

OCTOBER ISSUE: #21-10
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WHAT'S INSIDE?

2021-23 Board of Directors

CAPS Urges Members to Sign
 Telework Agreements ASAP

CAPS-Supported Candidates
 Win CalPERS Board Elections

CAPS Legislative Year in Review

President's Column:
 A New Reason All State
 Scientists Should Choose CAPS

CAPS Awards \$1,600 to Members
 for Professional Development

CAPS Members Elect 2021-23 Board of Directors

The election to seat the next CAPS Board of Directors concluded October 18 with four first-time members joining eight who have served previously. The Board oversees all aspects of CAPS' operations and sets the direction for professional staff to conduct the union's day-to-day business.

CAPS thanks everyone who ran for office and all the members who voted. Here is your 2021-2023 CAPS Board of Directors:



Margarita Gordus
President
 CDFW – Fresno
 Senior Environmental
 Scientist (Specialist)



Daniel Ellis
Vice President
 SWRCB – Sacramento
 Senior Environmental
 Scientist (Specialist)



Justin Garcia
Secretary
 CDFW – West Sacramento
 Environmental Scientist



Kris Weise
Treasurer
 CDFW – Ontario
 Senior Environmental
 Scientist (Specialist)



Alice Nash*
District I Director
 CDFW – Los Alamitos
 Environmental Scientist



Jacqueline Tkac*
District II Director
 CCWQCB – San Luis Obispo
 Environmental Scientist



Itzia Rivera*
District III Director
 CWC – Sacramento
 Senior Environmental
 Scientist (Specialist)



David Rist
District IV Director
 DTSC – Berkeley
 Senior Environmental
 Scientist (Specialist)



Monty Larson
District V Director
 CDFW – Fortuna
 Senior Environmental
 Scientist (Specialist)



Mia Roberts*
Director At-Large
 CDFW – West Sacramento
 Environmental Scientist



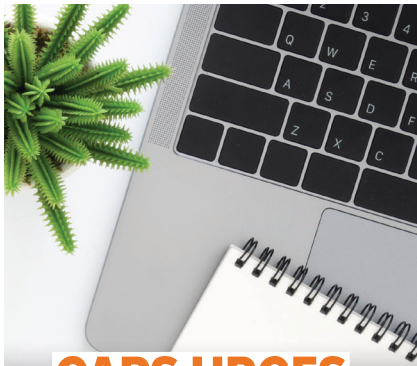
David Miller
Director At-Large
 DTSC – Sacramento
 Senior Environmental
 Scientist (Specialist)



Kelley Aubushon
Supervisory Director
 CDFA – Tulare
 Senior Environmental
 Scientist (Supervisor)

The new CAPS Board convenes for its first meeting on Saturday, November 6, 2021, at 9 a.m. It will be held both online and in person. Due to COVID-19 considerations, in-person participation is limited to Board members and staff. Members who wish to attend will need to [pre-register for the event here](#). Registrations must be received no later than Friday, November 5, 2021, in order to attend. All members are welcome. Attendees must follow the [CAPS Virtual Meeting Participant Expectations](#).

*First-time serving on the CAPS Board of Directors.



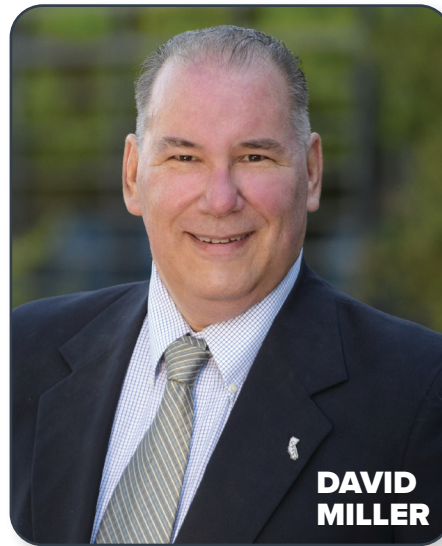
CAPS URGES MEMBERS TO SIGN TELEWORK AGREEMENTS ASAP

Now that the State has published its [Telework Policy](#), CAPS urges all members to update their current telework agreement on file or fill out and file the Telework Agreement, [Form STD 200](#). Remote-centered teleworkers (employees who work at least 50% from an alternate worksite) will qualify for a \$50 monthly stipend. Office-centered teleworkers (defined as those who work more than 50% from the office) will be eligible for a \$25 stipend each month.

The stipends will be retroactive to October 1, 2021, as long as telework agreements recognize whether a member is remote- or office-centered, with the first payments anticipated early next year.

The State's new telework policy allows departments to take up to a year to create new non-emergency telework policies or adjust existing policies tailored to their workforces. Departments must notify the unions before issuing any new telework policies.

CAPS-SUPPORTED CANDIDATES WIN CALPERS BOARD ELECTIONS



DAVID
MILLER



JOSE LUIS
PACHECO

CAPS Board Member David Miller and Jose Luis Pacheco have overwhelmingly won election to the two Member-at-Large seats on the CalPERS Board of Administration. In balloting that concluded October 1, Miller, the incumbent and a Toxic Substances Control State Scientist, was reelected to the Position A seat with more than 72% of the vote. Pacheco, an IT professional with the San Jose Evergreen Community College District, defeated incumbent Margaret Brown for Position B with nearly 62% of the vote. Miller and Pacheco will be sworn in during the Board's January meeting.

CAPS endorsed Miller and Pacheco because they possessed the proven experience, credentials, and dedication necessary to be the strong voices active and retired CalPERS members need on the Board of Administration in the years to come.

CAPS congratulates both candidates on their impressive wins and thanks them for their willing service to all of California's public employees in CalPERS.



CAPS LEGISLATIVE YEAR IN REVIEW, PART 2

Last month's CAPSule highlighted how CAPS members, supporting one of the most experienced legislative advocacy teams in California, helped push through a bill that substantially increased investments for the Department of Fish and Wildlife's budgets.

This month, we look at another measure CAPS' Legislative Representatives worked on and supported to reform the Department of Toxic Substances Control (DTSC). Here are some specifics of [SB 158](#):

Establishes a five-member Board within DTSC, composed of a full-time chairperson and four part-time paid members. The Governor appoints three members of the Board, and requires Senate confirmation and the Legislature appoints two.

► [Continued on page 4...](#)

President's Column

Margarita Gordus



A NEW REASON ALL STATE SCIENTISTS SHOULD CHOOSE CAPS

Here's a new reason to value CAPS' membership: State telework.

We're talking about the most significant change to state employment since the Dills Act ushered in unions 45 years ago. And like that landmark law, telework affects everyone drawing a paycheck from the State of California.

Now understand, I love my job. I enjoy public service. I'm a second-generation state employee. I'm a proud State Scientist and CAPS member. But I've heard enough stories and seen enough for myself to know that massive government change is a trial-and-error exercise. Unfortunately, sometimes the ratio of error-to-trial is inordinately high.

For example, when the Schwarzenegger Administration ordered state-employee furloughs a dozen years ago, the State's 1970s-era payroll system miscalculated many state employees' pay -- twice. Once when pay was reduced and again when full compensation was restored. A few years later, the State Controller's Office (SCO) tried to modernize the payroll system, but a test run of 1,500 SCO employees' warrants deducted funds for child support and health insurance -- then failed to make the payments, among many other errors. Unfortunately, some employees didn't know until their doctor's office told them or they received a legal notice of non-payment.

And think about the Dills Act. Nearly a half-century ago, it empowered state employees to collectively bargain. But the repercussions of that monumental change require vigilance. So it's the job of CAPS labor consultants and attorneys to hold our State employer accountable to the terms and conditions of our collectively bargained Memorandum of Understanding (MOU). Why? Well, sometimes they don't understand it. And sometimes, they simply don't adhere to it.

And now, telework.

Like the Dills Act, telework impacts nearly every state employee. However, telework as we know it now started as a response to a public health crisis then evolved into policies and practices that each department will develop over the next year. This raises the likelihood of new rules and policies followed by even more rules and policies as unimagined challenges arise. The first draft of the State's standard telework agreement is *10 pages*. How long before new circumstances prompt additional conditions to which employees must agree?

The telework side letter agreement bargained with CAPS says that if you work remotely at least half of the time, you can receive a monthly \$50 stipend. If you work remotely less than half time, you are eligible for a \$25 stipend each month.

There will be challenges, but CAPS is ready to meet them. Perhaps you don't receive your stipend. Or you're working from home 52% of the time, but your employer says you're working from home just 49% of the time. Or maybe you are denied telework even when some or all your duties can be conducted remotely. Or your department more favorably evaluates and promotes State Scientists who work in the office, but you work from home. As a CAPS member, you have a measure of security if these or other telework issues come up because CAPS has your back.

And we are looking to the future. CAPS Bargaining Team bargained another side letter agreement that establishes an interim Joint Management and Labor working group, and we hope to include it in our successor MOU, although it is not guaranteed. As always, we will be here to protect members. And our combined strength will give us a voice in shaping state telework's future through meet-and-confer with departments or CalHR, bargaining, the grievance process, and even the courts if necessary.

If you know a colleague who has yet to join CAPS, explain that CAPS negotiated the stipend and now stands ready to help them navigate this new massive change to state employment. It starts when they choose strength and choose unity by choosing to join CAPS!

CAPS AWARDS \$1,600 TO MEMBERS FOR PROFESSIONAL DEVELOPMENT

Four times each year, CAPS' Member Benefits Committee awards up to four Professional Development Grants of \$400 to support members' scientific research and professional development activities that the State does not fully fund. The Committee recently awarded 3rd quarter grants these four deserving members:

Bryan Landis, an Associate Industrial Hygienist based in Fish & Wildlife's Sacramento office, used his \$400 grant toward the cost of study materials and the exam fee to earn his Certified Industrial Hygienist credential, which he recently obtained. The additional education gave Bryan "additional knowledge and skills" for work, he noted on his application, and meets a requirement for promotion to Senior Industrial Hygienist.

San Diego-based Assistant State Archaeologist Juliette Meling recently started work on a Master's degree in her field and is using her grant to offset some of the cost. "Receiving my Master's degree will empower and enable me to conduct upper-level research for the State's Resource Department," Juliette wrote when she applied for a grant, "and help drive the Department of Parks and Recreation to create projects that preserve our cultural resources."

Esther Odufuwa, an Energy Commission Specialist I who works in Sacramento, enrolled in an eight-month online course, Sustainable Transportation: Planning and Livable Communities. She is using the grant to help pay for the continuing education offered through the University of Washington. "This course will improve my knowledge and skills in transportation-related activities," Esther wrote in her grant application, "and enhance my ability to advance and excel in the field."

Based in Red Bluff, Forestry & Fire Protection Environmental Scientist Emily Wilkinson will use her \$400 grant to partially offset tuition and other costs to earn a Certificate of Achievement in Geographic Information Services (GIS). "I often use GIS for planning prescribed burns," Emily told the CAPS Member Benefits Committee, and (for) work on wildfire incidents." The course at American River College, she said, will sharpen her skills.

The Member Benefits Committee prefers disbursing awards among CAPS members in various state departments and agencies, to the extent possible. The Committee selects up to four \$400 grant recipients each January, April, July, and October for the prior quarter. You can find details about this popular **members-only program** and how to apply on the CAPS Professional Development Grants page at <https://capsscscientists.org/application/benefits/grant/>.

► ...continued from page 2

Specifies the Board's responsibilities, including:

- Annually aligning charges for the Hazardous Waste Control Account (HWCA) and Toxic Substances Control Act (TSCA) based on legislative changes to appropriation levels;
- Hearing and deciding appeals of hazardous waste facility permit decisions made by DTSC;
- Providing opportunities for public hearings on DTSC's permit and remediation decisions;
- Reviewing and approving the Director's annual priorities and adopting performance metrics;
- Developing long-term goals for DTSC's programs;
- Analyzing DTSC's fee structure; and,
- Analyzing DTSC's programs and their relationship with related programs in other agencies and, to the extent necessary, develop recommendations to improve coordination between programs and reduce or eliminate duplication/overlap.
- Increases fees by \$104 million per year across the two accounts and establishes a new one, the Hazardous Waste Facilities Account.
- It restructures HWCA fees by basing them on the actual tonnage generated waste rather than imposing flat rates based on tiered weight classes.
- It also raises TSCA fees for businesses with more than 500 employees to a maximum of \$56,000 annually, up from \$17,000 now.

CAPS sent letters of support for overhauling DTSC, which also outlined concerns with the Department's ability to attract and retain scientists unless the pay inequity that currently exists is resolved.

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