

CAPS Counter Proposal

Bargaining Unit: 10

Date: February 9, 2022; 2:01PM

Exclusive Representative: CAPS

Article: 3

Subject: 3.23 Personal Leave Program - 2020

~~A. Effective with the first day of the July 2020 pay period through the June 2022 June 2021 pay period, employees will be were subject to the The Personal Leave Program 2020 (PLP 2020) provided for 2 days or 16 hours per month in the manner outlined below. PLP 2020 shall have no cash value and may not be cashed out prior to separation.~~

~~A. Each full-time employee shall continue to work their assigned work schedule and shall have a reduction in pay equal to 9.23%.~~

~~B. Each full-time employee shall be credited with 16 hours of PLP 2020 on the first day of each pay period for the duration of the PLP 2020 program.~~

~~C. Salary rates and salary ranges shall not be reduced.~~

~~D. B. Employees will be given discretion to use PLP 2020 in the same manner as vacation/annual leave (Sections 3.1 and 3.13, respectively) subject to operational considerations.~~

~~1. Employees are encouraged use the leave in the pay period it was earned. All PLP 2020 leave not used within the pay period it was earned shall be carried over.~~

~~2. PLP 2020 time must may be used before any other paid leaves with the exception of sick leave and Professional Development Days.~~

~~3. Employees may elect to use PLP 2020 in lieu of approved sick leave.~~

~~4. Subject to the above, requests for use of PLP 2020 leave must be submitted in accordance with departmental policies on vacation/annual leave.~~

~~E. C. Whenever practicable, employees ~~should~~ are encouraged to use all leave earned under PLP 2020 prior to voluntary separation. Appointing powers may schedule employees to take PLP 2020 time off to meet the intent of this section. PLP 2020 shall have no cash value and may not be cashed out prior to separation, unless if an employee's separation is not voluntary, and or the separation date cannot be extended, at which point PLP 2020 shall be cashed out.~~

~~F. D. Time during which an employee is excused from work because of PLP 2020 leave shall not be considered as "time worked" for purposes of determining the number of hours worked in a work week.~~

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- ~~G. A State employee shall be entitled to the same level of State employer contributions for health, vision, dental, flex elect cash option, and enhanced survivor's benefits they would have received had the PLP 2020 not occurred.~~
- H. PLP 2020 shall not cause a break in State service, nor a reduction in the employee's accumulation of service credit for the purposes of seniority and retirement. PLP 2020 does not affect other leave accumulations, or service towards a merit salary adjustment.
- I. PLP 2020 shall neither affect the employee's final compensation used in calculating State retirement benefits nor reduce the level of State death or disability benefits to supplement those benefits with paid leave.
- J. The PLP 2020 reductions shall not affect transfer determinations between state civil service classifications or movement between ranges.
- ~~K. Part time employees shall be subject to the same conditions as stated above, on a pro-rated basis. Pro-ration shall be determined based on the employee's time base consistent with the chart in Article 4.1K.~~
- ~~L. PLP 2020 for permanent intermittent employees shall be pro-rated based upon the number of hours worked in the monthly pay period, pursuant to the chart in Section P below.~~
- ~~M. PLP 2020 shall be administered consistent with the existing payroll system and the policies and practices of the State Controller's Office.~~
- ~~N. Employees on SDI, NDI, ENDI, IDL, EIDL, or Workers' Compensation for the entire monthly pay period shall be excluded from PLP 2020 for that month.~~
- ~~O. Seasonal and temporary employees are not subject to PLP 2020.~~
- P. All Permanent Intermittent employees shall be subject to the pro-ration of salary and PLP 2020 credits pursuant to the chart below:

Hours Worked During Credit Pay Period	Hours of PLP 2020 Credits
0-10.9	1
11-30.9	2
31-50.9	4
51-70.9	6
71-90.9	8
91-110.9	10
111-130.9	12
131-150.9	14
151 or over	16

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~~Q. Continuation of the Voluntary PLP (VPLP) during the duration of PLP 2020 shall be at the discretion of the employee. If the employee elects to discontinue or make changes to their participation in VPLP, they shall be allowed to opt out or make changes to their election at any time during the PLP 2020 program.~~

R. E. Disputes regarding the denial of the use of PLP 2020 time may be appealed through the grievance procedure. The decision by the Department of Human Resources shall be final and there may be no further appeals.

S. F. PLP 2020 accruals do not expire.

T. G. Employees shall be allowed to modify their participation in Voluntary Personal Leave Program (VPLP) from the first day of the July 2021 pay period until three calendar months after that date. After this time period, the standard modification timeframes will go back into effect, per Section 3.19.