



**CAPS
SUPERVISORS
PROPOSALS**

JUNE 29, 2020



Purpose of Today's Proposals:

**DISCUSS EFFECTS OF THE COVID-19 PANDEMIC AND
THE PANDEMIC RECESSION ON
SUPERVISORY STATE SCIENTISTS IN UNIT 10**

EFFECTS OF PANDEMIC ON S10

Since Governor Newsom enacted a Statewide Stay-at-Home order on March 19, 2020, Supervisory State Scientists have been working diligently to ensure State Scientists' work protecting public health, agriculture, the environment, and all of California's Natural Resources continues, uninterrupted.

- When Supervisor's direct reports' schedules shift, so, too, must supervisor's schedules.
 - With the Stay-at-Home order causing an increase in employee absences statewide due to lack of childcare; illness; and other related causes, employee's schedules have understandably shifted to account for these occurrences, through no fault of their own.
 - Supervisory State Scientists must be on-call whenever their direct reports are working. Let's hear some personal anecdotes from the team on this topic.

EFFECTS OF PANDEMIC ON S10, CONT'D

As a direct result of the pandemic, **more work** will be passed on to S10s.

- Scientific Duties are Increasing as a Result of the Pandemic.
 - Many State Scientists have been reassigned during the pandemic to research, test, or trace the spread of COVID-19 in California.
 - Just because an employee is reassigned, does not mean the important work they performed before their reassignment can be put on hold.
 - Workloads for State Scientists are increasing during the pandemic, as not only do State Scientists still have their important "everyday" work to perform, protecting California and its citizens, but they also have new projects to complete brought on by COVID-19.
 - When their direct reports are absent, **it falls to the supervisor to ensure the work is done**, often completed by the supervisor themselves.

EFFECTS OF PANDEMIC RECESSION ON S10

Now that the State has begun to experience the monetary effects of a recession caused as a direct result of the pandemic, **even more work** will be passed on to S10s.

- Budget Issues have **direct effects** on Supervisors' workloads
 - Many Bargaining Units have agreed to Personal Leave Programs for the upcoming fiscal year, and those that don't will likely be subject to furlough under Governor Newsom's plan to save 10% from employee compensation for the State Budget.
 - As previously stated, workloads for State Scientists are increasing during the pandemic, as not only do State Scientists still have their important "everyday" work to perform, protecting California, but also have new projects to complete brought on by COVID-19.
 - Again, when their direct reports are absent, it **falls to the supervisor to ensure the work is done**, often completed by the supervisor themselves.

EFFECTS OF PANDEMIC RECESSION ON S10, CONT'D

Now that the State has additionally begun to experience the monetary effects of a recession caused as a direct result of the pandemic, **even more work** will necessarily be passed on to S10s.

- Budget Issues have **direct effects** on Supervisors' workloads
 - Many Bargaining Units have agreed to suspend their General Salary Increases until such time as California's budgetary outlook improves. Those that haven't simply won't receive their GSI, as the Legislature has declined to fund those in FY 2020-2021.
 - In Unit 10, State Scientists who became members of CalPERS before 2013 have their retirement calculation based on their highest income for 12 consecutive months. If no raises are on the horizon for the next several years, State Scientists nearing retirement may opt to retire now, as their calculation may change very little.
 - As employees leave and the state does not increase salaries, more work will be left to do, with fewer people to do it.

EFFECTS OF THE PANDEMIC & PANDEMIC RECESSION ON S10

As the State delegates more work for State Scientists to perform, institutes policies to cause employees to take additional time off, and declines to provide incentives for employees to continue working past retirement age, the conclusion is simple:

More and more work will fall upon the shoulders of S10s, who, as Work Week Group E employees, do not qualify for overtime.



What can the State do?

The workload is increasing, and the State has no financial incentives to give, as evidenced by the employee compensation reductions requested and implemented by the Newsom Administration and the California State Legislature, so what can be done to help SIOs?

WE HAVE SOME IDEAS.

Summary of Ideas

- Proposal 1: No Pay Cuts, PLP 2020 Program
- Proposal 2: Suspend Employee Contribution Portion of OPEB
- Proposal 3: Accelerate Return of Employee Retirement Contribution Rates
- Proposal 4: Increase Vacation/Annual Leave Cap to 1,024 hours until 2030
- Proposal 5: No Pay Cuts, Defer Raises to 2022 to Match R&F
- Proposal 6: Balance Salary Levels for ALL State Scientist Supervisors
- Proposal 7: Increase EAP
- Proposal 8: Reimbursements for Pandemic-Created Costs
- Proposal 9: Health and Wellness Programs and Participation Reimbursements
- Proposal 10: "Golden Handshakes"

Employee Compensation Reductions

As stipulated by the California State Legislature in AB 84, and as a direct result of the pandemic recession, employee compensation reductions "shall be achieved through any combination of the following: (1) memoranda of understanding or addenda reached pursuant to Section 3517.5 of the Government Code, (2) furloughs, and (3) other reductions for nonrepresented employees achieved with existing administration and statutory authority."

As such, the following proposals are made with respect to these reductions.



Proposal 1:

NO PAY CUTS, IMPLEMENT PLP 2020 PROGRAM

Instead of pay cuts, implement a PLP 2020 program for two days per month (credited on the first of the month), equal to 9.23% employee compensation savings for the State of California, through July 1, 2022.

PLP 2020:

- Shall have no effect on health benefit calculations, retirement benefit calculations, death or disability benefit calculations, salary rates and ranges, or service credit calculations. All calculations for the aforementioned items shall occur as though PLP 2020 did not occur.
- Employees will be given discretion to use PLP 2020 in the same manner as vacation/annual leave, except that employees may also elect to use PLP 2020 in lieu of approved sick leave.
- PLP 2020 not used within the pay period shall be carried over.
- Whenever practicable employees should use all leave earned under PLP 2020 prior to voluntary separation. Appointing powers may schedule employees to take PLP 2020 time off to meet the intent of this section. If an employee's separation is not voluntary and/or the separation date cannot be extended, PLP 2020 shall be cashed out.
- Part-time or permanent intermittent employees shall be subject to the same conditions as stated above, on a prorated basis. Pro-ration shall be determined based on the employee's time base.
- Employees on SDI, NDI, ENDI, IDL, EIDL, or Workers' Compensation for the entire monthly pay period shall be excluded from PLP 2020 for that month.
- Continuation of the Voluntary PLP (VPLP) during the duration of PLP 2020 shall be at the discretion of the employee. If the employee elects to discontinue or make changes to their participation in VPLP, they shall be allowed to opt out or make changes to their election at any time during the PLP 2020 program.

Because any employee compensation savings method enacted for S10s will cause economic hardships, and, as access to wages will help stimulate the economy to help pull California out of this recession, CAPS proposes that the state suspend the employee contribution to OPEB, currently in the amount of 2.8% of employee compensation, for the duration of employee compensation savings program implemented by the State.

CAPS proposes that the State continue to pay its share, ensuring health of the fund for retiree healthcare in the future.

Proposal 2:

**EASE IMPACT OF EMPLOYEE
COMPENSATION SAVINGS ON
S10 WAGES: SUSPEND OPEB
CONTRIBUTION FOR
DURATION OF SAVINGS
METHOD**



Proposal 3:

EARLY RETURN OF RETIREMENT CONTRIBUTIONS TO AGREED-UPON RATES

Unit 10 Employee retirement contributions are scheduled to return to:

- 8% for Miscellaneous/Industrial - First Tier A Members,
- 9% for Miscellaneous/Industrial - First Tier B Members,
- 10% for State Safety A Formula Members, and
- 11% for State Safety B Formula Members on July 1, 2021 (effectively reducing the employee contribution by 0.5%).

To further assuage the impact of any employee compensation reductions implemented by the Administration, CAPS proposes that these contributions return to their original rates on July 1, 2020, a full year ahead of schedule.

This action will return 0.5% of employee compensation to employee's pockets, lessening the impacts on employee's pocketbooks, and therefore the economy.

As discussed, the Pandemic and resulting Pandemic Recession will result in much **more work** being placed squarely on the shoulders of S10s. With more work and no one to do it, supervisors will be unable to take their vacation/annual leave time.

As such, CAPS proposes the increase of the Vacation/Annual Leave Cap described in CalHR Manual Sections 2102 and 2103 be increased to 1,024 hours through July 1, 2030.

Proposal 4:



**INCREASE
VACATION/ANNUAL
LEAVE CAP
THROUGH 2030**

Proposal 5:

**NO PAY CUTS,
RAISE DEFERRALS,
INSTEAD, TO MATCH R&F**

The CAPS Supervisors Committee understands that pursuant to AB 84, Section 100, no increases to employee compensation, such as General Salary Increases, will be funded. Additionally, Section 99 states that "other reductions," may be used to achieve the cost savings for non-represented employees.

Instead, CAPS proposes the following: defer any General Salary Increases to match the Rank-and-File Unit 10 State Scientists until such time as the state receives either:

- Federal Funding related to COVID-19;
- the State's tax revenues provide sufficient funding to fully fund existing statutory and constitutional obligations, existing fiscal policy, and the cost of providing the various pay items that have been suspended or reduced as a result of the COVID-19 Recession; or
- July 1, 2022.



*Proposals for the changing workplace
and changing times.*

First, Our Info Request

CAPS requested the number of Supervisory State Scientists currently employed in the following 33 classifications:

FISH AND WILDLIFE INTERPRETER III, SENIOR HEALTH PHYSICIST, SUPERVISING CHEMIST, SENIOR STATE ARCHAEOLOGIST, STATE HISTORIAN III, RESEARCH SPECIALIST II (VARIOUS STUDIES), PUBLIC HEALTH MICROBIOLOGIST SUPERVISOR (VIROLOGY), PUBLIC HEALTH MICROBIOLOGIST SUPERVISOR, SUPERVISING PUBLIC HEALTH BIOLOGIST, RESEARCH SPECIALIST III (VARIOUS STUDIES), SUPERVISOR, CULTURAL RESOURCES PROGRAM, SUPERVISING HEALTH PHYSICIST, RESEARCH SCIENTIST SUPERVISOR, I (EPIDEMIOLOGY /BIOSYSTEMATIST), RESEARCH SCIENTIST SUPERVISOR I (CHEMICAL SCIENCES), RESEARCH SCIENTIST SUPERVISOR I (MICROBIOLOGICAL SCIENCES), RESEARCH SCIENTIST SUPERVISOR I (SOCIAL/BEHAVIORAL SCIENCES), RESEARCH SCIENTIST SUPERVISOR I (PHYSICAL/ENGINEERING SCIENCES), SENIOR PLANT TAXONOMIST, SENIOR PLANT PATHOLOGIST (DIAGNOSTICIAN) (SUPERVISOR), SENIOR INSECT BIOSYSTEMATIST (SUPERVISOR), RESEARCH SPECIALIST IV (VARIOUS STUDIES), EXAMINER III LABORATORY FIELD SERVICES, CHIEF, LABORATORY FIELD SERVICES BRANCH, STAFF TOXICOLOGIST (SUPERVISOR), SUPERVISING VETERINARIAN (MEAT INSPECTION), RESEARCH SCIENTIST SUPERVISOR II, (EPIDEMIOLOGY /BIOSTATISTICS), RESEARCH SCIENTIST SUPERVISOR II (CHEMICAL SCIENCES), RESEARCH SCIENTIST SUPERVISOR II (MICROBIOLOGICAL SCIENCES), RESEARCH SCIENTIST SUPERVISOR II (SOCIAL/BEHAVIORAL SCIENCES), RESEARCH SCIENTIST SUPERVISOR II (PHYSICAL/ENGINEERING SCIENCES), RESEARCH SCIENTIST SUPERVISOR II (FOOD AND DRUG SCIENCES), RESEARCH SCIENTIST SUPERVISOR II (VETERINARY SCIENCES), SUPERVISING VETERINARIAN (GENERAL)

Info Request, cont'd

Why only 33 classifications?

These classifications represent the Supervisory State Scientists who face a severe salary discrepancy as compared to their peers in the following classifications:

ENERGY COMMISSION SUPERVISOR II (TECHNOLOGY), ENERGY COMMISSION SUPERVISOR II (EFFICIENCY), ENERGY COMMISSION SUPERVISOR II (FORECASTING), SENIOR SEISMOLOGIST, SENIOR ENVIRONMENTAL SCIENTIST (SUPERVISORY), SENIOR LAND AND WATER USE SCIENTIST, SENIOR INDUSTRIAL HYGIENIST, ENVIRONMENTAL PROGRAM MANAGER I (SUPERVISORY), LAND AND WATER USE PROGRAM MANAGER I, SENIOR TOXICOLOGIST, SUPERVISING TOXICOLOGIST

The lag in the 33 classifications is the direct result of a previous administration's decision to honor the letter of the 2006 Like Pay for Like Work lawsuit decision in 2014, not the principles it was built upon. Since that time, these 33 classifications have performed work comparable in responsibility and complexity to their peers in Unit 10, but have not been compensated comparably.

Proposal 6:

Balance the salary levels for all State Scientist Supervisors.

This can be achieved via a series of Special Salary Adjustments implemented as soon as fiscally possible, similar to how the Like Pay for Like Work decision was funded in 2014, and the Senior Toxicologist and Supervising Toxicologist classifications were adjusted in 2018.

In the meantime, provide those 33 classifications with a 5% Special Salary Adjustment, to replace the lost General Salary Increase.

Psychologists worldwide are reporting that they are seeing increased incidences of anxiety and depression, and new clients as a result of the Pandemic.

With workloads set to increase, and more work falling on the shoulders of Supervisory State Scientists, providing more opportunities to access mental health services is a simple action that could help salvage the morale and well being of employees.

CAPS proposes an increase in EAP for S10s to once per month, and an education campaign to explain to S10s what EAP is and what programs are available to them.

Proposal 7:

Increase Employee Assistance Program (EAP) limit.

Proposal 8:

PANDEMIC COSTS

- The COVID-19 pandemic has resulted in a need for Californians to stay at home as much as possible to prevent the spread of the disease. This has resulted in employees working from home, incurring increased costs to employees for internet, electricity, phone, and other associated costs which have effectively altered employee's terms and conditions of employment, or continuing to work outside of the house, potentially exposing themselves to the deadly virus.
 - For employees continuing to telework, temporarily divert the funding from the bicycle commuter program (CalHR Manual Section 1425) and the transit and vanpool incentives (2 CCR § 599.936) to provide State Scientist Supervisors with a monthly reimbursement up to \$100 per month for expenses related to teleworking.
 - Additionally, provide employees with ergonomic evaluations and equipment for home use.

Proposal 8 (cont'd):

PANDEMIC COSTS

- For employees required to continue to work outside of the home, despite the prevalence and incidence of the pandemic, temporarily divert the funding from the bicycle commuter program and the transit and vanpool incentives to provide up to \$100 per month in COVID-19 hazard pay.
- Additionally, ensure employees working outside the home are provided appropriate PPE.

Proposal 9:

HEALTH & WELLNESS

HR Manual, Section 1409 states, "The California Department of Human Resources (CalHR) takes leadership in the coordination of the statewide Employee Health & Wellness program. The Employee Health & Wellness program promotes health, fitness, and illness prevention through educational awareness campaigns and wellness initiatives.

Each state department is required to dedicate resources for their participation in the Employee Health & Wellness program or must arrange to cooperate with other departments in their agency or their geographic proximity for program coordination."

- To continue this principle while working from home, CAPS proposes Departments schedule virtual health and wellness activities for employees to participate in, weekly, without loss of compensation.
- Additionally, CAPS proposes a reimbursement for virtual health promotion activities (i.e. activities that reduce stress) up to \$30 per month.



Proposal 10:

TWO YEARS ADDITIONAL SERVICE CREDIT, "GOLDEN HANDSHAKES"

State Scientists nearing retirement tend to earn a higher salary than early or mid-career State Scientists.

As such, if the State were to offer these employees two years of service credit in exchange for their immediate retirement, the State would save money on compensation in the long-term, and allow for career growth opportunities for early and mid-career employees.

CAPS proposes the State offer two years of service credit to qualifying State Scientist Supervisors for early retirement.

This will allow the state to hire more State Scientist Supervisors for lower personnel costs, helping solve both the workload and financial issues.

Thank you!