



CAPS UPDATE

Bargaining Update

Your CAPS Bargaining Team on Tuesday April 3 presented a detailed salary proposal to Governor Brown's California Department of Human Resources (CalHR).

The CAPS proposal would do two things. First, it would implement full Salary Equity for ALL State Scientists on January 1, 2019. This would restore pre-2005 salary equivalency between the Environmental Scientist classification (plus all Unit 10 classifications that require a bachelor's degree as a minimum) with state employed engineers.

Second, the CAPS proposal would recognize State Scientists employed in classifications that require a PhD or greater as a minimum with an addition 10% in salary at the top of those ranges. State Scientists employed in classifications that require a Master's Degree as a minimum would receive an additional 5% in salary at the top of those ranges.

Four career State Scientists presented graphic testimony in support of the CAPS proposal. A video summary of those presentations will be available shortly for your review.

Veterinarian Maureen Lee Dutra, DVM, MPVM, of the Department of Food and Agriculture's Animal Health Branch in Tulare described the extensive educational requirements necessary to obtain a Doctor of Veterinary Medicine, and the vast disconnect between the demands of that job and the relatively low compensation they receive for it. She noted that new veterinary graduates typically carry a debt load averaging \$200,000.

Staff Toxicologist Jimmy Spearow, PhD, of the Department of Toxic Substances Control in Sacramento presented detailed information on the critical role state Toxicologists have in the safety of public health. He made a compelling case for competitive salaries for PhD-level scientists.

Research Scientist III Rachel Broadwin, MS, of the Office of Environmental Health Hazard Assessment in Oakland presented outstanding testimony on behalf of State Scientists employed in classifications that require a Master's Degree as a minimum. Again, low salaries make recruiting and retaining well-qualified scientists in this discipline exceedingly difficult, especially in high cost of living areas.

Finally, **CAPS Bargaining Chairperson, Environmental Scientist Stephanie Lewis** of DTSC in Chatsworth presented voluminous and compelling evidence to support the need to restore salary equivalency between the Environmental Scientist classification (and all State Scientific classifications requiring a Bachelor's Degree as a minimum) with their state engineering counterparts. Salary equivalency was the norm for decades prior to 2005, when then Governor Gray Davis agreed to formula-based salary increases for state engineers in State Bargaining Unit 9.

No Commitment from CalHR. In response, the state's bargaining team, chaired by a representative from Governor Brown's CalHR, listened politely and asked questions. No agreement was reached, but further discussions on salary will continue in future sessions.

CAPS Made Other Proposals. The CAPS Team additionally proposed that ALL State Scientists exempt from overtime compensation (Work Week Group E) be paid for extended periods of work during a recognized emergency, that State Scientists who are required to use Personal Protective Equipment receive a differential of \$125 monthly during months in which they are required to wear their Equipment, that the state reimburse State Scientists for the expense of continuing education done to renew a license or certification required as a condition of employment, and that the State compensate State Veterinarians for being assigned to manage, supervise or lead an emergency where an Incident Command Structure is established, or the Governor has declared an emergency.

All of these proposals can be found on the CAPS web page: www.capsscientists.org

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How CAPS Spends Your Dues

CAPS represents state Bargaining Unit 10, one of 21 state bargaining units. Nearly everything CAPS does is devoted to furthering the employment and professional interests of ALL State Scientists (members and those who aren't yet full members).

A small portion of CAPS' activities is devoted to CAPS members only. These are activities which cannot be charged to fee payers, or "future members," as we like to call them. CAPS membership dues are currently \$59 per month. The non-member fee is slightly less, \$53.17 monthly. Dues and fees charged by CAPS are among the lowest charged by any state employee organization. As a percentage of salary, the dues charged by CAPS are likely THE lowest charged by any state employee union. CAPS commissions an independent outside audit of its finances every year to establish the fair share fee amount for the next year. The audit for 2017 is on the CAPS webpage under the "Members Only" section.

The list below reflects the findings of the independent audit with respect to how CAPS dues and fees are spent. All organizational decisions for CAPS are made by its volunteer Board of Directors and committees. The President of CAPS (currently Patty Velez) oversees CAPS' operations and ensures that the Board's decisions are carried out effectively. Staffing and representation duties are primarily performed by Blanning & Baker Associates, Inc. (B&B), a labor relations consulting firm. B&B employs the professional negotiators, consultants, lawyers and advocates that assist CAPS' leaders and members in achieving their objectives and resolving individual employment disputes. For legislative advocacy in the Capitol, CAPS works with the lobbying firm, Aaron Read & Associates, Inc. CAPS additionally engages law firms, accounting firms, and others as needed. During 2017, CAPS spent \$1,833,358 on representation activities, broken down as follows:

CAPS Meetings and Governance: \$134,775 (7%) Meetings of the Board of Directors, CAPS members and general union affairs and governance.

Contract Administration: \$365,022 (20%) Resolution of contract disputes, grievances and legal actions concerning wages, hours and working conditions, including researching and answering questions from members about rights arising from their employment.

Contract Negotiations: \$174,334 (10%) Events and meetings related to collective bargaining. These expenses were relatively light in 2016 because it was not a bargaining year.

Disciplinary Representation: \$106,678 (6%) This item supported state scientists on whose behalf CAPS challenged disciplinary action.

Legislative Activity: \$162,605 (9%) Legislative analysis and lobbying that directly concerned the employment rights of state scientists.

Defending Against Outsourcing: \$21,205 (1%) All activities, other than contract negotiation and legislative lobbying by a professional lobbyist, relating to actual or potential contracting-out of bargaining-unit work in any form.

Departmental Issues: \$549 (>1%) Activities unique to individual departments.

Statewide Issues: \$178,741 (10%) Activities affecting members statewide.

Member Only Benefits: \$51,945 (3%) Benefits available only to CAPS members, such as the \$5,000 death benefit provided to every CAPS member.

Contributions: \$33,963 (2%) This expense supported member-only CAPS grants and any other charitable or educational

purposes.

Political Expenses: \$28,662 (2%) Political activities related to state elections.

Administrative Costs: \$104,287 (6%) Overhead and costs related to operating the organization, including costs of this audit.

Postage and Mailing: \$15,438 (1%) Postage-related expenses.

Publications and Communications: \$219,645 (12%) This expense paid for the cost of printing CAPSule, contracts, special mailings, correspondence, copying, website management and any media time purchased by CAPS.

Legal and Litigation Expenses: \$16,423 (1%) Representing CAPS as an institution before agencies or in the courts or in the enforcement of rights arising out of an employment relationship for which CAPS is the exclusive representative.

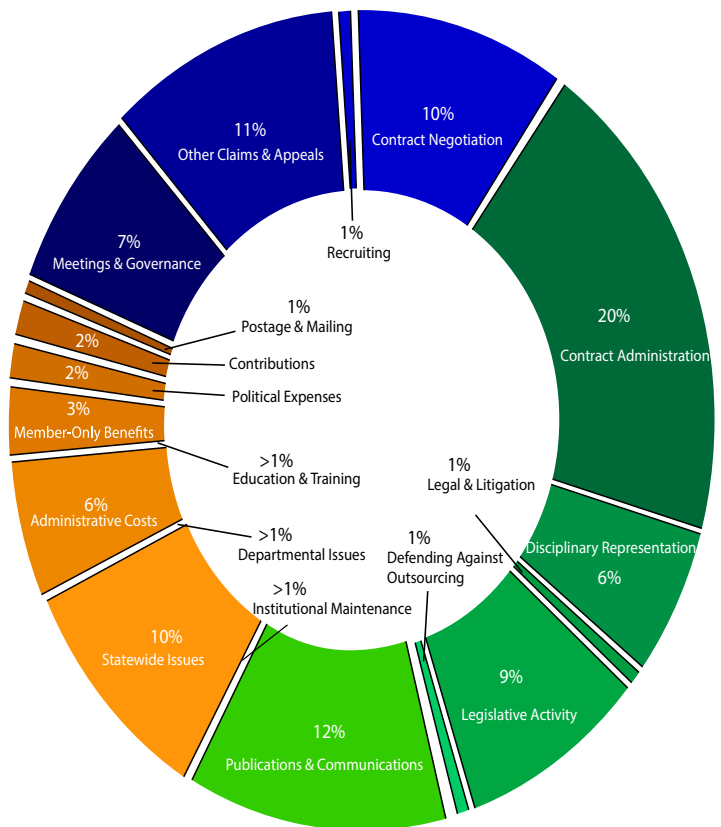
Institutional Maintenance: \$3,658 (>1%) This expense relates to CAPS' efforts to retain representation rights, including defending against the contracting-out of unit-employee work.

Education and Training: \$491 (>1%) This expense relates to internal organizational workshops and other training programs in subjects regarding public-sector collective bargaining.

Other Claims and Appeals: \$200,747 (11%) This expense relates to individual and/or group claims and appeals on behalf of employees not covered under other headings, including statutory appeals to DPR (i.e. Petition to Reinstatement Following AWOL Separation); appeals to the SPB (i.e., merit issues complaints, examination appeals, etc.); appeals from denials of merit salary adjustments; and health and safety complaints.

Recruiting: \$14,069 (>1%) This expense relates to efforts to recruit new members.

The chart below shows "where the money went" in visual format:



CAPS Members in Action!

CAPS Members across the State Marched once again for Science on Saturday, April 14, 2018.



2018 2nd Quarter CAPS Grants!

The CAPS Benefits Committee proudly awards FOUR \$400 professional development grants to CAPS members each quarter. Grants awarded for the second quarter of 2018 are listed below. There are FIVE being awarded because one of the grants awarded last quarter was returned unused. ANY CAPS member can apply for a CAPS grant via the CAPS webpage: www.capsscientists.org

Associate State Archaeologist Hayley Elskén of the Department of Parks and Recreation in Borrego Springs will use her grant to offset the costs of participating in archaeological survey and research project at Ikh Nart Nature Preserve in Mongolia during May and June 2018. This nature preserve is a sister park with one of the California parks served by Ms. Elskén, the Anza-Borrego Desert State Park in Southern California.

Environmental Scientist April Hennessy of the Department of Fish and Wildlife in Stockton will use her grant to reimburse some of the registration and travel expenses incurred while attending the 13th International Conference on Copepoda in San Pedro California during July 2017. Incidentally, copepods are a group of small crustaceans found in the sea and nearly every freshwater habitat.

Senior Environmental Scientist (Specialist) Dr. Laura Rogers-Bennett of the Department of Fish and Wildlife in Bodega Bay will use her grant to cover travel expenses to the International Abalone Symposium in Xiamen, China during May 2018. This conference takes place once every three years and includes contributed paper and poster sessions, symposia, workshops and review of the status of various fisheries, and much more. Dr. Bennett will present a paper at the conference.

Environmental Scientist Kimberly Tenggardjaja of the State Water Resources Control Board in Sacramento will use her grant to pay for a portion of the publication charges for her research paper titled, "Comparative phylogeography of widespread and endemic damselfishes in the Hawaiian Archipelago." This research paper discusses how genetics was used as a tool to analyze how populations of coral reef fishes are connected throughout the Hawaiian Islands. It also constitutes the final chapter of her dissertation and was recently submitted for publication in the Journal Marine Biology.

Staff Toxicologist Vivek Mathrani, PhD, DABT of the Department of Toxic Substances Control in Berkeley will use his grant to attend the 2018 Joint Meeting of International Society of Exposure Science (ISEE) and the International Society for Environmental Epidemiology (ISEE) in Ottawa Canada during August 2018.

Help! I've Fallen Outside of Work and I Can't Get Up!

Yes, you may be allowed paid time off for an injury that occurred **OUTSIDE** of work! All CAPS members, and Unit 10 employees, are entitled to take advantage of Enhanced Non-Industrial Disability Insurance, or ENDI. No, you don't pay a premium for this insurance – it is a state-sponsored benefit that CAPS negotiated for the membership long ago.

The CAPS Memorandum of Understanding (MOU) has all the information about ENDI in Section 3.14. The Section describes, at length, eligibility and timeframes you would need to pay attention to if you are planning to use this benefit. But what you really need to know is that you are entitled to take up to 26 weeks off for any one disability benefit period. That means that if you are injured or need to take time off for to treat an injury via surgery or bed-rest, you can take up to 26 weeks off through this benefit AND earn wage replacement at the same time. This benefit protects your position and allows you pay on leave. With ENDI a state scientist can supplement NDI payments with Annual Leave to earn wage replacement up to 100%. State Scientists must participate in Annual Leave during periods of ENDI. (You can change between Annual Leave and Vacation/Sick leave every 24 months.)

Be aware of your rights! Take advantage of the benefits provided to you through your MOU! Contact CAPS at caps@capsscientists.org with any questions.

Salary Equity NOW!

by *Patty Velez, President*

On April 3, your CAPS Bargaining Team proudly made a comprehensive salary proposal to Governor Brown's bargaining representatives from CalHR.

This proposal would restore the historical salary relationship which existed between the Environmental Scientist series and related state engineering classifications prior to 2005. That's when then-Governor Gray Davis and the bargaining representative for state engineers (PECG), reached agreement on a salary formula that resulted in salary increases of over 40% during a five-year span--but just for state engineers. You and I went without meaningful salary increases during that period.

This salary proposal would also re-establish historical vertical pay relationships between the rank-and-file and supervisors. That decades-old salary relationship between scientists and engineers was confirmed in a July 2014 pay letter which resulted in immediate salary increases of up to 42% for most state Scientific Supervisors.

Keeping a Sense of Humor. In response to this, we got plenty of feedback from CAPS members, mostly positive. One said: "Ah, yes, it's the perpetual quest for what is fair and just that always falls on deaf ears due to politics. I'll have to ask Stan Lee of Marvel fame at the Comic Con tomorrow what would be fair and just for State scientists."

No doubt the negotiators from CalHR mean to nickel and dime State Scientists once again. We won't have any of it. In spite of the current MOU which delivered a badly needed series of three consecutive annual 5% salary increases, virtually all of us are still way behind, and we know it.

We ARE Serious! The next meeting with CalHR is April 17, and more proposals from CAPS are on the way. This is our last chance with Governor Brown to rectify long-standing

inequities on salary, benefits and working conditions, and we intend to make the most of it.

Thanks To Our Volunteer Experts. A huge thanks goes out to the outstanding Scientists who made salary presentations on behalf of everyone in the bargaining unit: CDFA Veterinarian Maureen Lee Dutra; DTSC Staff Toxicologist Jimmy Spearow; OEHHA Research Scientist III Rachel Broadwin; and DTSC Environmental Scientist Stephanie Lewis.

Speaking of Ms. Lewis, she also chairs the CAPS Bargaining Team, and is one of the most dedicated, hardworking individuals I have served with. The same goes for every other member of the Bargaining Team.

Bargaining for CAPS is challenging, at times tedious, volunteer work. Getting anything meaningful done is always really challenging because the state of California is so miserly, tied to the status quo. Every proposal that costs money, no matter how small, is a BIG DEAL to CalHR and the state Department of Finance. There's nothing wrong with watching the purse carefully, but the state's penny pinching is unacceptable and more than a little annoying.

Yes, MORE! Our needs are great, and not just on salary. The cost of living in high-cost areas, health premiums in rural settings with no choice of providers, reimbursement for safety gear, lodging reimbursement for travel on state business, professional development, are just some among many other things.

YOU can help by supporting your CAPS Team. Become and stay a FULL CAPS Member. Read our updates. Wear your CAPS T-shirt on bargaining Tuesday's. Support our requests. And **MAKE SOME NOISE!!**

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by Patty Velez,
President

New Dependent Verification Process by CalPERS

Beginning January 1, 2018, CalPERS began asking active State and California State University (CSU) employees to meet new requirements to verify that their dependents are eligible for CalPERS health benefits. A new law, Senate Bill 98, requires that those employees provide dependent verification documentation to their employers at least once every three years. Letters are in the mail to active State and CSUS members. Next up will be State/CSUS retirees. Over time, CalPERS will reach out to schools and public agency actives and retirees as well. This will continue on a 3-year cycle indefinitely. Affected CalPERS members are asked to provide to their appointing authority (not CalPERS) the required documentation before the final filing date listed on the letter. It is your **employer's** responsibility to verify the eligibility of your dependents. Dependents will be removed from health coverage if the appointing power doesn't receive documentation by the final filing date.

