

## *CAPS AGREEMENT*

### **3.21 No Mandated Reduction in Work Hours**

The State shall not implement a furlough program or a mandated Personal Leave Program during the first two years of this agreement from July 1, 2015 to June 30, 2017. Any furlough during the third year of the agreement must be authorized pursuant to an act of the Legislature.

### **3.22 Vacation/Annual Leave Cash Out**

Employees may be permitted annually to cash out up to eighty (80) hours of accumulated Vacation/Annual Leave as follows:

On or before May 1 of each year, starting in the 2016 calendar year, each department head (Director, Executive Officer, etc.) or designee will advise department employees whether the department has funds available for the purpose of cashing out accumulated Vacation/Annual Leave. In those departments that have funds available, employees will be advised of the number of hours that may be cashed out, not to exceed eighty (80) hours. Employees who wish to cash out Vacation/Annual Leave must submit a written request during the month of May to the individual designated by the Department Director. Departments will issue cash payments for cashed out Vacation/Annual Leave during the month of June.

## **ARTICLE 4 – HOLIDAYS**

### **4.1 Holidays**

A. All full-time and part-time employees shall be entitled to such observed holidays with pay as provided below, in addition to any official State holidays declared by the Governor.

B. Observed holidays shall include January 1, the third Monday in January, the third Monday in February, March 31, the last Monday in May, July 4, the first Monday in September, November 11, Thanksgiving Day, the day after Thanksgiving, and December 25. The holidays are observed on the actual day they occur with the following exceptions:

1. When November 11 falls on a Saturday, full-time and part-time employees shall be entitled to the preceding Friday as a holiday with pay.

2. When a holiday falls on Sunday, full-time and part-time employees shall be entitled to the following Monday as a holiday with pay.

3. For those employees who work schedules other than

Monday through Friday, those holidays listed in Subsection B above shall be observed on the day on which the holiday occurs. An employee shall receive compensation for only the observed or actual holiday, not both.

C. Every full-time and part-time employee, upon completion of six (6) months of his/her initial probationary period in State service, shall be entitled to one (1) personal holiday per fiscal year. The personal holiday shall be credited to each full-time and part-time employee on the first day of July.

D. The department head or designee may require five (5) days advance notice before a personal holiday is taken and may deny use subject to operational needs. When an employee is denied use of a personal holiday, the department head or designee may allow the employee to reschedule the personal holiday or shall, at the department's discretion allow the employee to either carry the personal holiday to the next fiscal year or, cash out the holiday on a straight time (hour-for-hour) basis.

E. The department head or designee shall make a reasonable effort to grant an employee use of his/her personal holiday on the day of his/her desire subject to operational need.

F. When an observed holiday falls on an employee's regularly scheduled day off, full-time employees shall accrue eight (8) hours of holiday credit per said holiday. If the employee is required to work on the observed holiday, the employee shall be compensated in accordance with paragraph G or I below. An employee shall receive compensation for only the observed or actual holiday, not both.

G. When a full-time employee in Work Week Group 2 is required to work on an observed holiday, such employee shall be paid in accordance with Government Code Section 19853 (paid straight time, hour for hour, basis). Employees who are required to work one of the following premium holidays will be paid one and one-half (1½) the hourly rate for all hours worked: January 1, last Monday in May, July 4, 1<sup>st</sup> Monday in September, Thanksgiving day, and December 25<sup>th</sup>. The method of compensation shall be at the State's discretion. If a full-time employee works eight (8) hours on the premium holiday, the employee shall receive no more than 20 hours of total compensation (combination of holiday credit, CTO, or cash) for each holiday worked.

H. For the purpose of computing the number of hours worked, time during which an employee is excused from work because of a holiday shall be considered as time worked by the employee.

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I. Work Week Group E or SE Employees: When a permanent full-time employee is required to work on an observed holiday and the observed holiday falls on the employee’s regularly scheduled day off, the employee shall receive up to eight (8) hours of holiday credit and one (1) hour Administrative Time Off (ATO) for every two (2) hours worked. If an observed holiday falls on an employee’s normal day off, and the employee does not work, the employee shall receive no more than eight (8) hours of holiday credit.

J. Part-time employees in work week Group 2 who are required to work on an observed holiday shall be paid in accordance with Government Code Section 19853 (paid straight time, hour for hour basis). Employees who are required to work one of the following premium holidays will be paid one and one-half (1½) hourly rate for all hour worked: January 1, last Monday in May, July 4, 1st Monday in September, Thanksgiving day, and December 25th, compensable by cash, CTO or holiday credit. The method of compensation shall be at the State’s discretion.

K. Part-time employees shall receive holidays in accordance with the following:

**CHART FOR COMPUTING VACATION, SICK LEAVE, AND HOLIDAY CREDITS FOR ALL FRACTIONAL TIME BASE EMPLOYEES SUPERCEDES ACCRUAL RATES IN MANAGEMENT MEMORANDUM 84-20-1**

Time Base	Hours of Monthly Vacation Credit per Vacation Group							Hours of Monthly Sick Leave and Holiday Credit
	7	10	11	12	13	14	15	
								SL/HOL 8
1/5	1.40	2.00	2.20	2.40	2.60	2.80	3.00	1.60
2/5	2.80	4.00	4.40	4.80	5.20	5.60	6.00	3.20
3/5	4.20	6.00	6.60	7.20	7.80	8.40	9.00	4.80
4/5	5.60	8.00	8.80	9.60	10.40	11.20	12.00	6.40

Time Base	Hours of Monthly Vacation Credit per Vacation Group								Hours of Monthly Sick Leave and Holiday Credit
1/8	0.88	1.25	1.38	1.50	1.63	1.75	1.88	1.00	
1/4	1.75	2.50	2.75	3.00	3.25	3.50	3.75	2.00	
3/8	2.63	3.75	4.13	4.50	4.88	5.25	5.63	3.00	
1/2	3.50	5.00	5.50	6.00	6.50	7.00	7.50	4.00	
5/8	4.38	6.25	6.88	7.50	8.13	8.75	9.38	5.00	
3/4	5.25	7.50	8.25	9.00	9.75	10.50	11.25	6.00	
7/8	6.13	8.75	9.63	10.50	11.38	12.25	13.13	7.00	
1/10	0.70	1.00	1.10	1.20	1.30	1.40	1.50	0.80	
3/10	2.10	3.00	3.30	3.60	3.90	4.20	4.50	2.40	
7/10	4.90	7.00	7.70	8.40	9.10	9.80	10.50	5.60	
9/10	6.30	9.00	9.90	10.80	11.70	12.60	13.50	7.20	

A part-time employee can only earn up to a maximum of eight (8) hours holiday credit per holiday, regardless of the number of positions the employee holds within State service.

L. Work Week Group 2 employees may request and take Holiday Credit in fifteen (15) minute increments.

M. An employee shall be allowed to carry over unused holiday credits or be paid for the unused holiday credits, at the discretion of the department head or designee.

N. Upon termination from State employment, an employee shall be paid for unused holiday credit.

O. In the event that traditional, but unofficial holidays (e.g., Mother's Day, Father's Day), or religious holidays (e.g., Easter or Yom Kippur) fall on an employee's scheduled workday, the employee shall have the option to request the use of annual leave, accrued vacation,

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holiday credits, personal leave or CTO time, in order to secure the day off. The department head or designee shall make a reasonable effort to grant an employee the day off subject to operational need.

### ARTICLE 5 - HEALTH AND WELFARE

#### 5.1 Health, Dental, Vision

##### A. *Health Benefit Plans*

###### 1. Contribution Amounts

a. Upon ratification, the employer health benefits contribution for each employee shall be an amount equal to 80 percent of the weighted average of the Basic health benefit plan premiums for a State active civil service employee enrolled for self-alone, during the benefit year to which the formula is applied, for the four Basic health benefit plans that had the largest State active civil service enrollment, excluding family members, during the previous benefit year. For each employee with enrolled family members, the employer shall contribute an additional 80 percent of the weighted average of the additional premiums required for enrollment of those family members, during the benefit year to which the formula is applied, in the four Basic health benefit plans that had the largest State active civil service enrollment, excluding family members, during the previous benefit year.

To be eligible for these contributions, an employee must positively enroll in a health plan administered or approved by CalPERS.

b. The parties agree to work cooperatively with CalPERS and the health plans to control premium increases.

2. Employees who first become eligible for health benefit enrollment on or after October 26, 2014, shall be subject to a vesting schedule for the employer health contribution for dependents as follows:

a. 75% of the normal employer dependent portion of the contribution upon initial enrollment; and

b. 100% of the normal employer dependent portion of the contribution upon completion of 12 months of service.

##### B. *Health Benefits Eligibility*

###### 1. Employee Eligibility

a. For purposes of this section, "eligible employee" shall be defined by the Public Employees' Medical and Hospital Care Act.