

Management Counter Proposal

Bargaining Unit: 10

Date: July 28, 2021; 12:03PM

Exclusive Representative: CAPS

Article: 3

Subject: 3.2 Sick Leave

- A. As used in this section, "sick leave" means the necessary absence from duty of an employee because of:
1. Illness or injury, including illness or injury relating to pregnancy.
 2. Exposure to a contagious disease which is determined by a physician to require absence from work.
 3. Dental, eye, and other physical or medical examination or treatment by a licensed practitioner.
 4. Absence from duty for attendance upon the employee's ill or injured parent, spouse mother, father, husband, wife, domestic partner that has been defined and certified with the Secretary of State's office in accordance with Family Code Section 297, child, sibling, grandparent, grandchild son, daughter, brother, or sister, or any person residing in the immediate household. Such absence shall be limited to six (6) workdays per occurrence or, in extraordinary situations, to the time necessary for care until physician or other care can be arranged.
 - a. "Child" as defined by Labor Code 245.5 and Unemployment Insurance Code 3302, meaning biological, adopted, or foster child, stepchild, legal ward, child of a domestic partner, or child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
 - b. "Parent" as defined by Labor Code 245.5, meaning a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
 5. Being a victim of domestic violence, sexual assault, or stalking.
- B. A full-time employee who has eleven (11) or more working days of service in a monthly pay period shall be eligible for up to eight (8) hours of sick leave credit. On the first day of the monthly pay period following completion of each qualifying pay period of service, each full-time employee shall earn eight (8) hours of credit for sick leave with pay.

Management Counter Proposal

- C. Credit for less than full-time employees shall be computed as follows:
1. Part-time employees. On the first day of the monthly pay period following completion of each monthly pay period of continuous service, each part-time employee shall be allowed, on a pro rata basis, the fractional part of eight (8) hours credit for sick leave with pay.
 2. Multiple positions under this rule:
 - a. An employee holding a position in State service in addition to the primary full-time position with the State shall not receive credit for sick leave with pay for service in the additional position;
 - b. Where an employee holds two (2) or more "less than full-time positions," the time worked in each position shall be combined for purposes of computing credits for sick leave with pay, but such credits shall not exceed the amount earned for (8 hours per pay period) full-time employment credit.
- D. The department head or designee shall approve sick leave only after having ascertained that the absence is for an authorized reason and may require the employee to submit substantiating evidence including, but not limited to, a physician's or licensed practitioner verification. The State recognizes the confidential nature of the relationship between the health care provider and patient. However, such substantiation shall include, but not be limited to, the general nature of the employee's illness or injury and prognosis (i.e., the anticipated length of the absence, any restrictions upon return to work that prevent the employee from performing the full range of his/her normal work assignment and anticipated future absences). If the department head or designee does not consider the evidence adequate, the request for sick leave shall be disapproved. Upon request, a denial of sick leave shall be in writing stating the reason for denial.
- E. An employee may be required to provide a physician's or licensed practitioner's verification of sick leave when:
1. The employee has a demonstrable pattern of sick leave abuse; or
 2. The supervisor believes the absence was for an unauthorized reason.
- F. Sick leave may be accumulated without limit.
- G. Sick leave may be requested and taken in fifteen (15) minute increments.

CAPS Bargaining Team Chair

Signature: *Margarita Gordus*
Margarita Gordus (Aug 5, 2021 15:16 PDT)

Email: margarita.gordus@wildlife.ca.gov

Aug 5, 2021

Principal Labor Relations Officer

Signature: *Jacquelyn Sanders*
Jacquelyn Sanders (Aug 5, 2021 15:18 PDT)

Email: jacquelyn.sanders@calhr.ca.gov

Aug 5, 2021

Management Counter Proposal

Bargaining Unit: 10

Date: July 28, 2021; 11:44AM

Exclusive Representative: CAPS

Article:

Subject: 3.8 Jury Duty

- A. An employee shall be allowed such time off without loss of compensation as is required in connection with mandatory jury duty. If payment is made for such time off, the employee is required to remit to the State jury fees received. An employee may be allowed time off without loss of compensation if approved by the department head or designee for voluntary jury duty such as grand jury.
- B. An employee shall notify ~~his/her~~ their supervisor immediately upon receiving notice of jury duty.
- C. If an employee elects to use accrued vacation leave, annual leave, personal leave or compensating time off CTO while on jury duty, the employee is not required to remit jury fees.
- D. For purposes of this Section, "jury fees" means fees received for jury duty excluding payment for mileage, parking, meals, or other out-of-pocket expenses.
- E. If an employee is assigned an approved alternate work week schedule, the employee is not required to return to work after an eight (8) hour period of jury duty has been served.
- F. At the employee's request, an approved alternate work schedule (e.g. 9/8/80, 4/10/40, etc.) may temporarily revert to a standard work schedule of 5/8/40 Monday through Friday in full week increments for the duration of the jury duty assignment. For the purpose of this Section, a work week is defined as 12:00 a.m. Sunday through 11:59 p.m. Saturday.

CAPS Bargaining Team Chair

Signature: Margarita Gordus
Margarita Gordus (Aug 5, 2021 15:16 PDT)

Email: margarita.gordus@wildlife.ca.gov

Aug 5, 2021

Principal Labor Relations Officer

Signature: Jacquelyn Sanders
Jacquelyn Sanders (Aug 5, 2021 15:18 PDT)

Email: jacquelyn.sanders@calhr.ca.gov

Aug 5, 2021

Management Counter Rollover Proposal

Bargaining Unit: 10

Date: July 28, 2021; 11:48AM

Exclusive Representative: CAPS

Article:

Subject: 5.3 Medical Monitoring

When required by California Division of Occupational Safety and Health (DOSH) provisions, the State shall provide medical examinations for employees working in occupations which expose them to health risks. Examinations shall be in accordance with DOSH regulations.

Upon request by CAPS, medical monitoring programs shall be discussed by the appropriate departmental Joint Labor/Management Health and Safety Committee. Recommendations by the Committee will take into account the status of current technology, scientific recommendations for such programs and the need for a specified departmental program.

CAPS Bargaining Team Chair

Signature: *Margarita Gordus*
Margarita Gordus (Aug 5, 2021 15:16 PDT)

Email: margarita.gordus@wildlife.ca.gov

Aug 5, 2021

Principal Labor Relations Officer

Signature: *Jacquelyn Sanders*
Jacquelyn Sanders (Aug 5, 2021 15:18 PDT)

Email: jacquelyn.sanders@calhr.ca.gov

Aug 5, 2021

MANAGEMENT COUNTER PROPOSAL

Bargaining Unit: 10

Date: July
28,2021; 11:56AM

Exclusive Representative: CAPS

Article: 15

Subject: Career Development

15.2 Performance Appraisal and Individual Development Plan

- A. The performance appraisal system of each department shall include annual written performance appraisals for permanent employees. Such performance appraisals shall be completed at least once each 12 calendar months after an employee completes the probationary period for the class in which he/she is they are serving. The department shall notify CAPS when performance standards are implemented or changed.
- B. The department shall notify CAPS when performance standards are implemented or changed.
- C. The purpose of the Individual Development Plan (IDP) is to establish personal objectives and develop a plan for achieving professional growth, training, career mobility and/or future career changes. An employee is not required to participate in the IDP process. If an employee elects not to participate, this decision will not be held against them.
- D. Departments shall notify each eligible employee of the opportunity to submit an IDP at least annually for full-time employees and for Permanent Intermittent (PI) employees who work seven hundred fifty (750) hours or more annually.
- E. The IDP process shall not be part of the performance appraisal or disciplinary process. If all or part of the IDP is disapproved, the employee shall be notified in writing.

CAPS Bargaining Team Chair

Signature: Margarita Gordus
Margarita Gordus (Aug 5, 2021 15:16 PDT)

Email: margarita.gordus@wildlife.ca.gov

Aug 5, 2021

Principal Labor Relations Officer

Signature: Jacquelyn Sanders
Jacquelyn Sanders (Aug 5, 2021 15:18 PDT)

Email: jacquelyn.sanders@calhr.ca.gov

Aug 5, 2021