

May Revise FAQs

We know CAPS members have a lot of questions regarding the May Revise budget, we do too. While we can clarify some questions now, we unfortunately cannot fully answer other questions and concerns at this point in time. Rest assured that CAPS is working around the clock to not only address the new budget information but also to update our members. As more information becomes available, we will update these FAQs as best we can. We encourage all members to continue to email CAPS with any additional questions, comments, or creative solutions.

1. Q: If the proposed 10% reduction is implemented, would members still receive our 5% pay increase on July 1, 2020?

A: The Governor's May Revise includes a 10% reduction based on June 2020 employee compensation numbers. So, the 10% reduction to be discussed is prior to the 5% increase negotiated for July 1, 2020. The budget currently does not include funding for the July 1st pay increases for any Bargaining Unit. If the raises are not funded, they will not be reflected in the salary scales. Members should *not* expect to see the 5% raise on July 1. We are still waiting for the Budget Bill language to be released to see if "triggers," such as receipt of federal funding, are included to undo these employee compensation reductions. CAPS will do everything we can to protect the planned salary increases while we continue to bargain in good faith with CalHR given our need to resolve the longstanding parity issues facing Unit 10.

2. Q: What is considered employee compensation?

A: Per our understating from CaHR, in addition to salaries, employee compensation includes all items that the Department of Finance (DOF) costs and includes in Department's budgets. As an example, DOF calculates the cost of Section 15.8 Professional Society Dues by Department based on the maximum number of employees who are eligible for the benefit. That cost is then included in Department's annual budgets. CAPS is reviewing the MOU to identify Sections that could be considered employee compensation. Savings from eliminating vacant positions and/or retirements are not considered employee compensation to reach the 10% savings.

3. Q: Can the Legislature override the furlough protections in our current MOU?

A: The short answer is the Administration, with Legislator approval, believes they can. The furloughs are projected for July 1, after the term of our agreement expires. While we are still under what is known as the "Evergreen Clause," the Legislature and the Governor have a statutory constitutional right to ensure a balanced budget. CAPS legal and legislative staff are reviewing our options to provide guidance to CAPS leadership.

4. Q: If we get a 10% pay cut or are furloughed, will our pay be restored to what it is now or is it a permanent pay cut?

A: With any proposed reduction, CAPS would want to see a future "trigger" that allows for anything negotiated to return to its former (or even increased) benefit. During the 2009 to 2013 furloughs, salaries were restored after the furloughs ended.

5. Q: Will furloughs affect our base salaries for retirement considerations?

A: CAPS aims to leave retirement benefits unaffected. Thus, if mandatory furloughs are implemented, your final compensation for pension considerations should not see those reductions. During the 2009 -2013 furloughs, retirement calculations were based on the salary scale and not the furloughed pay. After preliminary meetings with CalHR, the understanding is that, like previous furloughs, retirement calculations will be unaffected.

6. Q: If the July 1st raises will not be funded, would this affect our base salaries for retirement considerations?

A: The budget currently does not include funding for the July 1st 5% pay increase. If the raise is not funded, the salary scales will not be adjusted. If you are retiring soon, your retirement calculation would not include the 5% raise at this time.

7. Q: What is the difference between a “pay cut” and “furloughs”?

A: A “pay cut” would be a reduction in pay, but you would continue to work full time. “Furlough” is an unpaid leave day, that docks pay for the day off.

8. Q: Are the only two options a furlough or a pay cut?

A: No, CalHR has invited all bargaining units to develop and propose creative solutions in lieu of imposed furloughs. The Administration’s goal is to identify a 10% savings in employee compensation within each Bargaining Unit.

9. Q: Will this keep me from getting my Merit Salary Adjustment (MSA) on my anniversary date?

A: No. CAPS has been informed that these budgetary impacts should not affect Merit Salary Adjustments. For members who have not yet reached top step in their classification and/or range, you will still receive your MSA as long as you have met the appropriate requirements.

10. Q: Members currently pay 2.8% to prefund our retirement health care benefits (Other Post Employment Benefit (OPEB)), into the Unit’s California Employers’ Retiree Benefit Trust (CERBT). Will members have to continue to pay into OPEB while furloughed?

A: Both the Administration and the employee equally pay for OPEB, meaning both the Administration and employee pay 2.8% into the CERBT fund. The Administration is proposing to suspend the employee’s contribution, but the Administration will continue to pay their share of the cost.

11. Q: Will members have an opportunity to provide input on how the requested reductions are implemented?

A: In short, yes. The CAPS Bargaining Team will make efforts to continue to update the membership regarding meeting with CalHR and poll the membership appropriately.

12. Q: Is CAPS coordinating efforts with other Unions?

A: CAPS is in communication with other Unions. Each bargaining unit has varying needs, and CalHR is allowing each unit to bargain how to reach the 10% employee compensation savings – there will be no uniform fix unless agreements are not reached.

The membership will be informed, and this document will be updated, as more information becomes available. Please feel free to email your questions, suggestions, and comments to CAPS at caps@capsscientists.org.

Thank you for your continued engagement and support!