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Governor Edmund G. Brown Jr.

April 8, 2016

Christiana Dominguez, Legal Counsel
California Association of Professional Scientists
455 Capitol Mall, Ste. 500
Sacramento, CA 95814

Dear Ms. Dominguez:

I want to first thank you for your patience and understanding in awaiting a response from the State Personnel Board (SPB) regarding your client's request for a decision or resolution regarding the perceived inequities surrounding the reporting relationship between Senior Environmental Scientist (Supervisor) and Senior Environmental Scientist (Specialist).

As you may recall, when this matter was first presented to the SPB as an appeal, there was genuine concern on whether this was an issue that is properly before the SPB. After deliberation, it was determined that this issue should be addressed through formal negotiations with California Department of Human Resources (CalHR) either as a collective bargaining issue or a classification planning issue. We attempted to facilitate a further discussion between CalHR and your organization. Unfortunately, as you have advised, the discussion was not fruitful.

At this point, the SPB continues to believe that an exercise of its jurisdiction over the reporting relationships between the two class specifications does not appear justified. The reporting or work direction requirements are frequently left to the judgment and province of the appointing authority. If revisions are required to the class specifications, that process should be initiated with CalHR.

As before, I would encourage CAPS to explore this issue further during its future negotiations with CalHR.

Sincerely,

ALVIN GITTISRIBONGUL
Chief Counsel