

THE CAPS JULY ISSUE

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CAPS URGES VOTES FOR MILLER AND PACHECO IN CALPERS ELECTION

There is no doubt that your pension and health care benefits are two of the most valuable aspects of your state employment. That is why CAPS strongly urges you to vote for two champions of public employees' interests, **David Miller** and **Jose Luis Pacheco**, who are running for seats on the CalPERS Board of Administration.



David Miller



Jose Luis Pacheco

Miller, a former CAPS President and current CAPS Board Member, is a long-time scientist for the California **Department of Toxic Substances Control**. He is seeking a second four-year term for the Member-at-Large Position A seat on the 13-member Board. Pacheco, a California School Employees Association leader and long-time union activist, is running as a first-time candidate for the Position B seat. Pacheco is an IT professional for the **San Jose Evergreen Community College District**.

CAPS endorsed Miller and Pacheco because they are the leaders you can count on to protect your pension and health care benefits at CalPERS. You can learn more about Miller and his campaign by clicking [here](#). This [link](#) opens Pacheco's campaign website.

CalPERS will mail ballot packages and voting instructions to members on August 27. Your vote must be received by mail, telephone, or online by 11:59 p.m. PST on September 27, or it will not be counted.

The CalPERS Board administers the nation's largest public pension system, with assets of approximately \$474 billion serving 2 million members. It also provides health benefits for approximately 1.5 million members and their families, including active and retired state employees.



CAPS in Your Corner CAPS FIGHTS FOR YOUR RIGHT TO CHALLENGE SALARY ERRORS

THE ISSUE The State Personnel Board (SPB) earlier this year [proposed new rules](#) for filing a Merit Issue Complaint (MIC) that, among other changes, would have set a one-year filing deadline. Currently, there is no time limit to file a complaint.

CAPS routinely files MICs on behalf of members hired into state service at salaries below those dictated by the employees' education or experience. In a few successful cases covering many years, the back pay has reached five figures. However, most of the time, MICs are filed within a few years of a member's start with the State.

CAPS' RESPONSE CAPS attorney **Kris Octabiano** (pictured) filed a comment letter in April that strongly urged SPB to reconsider the one-year MIC filing limit. "The first practical issue that arises is that applicants, who are typically placed on a one-year probationary period, do not want to 'cause waves' during this time," Octabiano wrote. "Second, mistakes are often not noticed as readily as possible. CAPS has had instances where a mistake was not able to be found until well after the hire date as far as eleven years back."

WHAT HAS HAPPENED SINCE THEN SPB [amended its proposal](#) to allow three years for MIC filings. Although the Board had not made the regulation change official as of mid-July, there is no doubt CAPS' intervention kept SPB from virtually ending MICs for new state employees – another victory won through our strength and unity!

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CAPS Awards 15 Scholarships to Members' Dependents

For many years, CAPS' Member Benefits Committee has awarded college scholarships to dependents of CAPS members. The Committee, chaired by CAPS District V Director Monty Larson, congratulates the 15 students who this year each received \$750.



LEIA AUYEUNG
2023
American River College
Mechanical Engineering

This scholarship allows me to continue my education at American River College while preparing to transfer. I am honored to have received this scholarship.



BARON CAI
2022
University of California, Irvine
Computer Science & Engineering

This CAPS scholarship is a great support to my undergraduate study in UCI.



DEON DEMBY
2024
San Francisco State University
Physics/Math Minor

Thank you for selecting me for this scholarship!



SHAUN FIERRO
2024
Moorpark College
Computer Science

This scholarship will help me pursue my dreams of working in the computer science field. Thank you CAPS and members for supporting students like me!



SAM GLICK
2024
University of California, Davis
Biological Systems Engineering

I appreciate the opportunity to apply for this scholarship and appreciate the support from my parents and CAPS.



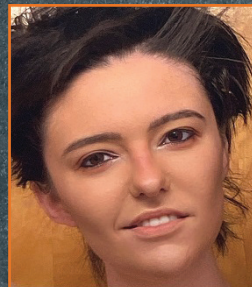
MANULYA GUNASEKERA
2025
University of California, Irvine
Civil Engineering

I am so grateful for this wonderful scholarship opportunity! This will help me continue my studies at UCI!



SAMINYASAR ISLAM
2023
Sierra College
Biological Sciences

Being a pharmacy technician and testing for COVID-19 enlightened me. I aspire to become a doctor to serve my community.



SYDNEY KARL
2024
California State University, Monterey Bay
Japanese Language & Culture

After transferring to CSU Monterey Bay in the Fall to major in Japanese I plan to study abroad. Following graduation, I hope to live in Japan.



MARIAH LANPHAR
2022
University of Washington
Public Health/Law, Society & Justice

COVID-19 exposed how essential an understanding of public health is to overcoming injustices and racism within environmental equity, climate change, policing, healthcare, and more.



SOPHIA LIN
2022
University of California, Santa Barbara
Biopsychology

I've always been fascinated with neurophysiology and cognitive development!



AIDAN MAGER
2022
University of Washington
Math/Experimental Physics

I am, and always have been, intrigued by patterns and being able to discern and describe them through mathematics and physics.



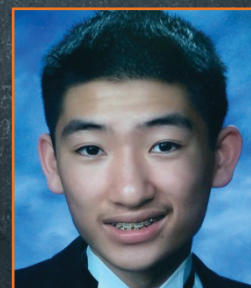
MEGAN MCREYNOLDS
2023
Boise State University
Psychology/Health Science

I am honored to be one of the recipients of the CAPS Dependent Scholarship. I plan to complete a BS in Psychology and apply to Dental School.



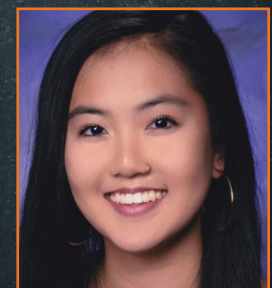
ADRIANA ORTEGA
2023
University of Southern California
Social Work/Public Health

I'm dedicated to helping people like those who raised me gave everything they could for my education. I will help the community that helped me.



JUSTIN PAN
2025
University of California, Davis
Statistics

I am excited to go to UC Davis to study statistics. I hope to use data science to contribute to public health.



MICHELLE YUAN
2023
Fordham University
Global Business & Anthropology

I am honored to be awarded this scholarship. I am committed to my studies and intend to further my education.

President's Column

Margarita Gordus



UNION DEMOCRACY + TELEWORK TRANSITION CONCERNS

It is, perhaps, the most significant benefit of CAPS membership. But it's also a responsibility, and easy to take for granted. It is the foundation of our union.

I'm talking, of course, about voting.

CAPS exists to represent the interests of California State Scientists. The State of California recognizes CAPS as the sole legally authorized bargaining representative for Unit 10. We're a member-run union. However, those designations would ring hollow without members who participate in the process by voting.

Consider our Memorandum of Understanding (MOU), the contract between CAPS and the State that spells out wages, hours, and other terms and conditions of State Scientists' employment. The CAPS Bargaining Team (CAPS Team) has been in discussions for a year-and-a-half to reach a successor MOU. At some point, CAPS will present a tentative agreement for ratification, and members will vote to accept or reject it.

By the way, a survey was recently emailed to members regarding salaries that will assist the CAPS Team in proceeding through the next steps of the Interest-Based Bargaining Process. The results will help inform our discussions with the Newsom Administration during this crucial phase of our talks. So please thoughtfully reply if you haven't already.

Soon, CAPS members will choose our next Board of Directors, a governing body of State Scientists who volunteer to serve for two-year terms. CAPS embraces that governance model because its founders and subsequent leaders agree it keeps Board members in touch with constituents. Ultimately, however, it is up to the members to ensure the system works by educating themselves about the issues and individuals and voting accordingly.

In the interest of strengthening our union's democracy, I am pleased to report that CAPS' Elections Committee recently decided to take the next Board election online via a proven, secure, efficient, and cost-effective electronic ballot. More details about that system are forthcoming, so watch your email for more information if you have not received it already.

On another note, the CAPS Team, which I chair, has discussed telework in recent bargaining sessions. It is clear from our talks with CalHR and CAPS members that there are many unknowns on the State's side.

Some departments have released some tidbits of information to their employees. Others have released nothing. Some employers have claimed certain state/department policies prohibit out-of-state teleworking. However, as I write this column in mid-July, various departments have told CAPS no such policies exist – at least not yet. Instead, those decisions will take place on a case-by-case basis, based on an employee's duties, they say.

The CAPS Team has transition concerns, such as what notice is given to employees and CAPS about returning to the office. And we are concerned about workplace safety, of course, as new COVID strains are emerging in combination with slowing vaccination rates. CalHR has preferred to focus potential contract language on the new normal of post-pandemic telework and not address our transition concerns in a successor MOU.

Nevertheless, CAPS will continue to seek a resolution to all of these issues and report developments to members as they occur. Please watch for more details in upcoming CAPS Bargaining Updates sent to your email inbox and posted on the capsscscientists.org Bargaining Updates [page](#). The page is only available to members, so check your regular CAPS email updates for the password.

On behalf of all CAPS leaders, thanks for your continued support as we navigate these unprecedented and uncertain times together.

ENCAPSULATED NEWS



State Scientists started moving into the new Natural Resources Agency building in Downtown Sacramento this month. CAPS will soon survey affected members to get a sense of concerns and priorities for the new workplace. The responses will shape the agenda for a Meet and Confer session CAPS has requested with Agency leaders. The more responses received, the better CAPS can represent members, so prompt replies are appreciated.



The Department of Cannabis Control (DCC) has opened for business, with State Scientists from Consumer Affairs, Food and Agriculture, and Public Health transferred into the new entity. CAPS has already held a Meet and Confer on behalf of transitioning supervisors, and the topic has come up in CAPS members-only online town hall meetings. CAPS is monitoring the DCC launch and invites members to bring up issues in future town hall meetings or contact their nearest CAPS office with questions or concerns.

Following the meeting, CalHR released a pay letter that changed an earlier notice to CAPS that the State would provide all Supervisory and Managerial employees commensurate raises to their rank-and-file counterparts regardless of the LPLW established relationships. The new notice once again ties those LPLW classifications to their engineering counterparts. While this tie is positive, CAPS has requested another Meet and Confer with CalHR to discuss the conflicting notices and seek an additional 0.8% increase that was not given to LPLW classes (but was given to Engineering classes) in 2015. You can view the Committee's most recent presentation [here](#).



HELP YOUR CAPS BARGAINING TEAM!

Follow @CAPS on Social Media!

Check out CAPS' Twitter and Instagram messaging campaign for posts that advocate pay equity for State Scientists. The messages highlight how we protect the environment and California's natural resources, provide food security, and safeguard public health. Some of the messages directly address Governor Newsom through his social media accounts, while others use words and phrases sure to get his attention.

Don't have a Twitter or Instagram account? No problem! Simply download the app for Twitter or Instagram to your device and follow a few simple instructions to sign up. (Facebook users can log in to Instagram without creating a separate account.) Once you have set up your account, enter @capsscscientists in either app's search field and, once the CAPS homepage opens, click the "FOLLOW" button.

Look for posts every Tuesday and Thursday between 4 p.m. and 6 p.m. to retweet @capsscscientists messages on Twitter, like them on Instagram, or share by copying the posts' links into your other social media accounts, such as Facebook.



STRESSED? STRUGGLING WITH CHANGE?

CAPS' MOU Provides Employee Assistance

While some aspects of state employment are returning to normal – such as the end of PLP 2020 this month – you may still feel the pandemic's impact on your life. From hybrid work schedules and child care concerns to lingering financial or personal-relationship anxieties, COVID-19 continues to affect everyone. It can be a bit overwhelming.

Fortunately, [Section 5.2](#) of CAPS' Memorandum of Understanding includes access to an Employee Assistance Program (EAP) for help when the strain is too much to manage alone. Professional, confidential support is available 24 hours a day, seven days a week by phone at 866-327-4762 and online via soceap.magellanascend.com. In addition, a third-party vendor provides services, which are also available to [qualified dependents](#), and all shared information is kept confidential.

CAPS encourages you to take advantage of the program if you need it. There's no need to struggle alone.

RECEIVE CAPS BARGAINING TEAM NEWS via Emails, Website



One of the many benefits of CAPS membership is access to detailed news from CAPS' Bargaining Team as they meet with Governor Gavin Newsom's Administration to reach a new Memorandum of Understanding. Watch your inbox for emails with the latest developments, or check the Bargaining Updates [webpage](#) for the most recent reports, plus an exhaustive archive dating back to March 2020.



HAPPY NEW FISCAL YEAR!

The CAPS MOU provides several annual benefits that renew with the July 1 start of Fiscal Year 2021-22. Some benefits do not carry over from year to year, so CAPS advises you to schedule them as soon as possible to avoid losing them when the fiscal year ends.



Personal Holiday (one day)



Arduous Duty Differential (up to four months)



Professional Development Days* (two days)



Employee Assistance Program (EAP) Sessions*

(three sessions per State Scientist, plus three sessions per their spouse or domestic partner and dependents)



Mentoring Leave* (up to 40 hours)

*Does not accumulate from year to year.

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