

## CAPS Counter Proposal

**Bargaining Unit: 10**

**Date: July 13, 2022 at 1049am**

**Exclusive Representative: CAPS**

**Article: 19**

**Subject: Miscellaneous**

### **19.6 Transportation Incentives**

- A. The State and Union agree that the State shall encourage employees to use alternate means of transportation to commute to and from work in order to reduce traffic congestion and improve air quality.
- B. Mass Transit  
Effective the first day of the pay period following ratification by both parties,  
eEmployees working in areas served by mass transit, including rail, bus, or other commercial transportation licensed for public conveyance shall be eligible for a 100.75-percent (100.75%) discount on public transit passes sold by State agencies up to a maximum of \$65.00 per month the monthly exclusion amount provided by the Internal Revenue Service (IRS). Employees who purchase public transit passes on their own shall be eligible for a 100.75-percent (100.75%) reimbursement up to a maximum of \$65.00 per month the monthly exclusion amount provided by the IRS. The combined maximum allowable monthly exclusion amount for employees who are eligible to claim both mass transit and vanpool shall not exceed the combined IRS maximum monthly exclusion amount. This shall not be considered compensation for purpose of retirement contributions. The State may establish and implement procedures and eligibility criteria for the administration of this benefit including required receipts and certification of expenses.
- C. Van Pool  
Effective the first day of the first pay period following ratification by both parties,  
eEmployees riding in vanpools or driving in vanpools shall be eligible for a 100.75 percent (100.75%) reimbursement of the monthly fee up to a maximum of \$65.00 per month. the monthly exclusion amount provided by the IRS. In lieu of the vanpool rider reimbursement, the State shall provide \$100.00 per month to each State employee who is the primary vanpool driver, meets the eligibility criteria, and complies with program procedures as developed by the State for primary vanpool drivers. The combined maximum allowable exclusion amount for employees who are eligible to claim both mass transit and vanpool shall not exceed the combined IRS maximum monthly exclusion amount. This shall not be considered compensation for purposes of retirement contributions. A vanpool is defined as a group of seven (7) or more people who commute together in a vehicle (State or non-State) specially designed to carry an appropriate number of passengers. A vanpool must, at a minimum, meet the definition of a "commuter highway vehicle" in Internal Revenue Code section 132 (f), including seating

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capacity requirements. The State may establish and implement procedures and eligibility criteria for the administration of this benefit.

D. Mass Transit and Vanpool

Effective the first day of the pay period following ratification by both parties, eEmployees headquartered out-of-state shall receive reimbursement for qualified public transportation and vanpool expenses for 10075 percent (10075%) of the cost up to a maximum of ~~\$65.00 per month or in the case of the primary vanpool driver, the \$100.00 per month rate~~ the monthly exclusion amount provided by the IRS. The combined maximum allowable monthly exclusion amount for employees who are eligible to claim both mass transit and vanpool shall not exceed the combined IRS maximum monthly exclusion amount. This shall not be considered compensation for purpose of retirement contributions. The appointing power may establish and implement procedures regarding the certification of expenses.

E. For the term of this Agreement, the parties agree that the State may increase parking rates in existing owned or leased lots, in urban congested areas, no more than twenty dollars (\$20.00) per month above the current rate charged to employees in specific locations where they park. Congested urban areas are such as Sacramento, San Francisco Bay, Fresno, Los Angeles, San Bernardino, Riverside, and San Diego areas. Every effort shall be made to provide employees 60 days but no less than 30 days' notice of a parking rate increase. The State shall not increase rates for existing parking lots where employees do not currently pay parking fees. Rates at new lots administered or leased by the State will be set at a level comparable to rates charged for similar lots in the area of the new lot, e.g. rates for open lots shall be compared to rates for open lots, rates for covered parking shall be compared with rates for covered parking.

F. **When a Department determines that their current location or parking arrangement needs to be adjusted, any Unit 10 employee shall not encumber any additional cost associated with parking (lots or meters). Any departmental move or adjustment that results in a new or increased parking cost to Unit 10 employees shall be reimbursed at cost.**

G. **Should any employee have been affected as detailed in subsection F above between the dates of February 3, 2020 and on, those employees will also be reimbursed at cost as a result of departmental moves.**

H. The State shall continue a system for employees where parking fees may be paid with pre-tax dollars.

I. Notwithstanding any other provision of this Contract, the Union agrees that the State may implement new policies or change existing ones in such as transit subsidies, vanpool/carpool incentives, walking/biking incentives, parking, parking fees, hours of work, and other actions to meet the goals of transportation

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incentives. The State agrees to notify and meet-and-confer regarding the impact of such new or changed policies.