

Labor Relations Office

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Governor Gavin Newsom
Secretary, Government Operations Agency Amy Tong
Director Eraina Ortega

July 25, 2022

Cliff Tillman, Sr. Business Agent
AFSCME Council 57, Local 2620
2295 Gateway Oaks Drive, Suite 140
Sacramento, CA 95833

sent by email only
cliff.tillman@ca.afscme57.org

**Re: CDCR/CCHCS Mental Health Pay Differential Package
Letter of Closure and Implementation**

Dear Cliff Tillman:

This letter serves to provide status of the meet and confer that occurred regarding the State's notice to the American Federation of State, County, and Municipal Employees (AFSCME) provided on March 24, 2022.

The State provided notice to AFSCME in accordance with its rights and obligations under Article 3.1 (State's Rights), Article 7.4 (Recruitment and Retention Differential), and 19.1 (Entire Agreement) of the Memorandum of Understanding (MOU) between the parties regarding impact of the State's decision to establish a 15% pay differential for qualifying BU 19 CDCR/CCHCS employees who are appointed to and physically working at Psychiatric Inpatient Programs (PIP) within CDCR/CCHCS facilities. In addition, the notice informed AFSCME that the existing CDCR/CCHCS Mental Health Recruitment Retention Bonus Pay Differential 324 would include BU 19 Psychologist – Clinical, CF; and Senior Psychologist – Clinical (Specialist), CF, effective May 1, 2022,

The State and AFSCME met on May 11, 2022, June 7, 2022, July 19, 2022 and July 20, 2022. The parties discussed the rationale for the State decision and had in depth discussions regarding the criteria as identified in both pay differentials. In addition, the State provided written responses to AFSCMEs requests for information (RFI) dated March 18, 2022, March 28, 2022, April 26, 2022, May 11, 2022 and July 19, 2022, as well as discussed, each question and response in detail during the meet and confer sessions.

Within AFSCME's counter proposal dated June 21, 2022 and July 20, 2022, AFSCME proposed that CalHR and AFSCME meet with departments not affiliated and or included in the State's March 24, 2022 notice to "*discuss the impact of the impacted classifications*

within those departments". In discussions on July 19, 2022 and July 20, 2022, the State noted that this section of AFSCME's proposal was outside the scope of the notice and the State's intent. The State proposed that the parties invoke Article 19.6 (Labor/Management Committee) of the MOU within a reasonable timeframe after implementation of the pay differentials to address the substance of the concerns identified by AFSCME, which concerns comprised the majority of the discussions that occurred.

AFSCME did not raise substantive issues regarding the impact of the decision to implement as noticed on March 24, 2022. However, AFSCME did raise issues for employees in the same classifications not working in the PIP. As noted above and here again, the State is willing to meet with AFSCME to continue to discuss the concerns AFSCME has with this regard.

Accordingly, the State considers this table closed and will be implementing the State's decision as noticed on March 24, 2022, effective May 1, 2022. However, as conveyed to AFSCME on July 20, 2022 and here again, the State is ready, willing, and able to continue to meet with AFSCME to address any additional questions or concerns AFSCME may have with regards to the intent and implementation of the March 24, 2022 notice.

If you have any questions regarding this letter you may contact me at (916) 439-9795 or by email at jeannette.sanders@calhr.ca.gov.

Sincerely,



Jeannette Sanders
Labor Relations Officer
CalHR

cc: R. Jones, Labor Relations, CCHCS