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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

CALIFORNIA ASSOCIATION OF
PROFESSIONAL SCIENTISTS,

Case No. 34-2008-00014476-CU-WM-GDS
Department 33

Petitioner,

v.

PEREMPTORY WRIT OF MANDATE

STATE OF CALIFORNIA DEPARTMENT
OF PERSONNEL ADMINISTRATION;
DAVID GILB, DIRECTOR OF
DEPARTMENT OF PERSONNEL
ADMINISTRATION; STATE OF
CALIFORNIA DEPARTMENT OF
FINANCE; MICHAEL GENEST,
DIRECTOR OF FINANCE; STATE
CONTROLLER JOHN CHIANG; and
DOES 1 THROUGH 10, INCLUSIVE,

Respondents.

TO RESPONDENTS STATE OF CALIFORNIA DEPARTMENT OF PERSONNEL
ADMINISTRATION; DAVID GILB, DIRECTOR OF DEPARTMENT OF PERSONNEL
ADMINISTRATION; STATE OF CALIFORNIA DEPARTMENT OF FINANCE; AND
MICHAEL GENEST, DIRECTOR OF FINANCE:

Judgment having been entered in this proceeding, ordering that a peremptory writ of
mandate issue from this court,

You are hereby commanded, immediately upon receiving personal service of this
writ, to perform the following acts:

1. Respondents Department of Personnel Administration and the Director of the
Department of Personnel Administration shall make salary adjustments for the 14 supervisory

1 scientist classifications recommended on April 28, 2008, by the Director of the Department of
2 Personnel Administration pursuant to the like-pay-for-like-work principle in subdivision (a) of
3 Government Code section 19826 to the extent that the adjustments do not require expenditures in
4 excess of existing appropriations that may be used for salary purposes.

5 2. For as long as the adjustments recommended for the 14 supervisory scientist
6 classifications require expenditures in excess of existing appropriations that may be used for
7 salary purposes, respondents Department of Finance and the Director of Finance shall include
8 accurate information furnished by respondent Department of Personnel Administration about the
9 amount of funds needed for the salary adjustments in a Budget Act Log or other document
10 presented to the Legislature for its consideration in appropriating funds for state employees'
11 salary increases. Respondents shall continue to present this information to the Legislature in a
12 suitable document until the Legislature appropriates funds needed to implement the
13 recommended adjustments pursuant to the like-pay-for-like-work principle in subdivision (a) of
14 ~~Government Code section 19826 or until respondents Department of Personnel Administration~~
15 and Director of the Department of Personnel Administration determine in an appropriate quasi-
16 legislative proceeding that the factual basis for the recommended salary adjustments is no longer
17 valid. Respondents shall apprise petitioner of their actions pursuant to this paragraph six months
18 after they receive personal service of this writ and no less than every six months thereafter until
19 the Legislature appropriates the funds needed to make recommended salary adjustments or until
20 respondents Department of Personnel Administration and Director of the Department of
21 Personnel Administration determine in an appropriate quasi-legislative proceeding that the
22 factual basis for the recommended salary adjustments is no longer valid.

23
24 JUL 28 2009



25
26 DENNIS JONES
27 CLERK OF THE SUPERIOR COURT

28 By Christa Beebout
CHRISTA BEEBOUT, DEPUTY