ask you questions about a recent project or office interaction. Something in his or her questions suggests that trouble is brewing. What should you do?*

State scientists (and all state employees) have the right to request a union representative to attend a meeting they reasonably believe will result in a disciplinary action. These rights are called Weingarten rights which are derived from a 1975 Supreme Court Case (NLRB v. J. Weingarten, Inc.). These rights apply in investigatory interviews and meetings, where the employee has a reasonable belief that formal discipline may result. State Scientists may request union representation before or during such an interview. When representation is requested the supervisor must do one of three things: grant the request and delay questioning until the representative arrives; deny the request and end the interview immediately; or offer the option of having the interview without representation, essentially voluntarily giving up one's rights to union representation. *This is usually NOT the best option.*

If the supervisor denies the request for union representation and continues the interview, you have the legal right to refuse to answer questions. This option must be exercised tactfully. Don't walk out of the interview. Instead, request CAPS' representation but don't answer questions without your CAPS representative present. If you *are* pressured into answering (such as being threatened with insubordination for failure to answer), the information gathered at the meeting **may** be excluded in any subsequent disciplinary action.

Most importantly, don't enter an investigatory interview without CAPS' assistance. Also remember that not every meeting gives rise to a right to representation by CAPS. For instance, just because your supervisor issues you a negative performance evaluation, it doesn't entitle you to have a CAPS representative present when discussing it. A good rule of thumb: if a meeting's purpose is to give you direction of what to do going forward, you don't have the right to a representative. If a meeting's purpose is to ask you questions about something negative that happened in the past, consider contacting CAPS before answering questions. If a meeting takes a nasty turn, ask for a break and contact CAPS.

## May 10 We Celebrated State Scientists!

The 29th Annual State Scientist Day at the State Capitol enthralled thousands! Honorary State Scientist Assemblyman Bill Quirk (D-Hayward) happily participated in one of the two Mad Science shows. State Scientist Day was recognized by the State Legislature with Assembly Concurrent Resolution 18. Thanks to EVERYONE who helped make this event another shining moment for California State Scientists! More pics from the event can be viewed on the CAPS web page: [www.capsscientists.org](http://www.capsscientists.org).



Laura McLellan invites kids to take a spin on the Water Board's interactive wheel.



State Parks scientists (l-r) Jose Martinez, Michael Kwong and Aileen Aguinaldo are ready for the kids!



Anthony Ng and Angie Gould with the Energy Commission



CAPS' 2017 Honorary State Scientist, Assemblyman Bill Quirk (D-Hayward), is introduced by CAPS Board member and Governmental Affairs Committee Chair Brittany Sheahan.



Food and Ag scientist Ryanne Mason catches a breeze and creates a large bubble. Not as easy as it looks!

View more State Scientist Day photos on the CAPS webpage at [www.capsscientists.org](http://www.capsscientists.org)!

## STATE SCIENTIST DAY HIGHLIGHTS



Department of Fish and Wildlife's Linda Nance (left) and Sandra McShan introduce "Warden Grizzly" (Michael Hudson).



At the CAPS booth (l-r): Elaine Wong, Board members Valerie Chenoweth-Brown and Kelley Aubushon, staff Shayla Silva and Bianca Petzold, Board member Brittany Sheahan and staff Nadia Compton.



Greg Gilani from the Air Resources Board answers a myriad of questions.



Kathy Shultz and Brian Brown with Water Resources inspire the kids with their very hands-on exhibit.



Chris Borkent (left) with Martin Hauser of Food and Ag "wears" a live insect from the Entomology Lab.



Pesticide Regulation scientist Rekha Pasupuleti invites the kids to peer into a microscope.

View more State Scientist Day photos on the CAPS webpage at [www.capsscientists.org](http://www.capsscientists.org)!