

CAPS COUNTER PROPOSAL

Bargaining Unit: 10

Date: April 20, 2022 @
1:11PM

Exclusive Representative: CAPS

Article: 3

Subject: Leaves

3.1 Vacation Leave

- A. Employees shall not be entitled to vacation leave credit for the first six (6) months of service. On the first day of the monthly pay period following completion of six (6) qualifying monthly pay periods of continuous service, all full-time employees covered by this Section shall receive a one-time vacation bonus of 42 hours of vacation credit. Thereafter, for each additional qualifying monthly pay period, the employee shall be allowed credit for vacation with pay on the first day of the following monthly pay period as follows:

7 months to 3 years.....	7 hours per month
37 months to 10 years.....	10 hours per month
121 months to 15 years.....	12 hours per month
181 months to 20 years.....	13 hours per month
20 years and over.....	14 hours per month

1. An employee who returns to State service after an absence of six (6) months or longer caused by a permanent separation shall receive a one-time vacation bonus on the first monthly pay period following completion of six (6) qualifying pay periods of continuous service in accordance with the employee's total State service before and after the absence.
- B. Breaks in employment of eleven (11) work days or more, including unpaid leaves of absence, shall not be counted as qualifying service for vacation purposes set forth under Subsection A above. Absences from State service resulting from a temporary or permanent separation for more than eleven (11) consecutive working days which fall into two (2) consecutive qualifying pay periods shall disqualify the second pay period.
- C. Employees working less than full-time accrue vacation in accordance with the applicable CalHR rules.
- D. If an employee does not use all of the vacation that the employee has accrued in a calendar year, the employee may carry over ~~his/her~~ their accrued vacation credits to the following calendar year to a maximum of 640 hours, unless subjected to the cap increase specified in Subsection E below. A department head or designee may permit an employee to carry over more than 640 hours, or the hours allowed by Subsection E below, whichever is greater, of accrued vacation leave hours if an employee was unable to reduce ~~his/her~~ their accrued hours because the employee:
1. Was required to work as a result of fire, flood, or other extensive emergency;
 2. Was assigned work of a priority or critical nature over an extended period of time;
 3. Was absent on full salary for compensable injury;

4. Was prevented by department regulations from taking vacation until December 31 because of sick leave;
5. Was on jury duty; or
6. Was prevented by the department head or designee from utilizing accrued vacation.

It is the employee's responsibility to utilize all vacation hours in excess of the 640 hours cap by the end of each calendar year unless otherwise prevented from doing so as enumerated in Items (1) through (6) above. Whenever an employee's vacation accumulation exceeds 640 hours or the hours allowed in Subsection E below, whichever is greater, the department head or designee has the right to order the employee to submit a vacation request which will demonstrate how and when the employee plans to use any hours which will exceed the cap by the end of the calendar year. If the employee does not use the time as planned for reasons other than those listed above, the department head or designee may then order the employee to take the excess time at the convenience of the department.

- E. The 640-hour cap shall be increased by the equivalent number of Personal Leave Program (PLP) 2020 hours BU 10 employees have been subject to until June 30, 2025.
- F. Upon termination from State employment, the employee shall be paid for accrued vacation credits for all accrued vacation time.
- G. The time when vacations shall be taken by the employee shall be determined by the department head or designee. If an employee's vacation accumulation will exceed the vacation cap in Subsection D at any time during a calendar year, the department head or designee has the right to order the employee to take vacation during the calendar year.
- H. Vacation requests must be submitted in accordance with departmental policies on this subject. However, when two or more employees on the same shift (if applicable) in a work unit (as defined by each departmental head or designee) request the same vacation time and approval cannot be given to all employees requesting it, employees shall be granted their preferred vacation period in order of seniority (defined as total months of State service in the same manner as vacation is accumulated). When two or more employees have the same amount of State service, department seniority will be used to break the tie. Vacation schedules which have been established in a work unit, pursuant to the seniority provisions in this Section, shall not be affected by employee(s) entering the unit after the schedule has been established.
- I. Each department head or designee will make every effort to act on vacation requests in a timely manner.
- J. Vacations will be canceled only when operational needs require it.
- K. BU 10 employees in Work Week Group 2 may request and use vacation leave credits in 15-minute increments.

CAPS Bargaining Committee Chair

Signature: David Rist
David Rist (Apr 21, 2022 10:57 PDT)

██████████@██████████

Apr 21, 2022

Principal Labor Relations Officer

Signature: Candace Murch
Candace Murch (Apr 21, 2022 11:01 PDT)

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Apr 21, 2022

CAPS Counter Proposal

Bargaining Unit: 10

Date: April 21, 2022 @ 1040am

Exclusive Representative: CAPS

Article: 19

Subject: Miscellaneous

19.XXX (New) The California State Payroll System Project

The parties agree, upon notice by the State, to reopen only pertinent applicable MOU sections ~~provisions~~ needed to implement changes required by the California State Payroll System Project.

CAPS Bargaining Committee Chair

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