

# CAPS COUNTER PROPOSAL

**Bargaining Unit:** 10

**Date:** 12/16/22 @  
1:15am

**Exclusive Representative:** CAPS

**Article:** 2

**Subject:** Salaries

## 2.1 Salaries

- A. Effective November 1, 2022, Bargaining Unit 10 employees (except those in classifications listed in D and E below) shall receive a Special Salary Adjustment (SSA) of 2.5%.
- B. Effective July 1, 2023, all Bargaining Unit 10 employees shall receive a General Salary Increase (GSI) of 2%.
- C. Effective July 1, 2024, all Bargaining Unit 10 employees shall receive a General Salary Increase (GSI) of 2%.
- D. Effective November 1, 2022, Bargaining Unit 10 employees in the following classifications shall receive a 10% Special Salary Adjustment (SSA).

0181	VETERINARIAN (MEAT INSPECTION)
0177	VETERINARIAN (GENERAL)
0176	VETERIANARIAN SPECIALIST (GENERAL)
0180	VETERINARIAN SPECIALIST (MEAT INSPECTION)
0492	SENIOR SEED BOTANIST (SPECIALIST)
0493	ASSOCIATE SEED BOTANIST
0495	SEED BOTANIST
0501	SENIOR PLANT NEMATOLOGIST (SPECIALIST)
0512	ASSOCIATE PLANT NEMATOLOGIST
0531	SENIOR INSECT BIOSYSTEMATIST (SPECIALIST)
0534	ASSOCIATE INSECT BIOSYSTEMATIST
0537	INSECT BIOSYSTEMATIST
1273	ASSOCIATE PLANT PATHOLOGIST (DIAGNOSTICIAN)
1274	SENIOR PLANT PATHOLOGIST (DIAGNOSTICIAN) (SPECIALIST)
1272	PLANT PATHOLOGIST (DIAGNOSTICIAN)

- E. Effective November 1, 2022, Bargaining Unit 10 employees in the following classifications shall receive a 4% Special Salary Adjustment.

0762	ENVIRONMENTAL SCIENTIST
0765	SENIOR ENVIRONMENTAL SCIENTIST(SPECIALIST)
3529	HAZARDOUS MATERIALS SPECIALIST

0757	INTEGRATED WASTE MANAGEMENT SPECIALIST
1989	SENIOR INTEGRATED WASTE MANAGEMENT SPECIALIST
3824	JUNIOR INDUSTRIAL HYGIENIST
3855	ASSISTANT INDUSTRIAL HYGIENIST
3856	ASSOCIATE INDUSTRIAL HYGIENIST
5837	ENERGY ANALYST
4056	ASSOCIATE ENERGY SPECIALIST (TECHNOLOGY EVALUATION AND DEVELOPMENT)
4184	ENERGY COMMISSION SPECIALIST I (TECHNOLOGY EVALUATION AND DEVELOPMENT)
4185	ENERGY COMMISSION SPECIALIST II (TECHNOLOGY EVALUATION AND DEVELOPMENT)
4186	ENERGY COMMISSION SPECIALIST III (TECHNOLOGY EVALUATION AND DEVELOPMENT)
4598	ASSOCIATE ENERGY SPECIALIST (FORECASTING)
4947	ENERGY COMMISSION SPECIALIST I (FORECASTING)
4948	ENERGY COMMISSION SPECIALIST II (FORECASTING)
4949	ENERGY COMMISSION SPECIALIST III (FORECASTING)
4807	ENERGY RESOURCES SPECIALIST I
4806	ENERGY RESOURCES SPECIALIST II
4938	ASSOCIATE ENERGY SPECIALIST (EFFICIENCY)
4935	ENERGY COMMISSION SPECIALIST I (EFFICIENCY)
4936	ENERGY COMMISSION SPECIALIST II (EFFICIENCY)
4937	ENERGY COMMISSION SPECIALIST III (EFFICIENCY)
6230	JUNIOR INDUSTRIAL HYGIENE SPECIALIST, STATE COMPENSATION INSURANCE FUND
9322	ASSISTANT INDUSTRIAL HYGIENE SPECIALIST, STATE COMPENSATION INSURANCE FUND
9359	JUNIOR ERGONOMIC SPECIALIST, STATE COMPENSATION INSURANCE FUND
9360	ASSISTANT ERGONOMIC SPECIALIST, STATE COMPENSATION INSURANCE FUND
9361	ASSOCIATE ERGONOMIC SPECIALIST, STATE COMPENSATION INSURANCE FUND
3779	ASSISTANT HEALTH PHYSICIST
3781	JUNIOR HEALTH PHYSICIST
3803	ASSOCIATE HEALTH PHYSICIST
3931	SENIOR GEOLOGIST (SPECIALIST)
7941	ASSOCIATE TOXICOLOGIST
7978	STAFF TOXICOLOGIST (SPECIALIST)
5576	RESEARCH SCIENTIST I (CHEMICAL SCIENCES)
5577	RESEARCH SCIENTIST I (EPIDEMIOLOGY/BIOSTATISTICS)
5578	RESEARCH SCIENTIST I (MICROBIOLOGICAL SCIENCES)
5579	RESEARCH SCIENTIST I (PHYSICAL/ENGINEERING SCIENCES)
5580	RESEARCH SCIENTIST I (SOCIAL/BEHAVIORAL SCIENCES)
5581	RESEARCH SCIENTIST II (CHEMICAL SCIENCES)



5582	RESEARCH SCIENTIST II (EPIDEMIOLOGY/BIOSTATISTICS)
5585	RESEARCH SCIENTIST II (FOOD AND DRUG SCIENCES)
5587	RESEARCH SCIENTIST II (MICROBIOLOGICAL SCIENCES)
5588	RESEARCH SCIENTIST II (PHYSICAL/ENGINEERING SCIENCES)
5590	RESEARCH SCIENTIST II (SOCIAL/BEHAVIORAL SCIENCES)
5608	RESEARCH SCIENTIST IV (CHEMICAL SCIENCES)
5609	RESEARCH SCIENTIST IV (EPIDEMIOLOGY/BIOSTATISTICS)
5611	RESEARCH SCIENTIST IV (FOOD AND DRUG SCIENCES)
5612	RESEARCH SCIENTIST IV (MICROBIOLOGICAL SCIENCES)
5613	RESEARCH SCIENTIST IV (PHYSICAL/ENGINEERING SCIENCES)
5622	RESEARCH SCIENTIST IV (SOCIAL/BEHAVIORAL SCIENCES)
5625	RESEARCH SCIENTIST IV (VETERINARY SCIENCES)
7858	RESEARCH SPECIALIST V -VARIOUS STUDIES-
7867	RESEARCH SPECIALIST III -VARIOUS STUDIES- (U10)
7860	RESEARCH SPECIALIST II -VARIOUS STUDIES- (U10)
7861	RESEARCH SPECIALIST I -VARIOUS STUDIES-
7954	PUBLIC HEALTH MICROBIOLOGIST I
7948	PUBLIC HEALTH MICROBIOLOGIST II
7950	PUBLIC HEALTH MICROBIOLOGIST II – VIROLOGY
7940	PUBLIC HEALTH MICROBIOLOGIST SPECIALIST
7939	PUBLIC HEALTH MICROBIOLOGIST SPECIALIST (VIROLOGY)
7949	EXAMINER I LABORATORY FIELD SERVICES
7946	EXAMINER II LABORATORY FIELD SERVICES
7910	CYTOTECHNOLOGIST, LABORATORY FIELD SERVICES
8060	CHEMIST
8068	STAFF CHEMIST
0565	ASSISTANT PUBLIC HEALTH BIOLOGIST
0564	ASSOCIATE PUBLIC HEALTH BIOLOGIST
0563	SENIOR PUBLIC HEALTH BIOLOGIST
8057	SPECTROSCOPIST

Candace Murch

*Candace Murch*

Candace Murch (Dec. 16, 2022 02:38 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

*J Tkac*

Jacqueline Tkac (Dec. 16, 2022 02:46 PST)

CAPS Bargaining Chair

Dec 16, 2022

# CAPS PROPOSAL

**Bargaining Unit:** 10

**Date:** 12/16/22

@1:16am

**Exclusive Representative:** CAPS

**Article:** 20

**Subject:** Entire Agreement and Duration

## 20.3 Contract Appropriation

The State and CAPS agree to present to the Legislature a provision to appropriate funds to cover the economic term of this agreement through January 1, 2025. This will maintain Unit 10 employee salaries and benefits in case of an untimely budget.

Candace Murch

*Candace Murch*

Candace Murch (Dec 16, 2022 02:40 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

*JT*

Jacqueline Tkac (Dec 16, 2022 02:47 PST)

CAPS Bargaining Chair

Dec 16, 2022

# MANAGEMENT COUNTER PROPOSAL

**Bargaining Unit:** 10

**Date:** December 15, 2022 @  
11:48 pm

**Exclusive Representative:** CAPS

**Article:** 17

**Subject:** Classification

## 17.3 New - Internal Class Promotional Joint Labor Management Committee

The parties agree to form a Joint Labor Management Committee (JLMC) who will meet to examine the promotional structure including the Minimum Qualifications for the following classification series: Environmental Scientist, Seismologist, Integrated Waste Management Specialist, Industrial Hygienist, Energy Commission Specialist, Geologist, and Toxicologist. Ensuring an equally attractive technical and administrative promotional pathways in the promotional structure of the series is a priority and will enable California to compete for and retain scientific expertise.

The Joint Labor Management Committee will be comprised of no more than eight (8) CAPS representatives, one from each of the classification series, and no more than eight (8) management representatives determined by CalHR which may include appropriate departmental representatives. The first meeting of the Joint Labor Management Committee will occur within two (2) months after full ratification of the MOU. The JLMC shall be completed no later than January 1, 2025, with the intent to complete the recommendations as soon as possible, but no later than June 30, 2024.

The JLMC will submit its recommendations to the Director of CalHR for consideration. If the State and CAPS mutually agree that as a result of the committee's recommendations to the Director of CalHR there is a critical issue that warrants immediate action, the parties agree to meet and confer to address the identified issue.

Candace Murch

*Candace Murch*

Candace Murch (Dec 16, 2022 02:43 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

*Jacqueline Tkac*

Jacqueline Tkac (Dec 16, 2022 02:48 PST)

CAPS Bargaining Chair

Dec 16, 2022



## Management Counter Proposal

Bargaining Unit: 10

Date: February 23, 2022 @11:19 am

Re-passed August 17, 2022 @ 2:05 pm

Exclusive Representative: CAPS

Article: 2

Subject: Salaries

### 2.10 Recruitment and Retention Differentials

A. Avenal, Ironwood, Calipatria, Centinela, Chuckawalla Valley, Pelican Bay, California Correctional Center, and High Desert State Prisons.

1. Employees who are employed at Avenal, Ironwood, Calipatria, Centinela, Chuckawalla Valley, Pelican Bay, California Correctional Center, and High Desert State Prisons, Department of Corrections for twelve (12) consecutive qualifying pay periods, shall be eligible for a recruitment and retention bonus of \$2,600.00, payable thirty (30) days following the completion of the twelve (12) consecutive qualifying pay periods.
2. If an employee voluntarily terminates, transfers, or is discharged prior to completing twelve (12) consecutive pay periods at Avenal, Ironwood, Calipatria, Centinela, Chuckawalla Valley, Pelican Bay, California Correctional Center, and High Desert State Prisons, there will be no pro-rata payment for those months at any facility.
3. If an employee is mandatorily transferred by the Department, ~~he/she~~ they shall be eligible for a pro-rata share for those months served.
4. If an employee promotes to a different facility, or department other than Avenal, Ironwood, Calipatria, Centinela, Chuckawalla Valley, Pelican Bay, California Correctional Center, and High Desert State Prisons prior to completion of the twelve (12) consecutive qualifying pay periods, there shall be no pro-rata to this recruitment and retention bonus. After completing the twelve (12) consecutive qualifying pay periods, an employee who promotes within the Department will be entitled to a pro-rata share of the existing retention bonus.
5. Part-time and intermittent employees shall receive a pro-rata share of the annual recruitment and retention differential based on the total number of hours worked excluding overtime during the twelve (12) consecutive qualifying pay periods.
6. Annual recruitment and retention payments shall not be considered as compensation for purposes of retirement contributions.
7. Employees on IDL, as outlined in Section 5.6 of this contract, shall continue to receive this stipend.

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## Management Counter Proposal

8. If an employee is granted a leave of absence, the employee will not accrue time toward the twelve (12) qualifying pay periods, but the employee shall not be required to restart the calculation of the twelve (12) qualifying pay periods ~~all~~ over. For example, if an employee has worked four (4) months at the qualifying institution and then takes six (6) months' parental leave, the employee will have only eight (8) additional qualifying pay periods before receiving the initial payment of \$2,600.00.

Candace Murch

Candace Murch

Candace Murch (Dec 16, 2022 02:46 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

Jacqueline Tkac

Jacqueline Tkac (Dec 16, 2022 02:49 PST)

CAPS Bargaining Chair

Dec 16, 2022

## Management Proposal

Bargaining Unit: 10

Date: June 9, 2022 @ 4:57 pm

Exclusive Representative: CAPS

Article: 2

Subject: Salaries

### 2.17 Educational Pay Differential

- A. Effective the first day of the pay period following ratification, ~~all CAPS represented employees who work in a classification that requires possession of a masters' degree as a condition of employment~~ identified in Appendix 1 and possess a master's degree shall receive a monthly pay differential of two (2) percent of base salary.
- B. Effective the first day of the pay period following ratification, ~~all CAPS represented employees who work in a classification identified in Appendix 2 and possess a doctoral degree or a degree of Doctor of Medicine that requires possession of a doctoral degree or a degree of Doctor of Medicine, as a condition of employment~~ shall receive a monthly pay differential of three (3) percent of base salary.
- C. Eligibility criteria listed in A and B above may not be combined and rates are not cumulative.
- D. When an employee meets the criteria listed in both A and B above, the employee shall only be eligible for one amount based on the highest degree held.
- E. This differential shall not be considered compensation for purposes of retirement contributions.
- F. In order to qualify for the educational pay differential, employees shall have a master's degree, doctoral degree or Doctor of Medicine from an accredited institution and be in one of the classifications identified in Appendix 1 or Appendix 2.

Candace Murch

*Candace Murch*

Candace Murch (Dec 16, 2022 02:47 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

*JT*

Jacqueline Tkac (Dec 16, 2022 02:50 PST)

CAPS Bargaining Chair

Dec 16, 2022



BU 10 Represented and Excluded  
Classes That Require a **License**

Appendix 1				
	CLASS CODE	CBID	CLASS TITLE	EDUCATION QUALIFICATION
				Possession of Masters Degree
	7941	R10	ASSOCIATE TOXICOLOGIST	MASTERS
	8057	R10	SPECTROSCOPIST	MASTERS
	0537	R10	INSECT BIOSYSTEMATIST	MASTERS
	1272	R10	PLANT PATHOLOGIST (DIAGNOSTICIAN)	MASTERS
	5591	R10	RESEARCH SCIENTIST III (CHEMICAL SCIENCES)	MASTERS
	5594	R10	RESEARCH SCIENTIST III (EPIDEMIOLOGY/BIOSTATISTICS)	MASTERS
	5596	R10	RESEARCH SCIENTIST III (FOOD AND DRUG SCIENCES)	MASTERS
	5599	R10	RESEARCH SCIENTIST III (MICROBIOLOGICAL SCIENCES)	MASTERS
	5604	R10	RESEARCH SCIENTIST III (PHYSICAL/ENGINEERING SCIENCES)	MASTERS
	5605	R10	RESEARCH SCIENTIST III (SOCIAL/BEHAVIORAL SCIENCES)	MASTERS
	5606	R10	RESEARCH SCIENTIST III (VETERINARY SCIENCES)	MASTERS
	0495	R10	SEED BOTANIST	MASTERS
	0534	R10	ASSOCIATE INSECT BIOSYSTEMATIST	MASTERS
	0512	R10	ASSOCIATE PLANT NEMATOLOGIST	MASTERS
	1273	R10	ASSOCIATE PLANT PATHOLOGIST (DIAGNOSTICIAN)	MASTERS
	0493	R10	ASSOCIATE SEED BOTANIST	MASTERS
	3755	R10	ASSOCIATE SEISMOLOGIST	MASTERS
	7946	R10	EXAMINER II, LABORATORY FIELD SERVICES	MASTERS
	5581	R10	RESEARCH SCIENTIST II (CHEMICAL SCIENCES)	MASTERS
	5582	R10	RESEARCH SCIENTIST II (EPIDEMIOLOGY/BIOSTATISTICS)	MASTERS
	5585	R10	RESEARCH SCIENTIST II (FOOD AND DRUG SCIENCES)	MASTERS
	5587	R10	RESEARCH SCIENTIST II (MICROBIOLOGICAL SCIENCES)	MASTERS
	5588	R10	RESEARCH SCIENTIST II (PHYSICAL/ENGINEERING SCIENCES)	MASTERS
	5590	R10	RESEARCH SCIENTIST II (SOCIAL/BEHAVIORAL SCIENCES)	MASTERS
	0531	R10	SENIOR INSECT BIOSYSTEMATIST (SPECIALIST)	MASTERS
	0501	R10	SENIOR PLANT NEMATOLOGIST (SPECIALIST)	MASTERS
	1274	R10	SENIOR PLANT PATHOLOGIST (DIAGNOSTICIAN) (SPECIALIST)	MASTERS
	0492	R10	SENIOR SEED BOTANIST (SPECIALIST)	MASTERS

BU 10 Represented and Excluded  
Classes That Require a License

Appendix 2				
	CLASS CODE	CBID	CLASS TITLE	EDUCATION QUALIFICATIONS
				Possession of PHD or MD
	7941	R10	ASSOCIATE TOXICOLOGIST	PHD
	7978	R10	STAFF TOXICOLOGIST (SPECIALIST)	PHD
	5608	R10	RESEARCH SCIENTIST IV (CHEMICAL SCIENCES)	PHD/MD
	5609	R10	RESEARCH SCIENTIST IV (EPIDEMIOLOGY/BIOSTATISTICS)	PHD/MD
	5611	R10	RESEARCH SCIENTIST IV (FOOD AND DRUG SCIENCES)	PHD/MD
	5612	R10	RESEARCH SCIENTIST IV (MICROBIOLOGICAL SCIENCES)	PHD/MD
	5613	R10	RESEARCH SCIENTIST IV (PHYSICAL/ENGINEERING SCIENCES)	PHD/MD
	5622	R10	RESEARCH SCIENTIST IV (SOCIAL/BEHAVIORAL SCIENCES)	PHD/MD
	5625	R10	RESEARCH SCIENTIST IV (VETERINARY SCIENCES)	PHD/MD
	5627	R10	RESEARCH SCIENTIST V (CHEMICAL SCIENCES)	PHD/MD
	5629	R10	RESEARCH SCIENTIST V (EPIDEMIOLOGY/BIOSTATISTICS)	PHD/MD
	5631	R10	RESEARCH SCIENTIST V (FOOD AND DRUG SCIENCES)	PHD/MD
	5634	R10	RESEARCH SCIENTIST V (MICROBIOLOGICAL SCIENCES)	PHD/MD
	5635	R10	RESEARCH SCIENTIST V (PHYSICAL/ENGINEERING SCIENCES)	PHD/MD
	5636	R10	RESEARCH SCIENTIST V (SOCIAL/BEHAVIORAL SCIENCES)	PHD/MD
	5637	R10	RESEARCH SCIENTIST V (VETERINARY SCIENCES)	PHD/MD
	8057	R10	SPECTROSCOPIST	PHD
	0177	R10	VETERINARIAN (GENERAL)	PHD/DVM
	0176	R10	VETERINARIAN SPECIALIST (GENERAL)	PHD/DVM
	0181	R10	VETERINARIAN (MEAT INSPECTION)	PHD/DVM
	0180	R10	VETERINARIAN SPECIALIST (MEAT INSPECTION)	PHD/DVM
	5591	R10	RESEARCH SCIENTIST III (CHEMICAL SCIENCES)	PHD
	5594	R10	RESEARCH SCIENTIST III (EPIDEMIOLOGY/BIOSTATISTICS)	PHD
	5596	R10	RESEARCH SCIENTIST III (FOOD AND DRUG SCIENCES)	PHD
	5599	R10	RESEARCH SCIENTIST III (MICROBIOLOGICAL SCIENCES)	PHD
	5604	R10	RESEARCH SCIENTIST III (PHYSICAL/ENGINEERING SCIENCES)	PHD
	5605	R10	RESEARCH SCIENTIST III (SOCIAL/BEHAVIORAL SCIENCES)	PHD
	5606	R10	RESEARCH SCIENTIST III (VETERINARY SCIENCES)	PHD
	0534	R10	ASSOCIATE INSECT BIOSYSTEMATIST	PHD
	0512	R10	ASSOCIATE PLANT NEMATOLOGIST	PHD
	1273	R10	ASSOCIATE PLANT PATHOLOGIST (DIAGNOSTICIAN)	PHD
	0493	R10	ASSOCIATE SEED BOTANIST	PHD
	3755	R10	ASSOCIATE SEISMOLOGIST	PHD
	0531	R10	SENIOR INSECT BIOSYSTEMATIST (SPECIALIST)	PHD
	0501	R10	SENIOR PLANT NEMATOLOGIST (SPECIALIST)	PHD
	1274	R10	SENIOR PLANT PATHOLOGIST (DIAGNOSTICIAN) (SPECIALIST)	PHD
	0492	R10	SENIOR SEED BOTANIST (SPECIALIST)	PHD

# CAPS COUNTER PROPOSAL

**Bargaining Unit:** 10

**Date:** 12/16/22 @  
1:16am

**Exclusive Representative:** CAPS

**Article:** 2

**Subject:** Salaries

## 2.18 Geographical Pay Differential

- A. Effective the first day of the pay period following ratification by both parties, all Bargaining Unit 10 employees whose worksite is located in Alameda, Contra Costa, Marin, San Mateo, Santa Clara or San Francisco County shall receive a monthly \$250 differential.
- B. The differential is subject to an employee working a qualifying pay period.
- C. This differential shall not be considered compensation for the purposes of retirement contributions.
- D. Employees on IDL shall continue to receive this differential.
- E. In the event a worksite is relocated out of one of the counties listed above, this differential shall cease at the end of the month the relocation occurs.
- F. If an employee transfers out of one of the counties listed above, the differential shall cease at the end of the month the transfer occurs.

Candace Murch

Candace Murch

Candace Murch (Dec 16, 2022 02:48 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

Jacqueline Tkac

Jacqueline Tkac (Dec 16, 2022 02:51 PST)

CAPS Bargaining Chair

Dec 16, 2022



# MANAGEMENT COUNTER PROPOSAL

**Bargaining Unit:** 10

**Date:** December 15, 2022 @ 5:23pm

**Exclusive Representative:** CAPS

**Article:** 2

**Subject:** Salaries

## 2.20 NEW - CalHR Total Compensation Report Joint Labor Management Committee

- A. The parties agree to form a Joint Labor Management Committee (JLMC) who will meet and discuss the components, including the criteria, comparators, and the methodology utilized for Unit 10 in the CalHR Total Compensation Report, created pursuant to California Government Code section 19826, subdivision (c). Topics may include geographical status, longevity in tenure with the state, classification selection, gender pay equity of the Unit and other related topics tied to this provision.
- B. The Joint Labor Management Committee will be comprised of at least six (6) CAPS representatives and six (6) representatives from the State which includes CalHR. Additional participants may be added by mutual agreement. The CAPS representatives will serve without loss of compensation and all other expenses, including travel, shall be the responsibility of CAPS. The first meeting of the Joint Labor Management Committee will occur no later than eighteen (18) months prior to the expiration of the MOU.

Candace Murch

*Candace Murch*

Candace Murch (Dec 16, 2022 02:50 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

*Jacqueline Tkac*

Jacqueline Tkac (Dec 16, 2022 02:51 PST)

CAPS Bargaining Chair

Dec 16, 2022

## Management Proposal

**Bargaining Unit: 10**

**Date: May 11, 2022 @ 10:26 am**

**Exclusive Representative: CAPS**

**Article: 13**

**Subject: General Provisions**

### **13.6 Supersession**

The following enumerated Government Code Sections and Education Code Sections and all existing rules, regulations, standards, practices and policies which implement the enumerated Government Code Sections and Education Code Sections are hereby incorporated into this Agreement. However, if any other provision of this Agreement alters or is in conflict with any of the Government Code Sections or Education Code Sections enumerated below, the Agreement shall be controlling and supersede said Government Code Sections or Education Code Sections or parts thereof and any rule, regulation, standard, practice or policy implementing such provisions. The Government Code Sections listed below are cited in Section 3517.6 of the Dills Act.

#### **A. Government Code Sections**

##### **1. General**

- |       |                                                                                                                           |
|-------|---------------------------------------------------------------------------------------------------------------------------|
| 19824 | Establishes monthly pay periods.                                                                                          |
| 19839 | Provides lump sum payment for unused vacation accrued or compensating time off upon separation.                           |
| 19888 | Specifies that service during an emergency is to be credited for vacation, sick leave and Merit Salary Adjustments (MSA). |

##### **2. Step Increases**

- |       |                                                                                                                                             |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 19829 | Requires CalHR to establish minimum and maximum salaries with intermediate steps.                                                           |
| 19832 | Establishes annual MSAs for employees who meet standards of efficiency.                                                                     |
| 19834 | Requires MSA payments to qualifying employees when funds are available.                                                                     |
| 19835 | Provides employees with the right to cumulative adjustments for a period not to exceed two years when MSAs are denied due to lack of funds. |

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AT

## Management Proposal

- 19836 Provides for hiring at above the minimum salary limit in specified instances.
- 19837 Authorizes rates above the maximum of the salary range when a person's position is downgraded. (Red Circle Rates)
3. Holidays
- 19853 Establishes legal holidays
- 19854 Provides for personal holiday.
4. Vacations
- 19858.1 Defines amount earned and methods of accrual by full -time employees.
- 19856 Requires CalHR to establish rules regulating vacation accrual for part -time employees and those transferring from one State agency to another.
- 19856.1 Requires CalHR to define the effect of absence of 10 days or less on vacation accrual.
- 19863 Allows vacation use while on temporary disability (due to work - incurred injury) to augment paycheck.
- 19998.3 Requires CalHR to establish rules regarding vacation credit when employees have a break in service over six months.
- 19991.4 Provides that absence of an employee for a work -incurred compensable injury or disease is considered continuous service for the purpose of the right to vacation.
5. Sick Leave
- 19859 Defines amount earned and methods of accrual for full -time and part-time employees.
- 19861 Allows CalHR to define the effect on sick leave credits of absences of 10 days or less in any calendar month.
- 19862 Permits sick leave to be accumulated.
- 19863 Allows sick leave use while on temporary disability (due to work - incurred injury) to augment paycheck.



## Management Proposal

- 19863.1 Provides sick leave credit while employee is on industrial disability leave and prescribes how it may be used.
  - 19864 Allows CalHR to provide by rule for sick leave without pay for employees who have used up their sick leave with pay.
  - 19866 Provides sick leave accumulation for non-civil service employees.
  - 19991.4 Provides that absence of an employee for a work -incurred compensable injury or disease is considered continuous service for the purpose of the right to sick leave.
6. Paid Leaves of Absence
- 19991.3 Jury duty.
  - 19991.5 30 -day educational leave for the medical staff and medical technicians of the Veterans Home.
  - 19991.7 Teachers' educational leave and earned credits subject to CalHR rule.
7. Uniforms, Work Clothes and Safety Equipment
- 19850 Definitions.
  - 19850.1 Provides for uniform allowances.
  - 19850.3 Requires CalHR to establish procedures to determine need for uniforms and the amount and frequency of uniform allowances.
  - 19850.4 Provides for work clothes for purposes of sanitation or cleanliness to be maintained and owned by the State.
  - 19850.5 Provides for initial issuance of required safety equipment at State expense.
8. Industrial Disability Leave (IDL)
- 19869 Defines who is covered.
  - 19870 Defines "IDL" and "full pay."
  - 19871 Provides terms of IDL coverage in lieu of workers' compensation temporary disability payment.
  - 19871.1 Provides for continued benefits while on IDL.

## Management Proposal

- 19872 Prohibits payment of temporary disability or sick leave pay to employees on IDL.
  - 19873 Inapplicability of retraining and rehabilitation provisions of Labor Code to employees covered by IDL.
  - 19874 Allows employees to receive Workers' Compensation benefits after exhaustion of IDL benefits.
  - 19875 Requires three -day waiting period, unless hospitalized or disability more than 14 days.
  - 19876 Payments contingent on medical certification and vocational rehabilitation.
  - 19877 Authorizes CalHR to adopt rules governing IDL.
  - 19877.1 Sets effective date.
9. Non-industrial Disability Insurance (NDI)
- 19878 Definitions.
  - 19879 Sets the amount of benefits and duration of payment.
  - 19880 Sets standards and procedures.
  - 19880.1 Allows employee option to exhaust vacation prior to NDI.
  - 19881 Bans NDI coverage if employee is receiving unemployment compensation.
  - 19882 Bans NDI coverage if employee is receiving other cash payment benefits.
  - 19883 Provides for discretionary deductions from benefit check, including employer contributions; employee does not accrue sick leave or vacation credits or service credits for any other purpose.
  - 19884 Filing procedures; determination and payment of benefits.
  - 19885 Authorizes CalHR to establish rules governing NDI.
10. Life Insurance
- 21600 Establishes group term life insurance benefits
  - 21604 Provides for Death Benefit from PERS.

## Management Proposal

- 21605      Sets Death Benefit at \$5,000 plus 50 percent of one year's salary.
11.    Health Insurance
- 22808      Provides for continuation of health plan coverage during leave of absence without pay.
- 22870      Provides for employee and employer contribution
- 22871      Sets employer contribution.
12.    Work Week
- 19851      Sets 40 -hour work week and 8 -hour day.
- 19843      Directs CalHR to establish and adjust Work Week Groups.
13.    Overtime
- 19844      Directs CalHR to establish rules regarding cash compensation and compensating time off.
- 19848      Permits the granting of compensating time off in lieu of cash compensation within 12 calendar months after overtime worked.
- 19849      Requires CalHR to adopt rules governing overtime and the appointing power to administer and enforce them.
- 19863      Allows use of accumulated compensable over-time while on temporary disability (due to work -incurred injury) to augment paycheck.
14.    Callback Time
- 19849.1    Allows CalHR to set rules and standards for callback time based on prevailing practices and the needs of State service.
15.    Defined Contribution
- 19993      Allows employees to deduct a portion of their salary to participate in a 457(b) defined contribution plan.
- 19999.5    Allows employees to deduct a portion of their salary to participate in a 401(k) thrift plan.
16.    Relocation Expenses
- 19841      Provides relocation expenses for involuntary transfer or promotion requiring a change in residence.



## Management Proposal

### 17. Travel Expenses

- 19820 Provides reimbursement of travel expenses for officers and employees of the State on State business.
- 19822 Provides reimbursement to State for housing, maintenance and other services provided to employees.

### 18. Unpaid Leaves of Absence

- 19991.1 Allows the appointing power to grant a one -year leave of absence; assures the employee a right of return.
- 19991.2 Allows the appointing power to grant a two -year leave for service in a technical cooperation program.
- 19991.4 Provides that absence of an employee for work -incurred compensable injury or disease is considered as continuous service for purposes of salary adjustments, sick leave, vacation or seniority.
- 19991.6 Provides one year of pregnancy leave or less as required by a permanent female employee.

### 19. Performance Reports

- 19992 Provides for establishment of performance standards by State agencies.
- 19992.1 Provides for a system of performance reports and allows CalHR to enforce adherence to appropriate standards.
- 19992.2 Requires the appointing power to prepare performance reports and show them to the employee.
- 19992.3 Requires performance reports to be considered in salary increases and decreases, layoffs, transfers, demotions, dismissals and promotional examinations as prescribed by CalHR rule.
- 19992.4 Allows CalHR to establish rules leading to reduction in class and compensation or dismissal for unsatisfactory service.

### 20. Involuntary Transfers

- 19841 Provides relocation expenses for involuntary transfer or promotion requiring a change in residence.

## Management Proposal

- 19994.1 Authorizes involuntary transfers. Requires 60-day prior written notice when transfer requires change in residence.
- 19994.2 Allows seniority to be considered when two or more employees are in a class affected by involuntary transfers which require a change in residence.

### 21. Demotion and Layoff

- 19997.2 Provides for subdivisional layoffs in a State agency subject to CalHR approval. Subdivisional reemployment lists take priority over others.
- 19997.3 Requires layoffs according to seniority in a class, except for certain classes in which employee efficiency is combined with seniority to determine order of layoff.
- 19997.8 Allows demotion in lieu of layoff.
- 19997.9 Provides for salary at maximum step on displacement by another employee's demotion, provided such salary does not exceed salary received when demoted.
- 19997.10 An employee displaced by an employee with return rights may demote in lieu of layoff.
- 19997.11 Establishes reemployment lists for laid -off or demoted employees.
- 19997.12 Guarantees same step of salary range upon recertification after layoff or demotion.
- 19997.13 Requires 30 -day written notice prior to layoff and not more than 60 days after seniority is computed.
- 19998 Employees affected by layoff due to management -initiated changes should receive assistance in finding other placement in State service.

### 22. Incompatible Activities

- 19990 Requires each appointment power to determine activities which are incompatible, in conflict with, or inimical to their employees' duties; provides for identification of and prohibits such activities.

## Management Proposal

### 23. Use of State Time

- 19991 Provides State time for taking civil service examinations including employment interviews for eligibles on employment lists, or attending a meeting of CalHR or SPB on certain matters.


### 24. Training

- 19995.2 Provides for counseling and training programs for employees whose positions are to be eliminated by automation, technological or management -initiated changes.
- 19995.3 Provides for Department of Rehabilitation to retrain and refer disabled State employees to positions in State service.

B. Applicable Education Codes Part 43, Section 70000, et al. Part 32, Section 59000, et al.

C. This section is not subject to the grievance and arbitration procedure outlined in Article 9 of this agreement.

Candace Murch



Candace Murch (Dec 16, 2022 02:52 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac



Jacqueline Tkac (Dec 16, 2022 02:53 PST)

CAPS Bargaining Chair

Dec 16, 2022



## Management Counter Proposal

**Bargaining Unit: 10**

**Date: June 9, 2022 @ 5:06 pm**

**Exclusive Representative: CAPS**

**Article: 2**

**Subject: Salaries**

### 2.xxx New – Department of Industrial Relations (DIR) Certification Credential Differential

- A. Effective the first day of the pay period following ratification by both parties, employees in DIR in the classifications listed below who achieve and maintain either a Certified Associate Industrial Hygienist Credential (CAIH) or a Certified Industrial Hygienist (CIH) credential issued by the Board for Global Environment, Health, and Safety Credentialing (formerly the American Board of Industrial Hygiene) shall receive a monthly pay differential as outlined below.

<u>3824</u>	<u>JUNIOR INDUSTRIAL HYGIENTIST</u>
<u>3855</u>	<u>ASSISTANT INDUSTRIAL HYGIENTIST</u>
<u>3856</u>	<u>ASSOCIATE INDUSTRIAL HYGIENTIST</u>

- B. An employee in an eligible classification who achieves and maintains a CAIH credential shall receive a monthly pay differential of two percent (2%) of base pay.
- C. An employee in an eligible classification who achieves and maintains a CIH credential shall receive a monthly pay differential of three percent (3%) of base pay.
- D. Eligibility criteria listed in B and C above may not be combined and rates are not cumulative.
- E. An employee cannot receive a monthly pay differential for both the CAIH credential and the CIH credential. The maximum monthly pay differential for which an employee is eligible is based on the highest credential held and maintained.
- F. This differential shall not be considered compensation for purposes of retirement contributions.
- G. This differential will be paid based on a qualifying pay period.
- H. In order to continue to qualify for this differential, employee must maintain their held credential.

Candace Murch

*Candace Murch*

Candace Murch (Dec 16, 2022 02:49 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac

*JT*

Jacqueline Tkac (Dec 16, 2022 09:08 PST)

CAPS Bargaining Chair

Dec 16, 2022

## Management Counter Proposal

Bargaining Unit: 10

Date: May 11, 2022 @ 10:23 am

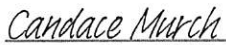
Exclusive Representative: CAPS

Article:

Subject: **~~3.21 No Mandated Reduction in Work Hours~~**

~~The State shall not implement a furlough program or a mandated Personal Leave Program during the duration of this Memorandum of Understanding.~~

Candace Murch



Candace Murch (Dec 16, 2022 02:49 PST)

CalHR Principal Labor Relations Officer

Dec 16, 2022

Jacqueline Tkac



Jacqueline Tkac (Dec 16, 2022 09:09 PST)

CAPS Bargaining Chair

Dec 16, 2022