

FLY CAPSULE

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NEW COVID-19 LEAVE BENEFIT FOR STATE EMPLOYEES

Unit 10 employees and other state civil servants can now claim up to 80 hours of supplemental paid sick leave (provided by departments as Administrative Time Off, or "ATO") retroactive to January 1, 2021, under legislation recently signed by Governor Newsom that also extends the coverage through September 30, 2021.

To qualify for the supplemental leave, an employee must request time off for at least one of seven reasons:

They are subject to a quarantine or isolation order related to COVID-19.

A health care provider has advised them to self-quarantine due to concerns related to COVID-19.

They are attending an appointment to receive a COVID-19 vaccine.

They are experiencing symptoms related to a COVID-19 vaccine that prevents the employee from working or teleworking.

They are experiencing symptoms of COVID-19 and seeking a medical diagnosis.

They care for a family member subject to an order or guidelines described in number (1) or (2).

They are caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

The new state benefit closely mirrors an emergency sick leave program provided nationwide by the federal government last spring under the Families First Coronavirus Response Act. That benefit expired on December 31, 2020.

The programs are distinct. Sick leave claimed last year under the lapsed federal program does not count against the new California benefit.

The supplemental paid sick leave is available for immediate use upon an employee's request to their department. If you have used other leave since the start of the year for one of the seven reasons stated above, you are also entitled to request retroactive leave-time reimbursement for that leave under this new benefit. Your human resources office or personnel specialist should have details. More information about the supplemental paid sick leave benefit is available on the CalHR website, hrmanual.calhr.ca.gov/Home/ManualItem/1/2127. Should you need assistance in accessing this benefit, please email us at caps@capsscientists.org.

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HELP CAPS MONITOR RETURN-TO-WORK POLICY



According to recent media reports, the Newsom Administration anticipates all state employees workplaces will reopen by June 15, the same date the state intends to lift pandemic-triggered public health restrictions for the private sector. The state plan will continue emphasizing telework where possible.

CAPS members have a role to play in this significant transition. As the sole representative of Unit 10 employees, CAPS bargains the Unit 10 MOU and ensures employers adhere to its terms. In that latter function, CAPS, for quite some time, has regularly contacted departments to remind them the MOU requires a 30-day notice before enacting a policy with the potential to affect working conditions for virtually every Unit 10 employee. The advance notice gives CAPS time to weigh in on the new policies and, where appropriate, request to meet and confer with the State.

As a CAPS member, you can help. If you hear that your department is starting a return-to-work policy, please let CAPS know by emailing caps@capsscientists.org. Meanwhile, please look for CAPS emails for current news about the Newsom Administration's plans for bringing more State Scientists back to department work sites.



Your CAPS Consultation STATE TEMPORARILY PROVIDES MORE FLEXIBILITY FOR FLEXELECT PROGRAM

"Your CAPS Consultation" is a series that occasionally highlights timely issues that come to the attention of CAPS' labor relations consultants and attorneys. Our seasoned, knowledgeable professionals are standing by to assist CAPS Members – and only members – on matters concerning the Unit 10 MOU, state labor law, and civil service rules and regulations.

The Department of Human Resources recently announced important, temporary rules to the State's FlexElect Medical and Dependent Care Reimbursement Accounts for both the 2020 and 2021 plan years. In keeping with federal law, the changes extend by one year the grace periods for spending accumulated funds and submitting reimbursement claims.

For example, if you participated in the FlexElect plan last year, you will have until December 31, 2021, to incur eligible expenses and spend down your account credit(s). If you are participating this year, you will have until December 31, 2022, to spend down your balance(s). To ensure you get back all the funds in your reimbursement account for 2020, you must submit claims for services provided in 2020 by June 30, 2022. The deadline to submit claims for services provided in 2021 is June 30, 2023.

To read more about the extended FlexElect grace periods and claim submission deadlines and get answers to frequently asked questions about the plan changes, please see the CalHR [website](#).



President's Column

Margarita Gordus



EXPRESS YOURSELF ... CAREFULLY

Some CAPS members have recently planned to use their First Amendment Right to compose an opinion editorial about inequitable pay endured by State Scientists for submission to media outlets. Before they sent the piece to news organizations, they let CAPS' leaders know.

We applaud the effort and appreciate the heads-up. It's a sign of the passion and engagement that animates our union, and we shared the op-ed with members in an emailed link earlier this month. CAPS respects members' freedom to speak publicly about public service.

As CAPS President, the Bargaining Team Chair, and a working State Scientist myself, I understand the concern and frustration motivating members to act independently. There's no distance between CAPS' leaders and members. We will all work under the same Memorandum of Understanding. We take our responsibility seriously as the sole representative of Unit 10 employees recognized by the State of California. So, while members can freely speak for themselves and like-minded colleagues, CAPS must be prudent with what we say publically. We prefer to handle matters subject to bargaining with our bargaining partners through the bargaining process.

CAPS is circumspect, not mute. Our union has decades of experience in media relations. We can, and have, effectively represented our interests to the press when appropriate. With that in mind, here are some things to keep in mind if you want to reach out to media:

CHOOSE CAREFULLY

Many media concerns are heavily partisan, anti-union, or take positions opposed to CAPS interests, such as better pay for State Scientists. Research the outlet and the reporter to understand their point of view before you contact them.

CLAIM AUTHORSHIP

Reputable news outlets rarely take anonymous quotes and never accept unattributed written submissions. Your name is the price of admission to talking in the public square.

OFFER TO ONE OUTLET

Newspapers and websites demand exclusive rights to editorial content. In other words, you can't send your piece to several outlets at the same time. Pick one, and if you don't hear back within seven days, submit your item to another publication.

STAY FOCUSED

Develop one interesting idea thoroughly rather than running through a laundry list of grievances.

BE DIRECT

Writing for public consumption is very different from composing an academic paper or government report. Avoid jargon, acronyms, and passive voice. Adhere to the outlet's op-ed or letters-to-the-editor word limits.

VALUE TRUTH

Factual errors or misleading statements will disqualify your contribution. The facts are on CAPS' side. Stick to those. Use footnotes or endnotes to cite supporting evidence.

CHECK YOURSELF

Ask a friend or family member to read your finished piece and then summarize it in a simple sentence or two. If they can, you're probably ready to submit the item.

CAPS can't officially endorse individuals' points of view because the union represents the entire membership. However, we sincerely appreciate members notifying us when speaking with reporters or submitting letters or opinion articles for publication.

Thanks for supporting CAPS. Together, we are stronger.



CAPS CONDEMNS HATE, VIOLENCE DIRECTED AT AAPI COMMUNITY

The murders of eight people in Atlanta, including six Asian American women, is a tragic, chilling reminder that the Asian American and Pacific Islander (AAPI) community has suffered a marked increase in overt racism and violence nationwide. The California Association of Professional Scientists (CAPS) stands against hate, racism, and xenophobia against people of Asian and Pacific Islander descent. Furthermore, we denounce gender violence, abuse, and racist attacks that target vulnerable groups.

While CAPS condemns these recent heinous acts, we note that America has a long, shameful history of racially scapegoating the AAPI community. From the Chinese Exclusion Act of 1882, to World War II internment camps, to current misinformation campaigns and slurs concerning the COVID-19 pandemic, Asian people have endured a heavy burden for our national insecurities.

But as scientists, we also know that knowledge sheds light on ignorance, eases irrational fear, and moves humanity forward. While some people will cling to racist ideologies regardless of facts, enlightenment will change hearts and stiffen spines to stand against hate.

To that end, the CAPS Board of Directors encourages everyone to explore the following resources, learn about AAPI issues, and consider your role in addressing them:



Let us work together to create a more just world with optimism, hope, light, and love. Hate has no place in science or society. CAPS stands in solidarity with the AAPI community. #StopAAPIHate.

A MESSAGE FOR CAPS MEMBERS REGARDING THE MARCH 26 AAPI STATEMENT

The CAPS Board of Directors recently released the above public statement that our union stands in solidarity with our members of the Asian American and Pacific Islander community. It expands on similar messages CAPS posted on our social media platforms following the murders of six Asian women in Georgia.

CAPS leaders have always respected and valued members' diversity. We have always focused on spending members' dues on matters that impact their jobs and livelihoods. That's why our union exists.

Yet it is appropriate that we speak out now, as the directors of a diverse union of working people who value life, liberty, and the pursuit of happiness, free from the fear of racial discrimination, hatred, and violence. This is not, and should never be, a political issue.

CAPS' opposition to racial injustice in all its forms is not Republican or Democrat. We are not taking a political stand. Declaring CAPS' support for equality is not a loss of our focus; it is inherent in our vision.

CAPS' public stance against racial injustice also aligns with our members' uplifting, life-altering public service.

In Solidarity,
CAPS Board of Directors