

# CALIFORNIA DEPARTMENT OF HUMAN RESOURCES SUMMARY OF SIDE LETTER AGREEMENT FOR BARGAINING UNIT 5

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**Exclusive Employee Representative:  
California Association of Highway Patrolmen (CAHP)**

**Number of Employees:** Approximately 6,674 full-time equivalents

## **General Provisions**

### **I. Post-Employment Benefits**

#### ***Prefunding of Other Post Employment Benefits (OPEB)***

- The state currently contributes 3.4 percent on the employees' behalf and 3.4 percent on the state's behalf, 6.8 percent cumulative, toward the prefunding of post-retirement health benefits. Effective the July 2020 pay period through the June 2022 pay period, the cumulative 6.8 percent contribution for prefunding other post-employment benefits is suspended for the 2020-21 and 2021-22 fiscal years. In the event there is insufficient funding, this contribution may be suspended at the discretion of the Director of the Department of Finance until July 1, 2023. Upon OPEB contributions being restored, the 3.4 percent employee contribution will no longer be contributed by the state and will be paid by employees with a three-year phase-in period (see contract reopener language below) (Article 42).

### **II. Compensation**

#### ***Personal Leave Program (PLP 2020)***

- Effective with the first day of the pay period following ratification through the June 2022 pay period, the PLP 2020 will apply to all CAHP represented employees. Employees continue to work their assigned work schedules and shall have a reduction in pay equal to 4.62 percent.

Each full-time employee shall be credited with nine (9) hours of PLP 2020, eight (8) hours for the payroll deduction and one (1) hour for the achieved savings from suspending uniform allowances, on the first day of each pay period for the duration of the PLP 2020 program (New Article).

- The state shall not implement new personal leave or furlough program for the term of the PLP 2020 (New Article).

### **Retirement Benefits**

- The existing MOU contains changes to employee retirement contributions effective July 1, 2020. These changes are suspended and deferred until the OPEB contributions are restored on July 1, 2022, or July 1, 2023 (Article 37).

### **Vacation and Annual Leave Cap Increase**

- The state shall increase the 816 hour cap on Vacation and Annual Leave to 1,032 hours for the duration of the side letter (Articles 44 and 46).

### **Uniform Allowance**

- The existing MOU provides \$920 per year for the uniform allowance and \$25 per month for maintenance and cleaning of the uniforms. Effective the July 2020 pay period, these allowances are suspended for the duration of PLP 2020 (see contract reopener language below) (Article 68).

## **III. Miscellaneous**

### **Contract Reopener Language – Elimination of Pay Decreases and Suspensions**

- The determination of sufficient funding to restore the reductions shall be at the sole discretion of the Director of the Department of Finance if either of the following circumstances occur:
  - If the Director of the Department of Finance, as a result of appropriate federal legislation providing additional funding to the state to address the impacts of the COVID-19 Recession, elects to restore, at their sole discretion, some or all of the various pay items that have been suspended.
  - If the Director of the Department of Finance, as a result of state revenue becoming sufficient to fully fund existing statutory and constitutional obligations, existing fiscal policy, and the cost of providing the pay that has been suspended as a result of the COVID-19 Recession, elects to restore, at their sole discretion, some or all of the various pay items that have been suspended.
- In the event the Director of the Department of Finance elects to restore, at their sole discretion, some or all of the various pay items that have been suspended, the State shall provide notice to the Union and shall meet and confer with the Union upon request regarding the impact of that determination.
- In the event that the Director of the Department of Finance does not restore, at their sole discretion, Article 42 Prefunding of Postretirement Health Benefits (OPEB), the employer and employee contributions shall be restored on July 1, 2022. However, if projected state revenues at the 2022-23 May Revision to the Governor's Budget continue to be insufficient to fully fund existing statutory and constitutional obligations, existing fiscal policy, and the costs of providing

the OPEB contributions, they shall become effective on July 1, 2023. Determination of funding availability shall be at the sole discretion of the Director of the Department of Finance.

***Joint Labor/Management Uniform Committee***

- Establish a Joint Labor/Management Committee to study, discuss, identify, and recommend an alternative uniform for CAHP members working road patrol duties that does not require regular dry cleaning services. The committee shall develop joint recommendations to be submitted to the CHP Commissioner for review and consideration no later than July 1, 2021. (New Article)

**IV. Term**

- July 1, 2020 to June 30, 2022

**V. Fiscal**

- Fiscal Year 2020-21 Savings: \$128.6 million
- Total 2-Year Incremental Savings: \$128.6 million
- Total 2-Year Budgetary Savings: \$257.2 million

**VI. Agreement**

- This Side Letter Agreement represents the negotiated reductions in employee compensation.
- The complete Side Letter Agreement between the state and CAHP is posted at: [Contracts Section on the CalHR Website.](#)