August 26, 2013

The Honorable Darrell Steinberg
Pro Tem, California State Senate
State Capitol, Room 205
Sacramento, California 95814

The Honorable Bob Huff
Minority Leader, California State Senate
State Capitol, Room 305
Sacramento, California 95814

The Honorable John Pérez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California 95814

The Honorable Connie Conway
Minority Leader, California State Assembly
State Capitol, Room 3104
Sacramento, California 95814

Re: Tentative Agreement/Memorandum of Understanding (MOU) for Bargaining Unit 6, California Correctional Peace Officers Association (CCPOA), and Bargaining Unit 7, California Statewide Law Enforcement Association (CSLEA)

Dear Senators Steinberg and Huff, and Assembly Members Pérez and Conway:

Recently, the Department of Human Resources (CalHR) reached a new Tentative Agreement/MOU with Bargaining Unit 6, the California Correctional Peace Officers Association (CCPOA), and Bargaining Unit 7, the California Statewide Law Enforcement Association (CSLEA). Upon approval of the Legislature and the Governor, and ratification by the membership, the BU 6 agreement will be effective July 3, 2013 through July 2, 2015, and the BU 7 agreement will be effective July 2, 2013 through July 1, 2016.

Both agreements roll over language from past agreements and include changes similar to those submitted in other bargaining agreements, such as members will make increased retirement contributions under the Public Employees’ Pension Reform Act, prudent cost of living increases (effective January 1, 2015), and an allowance equal to the 80/80 formula for health contributions.

In accordance with Government Code Sections 3517.5, 19829.5, and Senate Rule 29.4, I am forwarding copies of these tentative agreements, including legislative and fiscal summaries. The Legislative Analyst will be forwarded copies for analysis, and the Secretary of the Senate and the Clerk of the Assembly will be forwarded copies to make them noted as available for review in the daily journals.

The above mentioned agreements and summaries can also be found by going to the following link: http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx

Currently, there is no vehicle to approve the terms of these agreements.

Respectfully,

Julie Chapman
Director

Attachments
August 26, 2013
CCPOA, CSLEA MOU Transmittal Letter

cc: Gareth Elliott, Legislative Affairs Secretary, Office of the Governor
    Gregory Schmidt, Secretary of the Senate
    E. Dotson Wilson, Chief Clerk of the Assembly
    Joint Legislative Budget Committee
    Mac Taylor, Office of the Legislative Analyst
    Department of Finance

ecc:

Marianne O'Malley, Director Gen. Government
  Office of the Legislative Analyst

Nick Schroeder, Consultant
  Office of the Legislative Analyst

Richard Gillihan, Asst. Program Budget Manager
  Department of Finance

Craig Comett, Chief Fiscal Policy Advisor
  Office of the Pro Tem

Charles Wright, Chief Consultant
  Office of the Pro Tem

Chris Woods, Budget Director
  Office of the Speaker

Nick Hardeman, Chief Consultant
  Office of the Speaker

Seren Taylor, Staff Director
  Senate Republican Fiscal Office

Chantele Denny, Consultant
  Senate Republican Fiscal Office

Anthony Archie, Consultant
  Assembly Republican Fiscal Office

Peter Schaafsma, Staff Director
  Assembly Republican Fiscal Office

Keely Bosler, Staff Director
  Senate Budget Committee

Mark Ibele, Consultant
  Senate Budget Committee

Christian Griffith, Staff Director
  Assembly Budget Committee

Mark Martin, Consultant
  Assembly Budget Committee

Mark McKenzie, Staff Director
  Senate Appropriations Committee

Maureen Ortiz, Consultant
  Senate Appropriations Committee

Geoff Long, Chief Consultant
  Assembly Appropriations Committee

Roger Dunstan, Consultant
  Assembly Appropriations Committee

Pamela Schneider, Consultant
  Senate PE&R Committee

Karon Green, Chief Consultant
  Assembly PER&SS Committee

Gary Link, Consultant
  Senate Republican Caucus

Terry Mast, Consultant
  Assembly Republican Caucus

Alene Shimazu, Chief
  Fiscal Analysis, CalHR

Pam Manwiller, Deputy Chief
  Labor Relations, CalHR

Heather Bendinelli, LRO
  Labor Relations, CalHR

Karin Richter, LRO
  Labor Relations, CalHR
I. Retirement

Employee Retirement Contribution- Benefit Formula Calculation- Consistent with 2012 Pension Reform (PEPRA)

- Bargaining Unit 6 employees who first become CalPERS members on or after January 1, 2013, who are subject to the PO/FF retirement category, under the Public Employees' Pension Reform Act (PEPRA), shall be subject to the 2.5% at age 57 formula.

- Bargaining Unit 6 employees, who first become CalPERS members on or after January 1, 2013, who are subject to the Miscellaneous/Industrial (First Tier) retirement category under PEPRA, shall be subject to the 2% at age 62 formula.

- Bargaining Unit 6 employees who first become CalPERS members on or after January 1, 2013, who are subject to the Second Tier retirement category, under PEPRA shall be subject to the 1.25% at age 67 formula.

Peace Officer/Firefighter

- Effective July 1, 2013, Unit 6 PO/FF members shall contribute an additional 1% towards retirement. Unit 6 PO/FF members shall contribute 12% effective July 1, 2013.

- Effective July 1, 2014, Unit 6 PO/FF members shall contribute an additional 1% towards retirement. Unit 6 PO/FF members shall contribute 13% effective July 1, 2014.

Miscellaneous

- Unit 6 First Tier members, under the Miscellaneous retirement category subject to Social Security, shall continue to contribute 8% towards retirement. Miscellaneous members not subject to Social Security shall continue to contribute 9%.

Industrial

- Effective July 1, 2013, Unit 6 First Tier members, under the Industrial retirement category, shall contribute an additional 1% towards retirement. Unit 6 Industrial members subject to Social Security shall contribute 9% effective July 1, 2013. Industrial members not subject to Social Security shall contribute 10% effective July 1, 2013.
Second Tier

- Effective July 1, 2013, all employees subject to the Second Tier retirement plan shall contribute 1.5% of monthly pensionable compensation and the contribution shall increase by 1.5% points annually. The final annual increase in the contribution rate shall be adjusted as appropriate to reach 50% of normal cost.

II. Compensation

Salary

- Effective January 1, 2015, all BU 6 represented classifications will receive a 4% General Salary Increase (GSI). (Article 15.01)

- 1959 Survivor's Benefit language changed to be consistent with CalPERS law (employee pays 50% of the premium). (Article 13.07 & 13.08)

III. Health Benefits (Article 13.01)

Employer Contribution

- The State's monthly contribution to the health insurance portion of the BU 6 employee's allowance shall be an amount equal to eighty percent of the weighted average of the premiums for the four Basic health benefit plans with the largest enrollment (the 80/80 formula) to determine the State's contribution to health care on January 2014 and January 2015

IV. Miscellaneous Changes

- Joint Labor Management Committee continues to develop an Apprenticeship Program. (Article 8.03)

- Remove "Out of Class" grievances from the mini-arbitration procedure and include in grievance and arbitration procedures outlined in Article 6. (Article 9.07)

- Agreement to meet and discuss methods to provide timely payment of out of class pay. (Article 9.07)

- Incorporate Federal procedures and CalHR rules for substance abuse screening and testing. (Articles 9.13 & 9.14)

- Holiday/Swap language clarified for further understanding that employee who works a holiday, receives the holiday pay, regardless of swaps. (Articles 10.11 & 11.04)

- Furlough hours can be used to contribute to Release Time Bank. (Article 10.13)

- Compensable leave credits can be donated for Catastrophic Time Bank. (Article 10.15)
Employees scheduled for weekend military duty can request to be placed on second watch with Saturday and Sunday as his/her day off. (Article 10.17)

Change from 28 day work period to 7 day work period effective the beginning of February 2014. This timeframe allows State and union to plan and implement this change. (Articles 11.08, 11.11, 15.19 & other applicable sections)

A mandated holdover is defined as thirty (30) minutes or more. (Article 12.06)

Business and Travel, the State increased the meal/incidental reimbursement rates by $6.00. The State increased lodging rates as follows:

<table>
<thead>
<tr>
<th>County</th>
<th>Lodging Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties except those listed below.</td>
<td>$90</td>
</tr>
<tr>
<td>Los Angeles, Orange, Ventura, Edwards AFB, less the city of Santa Monica</td>
<td>$120</td>
</tr>
<tr>
<td>Sacramento, Napa, Riverside</td>
<td>$95</td>
</tr>
<tr>
<td>San Diego, Monterey County, Alameda, San Mateo, Santa Clara</td>
<td>$125</td>
</tr>
<tr>
<td>San Francisco, City of Santa Monica</td>
<td>$150</td>
</tr>
</tbody>
</table>

A joint work group will discuss a mutually agreeable uniform alternative which may include a uniform shirt system. (Article 14.04)

The parties will meet and discuss Department of State Hospitals (DSH) Medical Technical Assistant (MTA) badges. (Article 14.05)

Casework Specialist and MTA- Psychiatric classifications will be included in the Night Shift Differential. (Article 15.08)

New section to ensure timely payment of regular wages and provide salary advances when delays in payroll occur. (Article 15.21)

The State will continue to operate an Institutional Redirection Plan (IRP) for the remainder of the current fiscal year. The union can contact the Secretary of CDCR directly regarding alleged violations of IRP and/or 16.05. (Article 16.05)

Fire Captain holiday hours are reduced from 28 to 24 hours per quarter. (Article 17.12)

A Correctional Counselor (CC) Work Study Committee will meet to review CC work duties. (Article 20.02)

The State shall continue to follow Division of Juvenile Justice business rules regarding ratios for Institutional Parole Agents.
• CDCR Transportation Officers may be allowed to utilize leave credits when work is completed prior to the end of the eight-hour day. (Article 23.01)

• Post and Bid will commence for Youth Correctional Counselors. (Article 24.04)

• CCPOA can meet with the Secretary to request an extension of implementation dates to accommodate more time to meet and confer. (Article 27.01)

• No furlough or personal leave program will be implemented during term of agreement. (Article 27.05)

• Sideletter 3 (Contract Protection) is deleted.

• A field training officer program will be established and include a 5% differential for the time the officer works as a trainer and a 12 week academy will be implemented. (Sideletter 6)

• Sideletter 11 is deleted (Regarding PLP).

• The parties will explore negotiating a Workers' Compensation Carve Out pilot to reduce costs associated with Workers' Compensation. (New section/sideletter)

• The State and CCPOA agree to present to the Legislature, as part of the legislation implementing this Memorandum of Understanding, a provision to appropriate funds to cover the economic terms of this agreement through July 2, 2015.

V. Duration

• July 3, 2013, through July 2, 2015

VI. Fiscal

VII. Agreement

• The complete Tentative Agreement between the State and CCPOA is posted at: http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx
## CCPOA MOU INCREMENTAL Summary
(Dollars in Thousands)

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Data Source: Position Benefits file March 2013; SCO Table 183 April 2013

Per DOF, while PEPPRA is in effect January 1, 2013, savings are not realized until January 1, 2015.

Travel dollars provided by DOF.
## 2 YEAR AGREEMENT

### California Department of Human Resources
Bargaining Unit 6
CCPOA MOU BUDGETARY Summary
(Dollars in Thousands)

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<th>Proposals</th>
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<tr>
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<td>($189)</td>
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Data Source: Position Benefits file March 2013; SCO Table 183 April 2013

Per DOF, while PEPRA is in effect January 1, 2013, savings are not realized until January 1, 2015.

Travel dollars provided by DOF.
SUMMARY OF COLLECTIVE BARGAINING AGREEMENT
FOR BARGAINING UNIT 7

Exclusive Employee Representative
California Statewide Law Enforcement Association (CSLEA)

Number of Employees: Approximately 6,780 full-time equivalents

I. Retirement

Employee Pension Contribution, Benefit Formula Calculation

- Bargaining Unit 7 employees who become CalPERS members on or after January 1, 2013, who are subject to the PO/FF retirement category, under the Public Employees' Pension Reform Act (PEPRA), shall be subject to the 2.5% at age 57 formula.

- Bargaining Unit 7 employees who become CalPERS members on or after January 1, 2013, who are subject to the State Safety retirement category, under the Public Employees' Pension Reform Act (PEPRA), shall be subject to the 2% at age 57 formula.

- Bargaining Unit 7 employees, who become CalPERS members on or after January 1, 2013, who are subject to the Miscellaneous/Industrial (First Tier) retirement category under PEPRA, shall be subject to the 2% at age 62 formula.

- Bargaining Unit 7 employees who become CalPERS members on or after January 1, 2013, who are subject to the Second Tier retirement category, under PEPRA shall be subject to the 1.25% at age 67 formula.

- Pensionable compensation caps will apply to new CalPERS members subject to PEPRA as defined under PEPRA.

Peace Officer/Firefighter

- Effective July 1, 2013, Unit 7 PO/FF members shall contribute an additional 1.5% towards retirement. Unit 7 PO/FF members shall contribute 11.5% effective July 1, 2013.

- Effective July 1, 2014, Unit 7 PO/FF members shall contribute an additional 1.5% towards retirement. Unit 7 PO/FF members shall contribute 13% effective July 1, 2014.

State Safety

- Effective July 1, 2013, Unit 7 State Safety members shall contribute an additional 1% towards retirement. Unit 7 State Safety members shall contribute 10% effective July 1, 2013.
• Effective July 1, 2014, Unit 7 State Safety members shall contribute an additional 1% towards retirement. Unit 7 State Safety members shall contribute 11% effective July 1, 2014.

**Miscellaneous/Industrial**

• Unit 7 First Tier members under Miscellaneous/Industrial shall continue to pay 8% towards retirement.

**Second Tier**

• Effective July 1, 2013, all employees subject to the Second Tier retirement plan shall contribute 1.5% of monthly pensionable compensation for retirement, and shall increase by 1.5% points annually. The final annual increase in the contribution rate shall be adjusted as appropriate to reach 50% of the normal cost.

**II. Compensation**

**Salary**

• All Unit 7 represented classifications shall receive a 3% General Salary Increase (GSI) effective July 1, 2015.

• Hospital Police Officers and Peace Officers working in the following classifications will receive a 4.67% Special Salary Adjustment effective July 1, 2015.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1937</td>
<td>Hospital Police Officer</td>
</tr>
<tr>
<td>1954</td>
<td>Peace Officer I, Developmental Center</td>
</tr>
</tbody>
</table>

**III. Health Benefits**

**Employer Contribution**

• The pay period following ratification, the State’s monthly contribution to the health insurance portion of the BU 7 employee allowance will be set at a dollar amount that equals the 80/80 formula. The amounts shall be increased on January 1, 2014, January 1, 2015, and January 1, 2016.

**IV. Miscellaneous**

• The State will not implement a furlough program or a Personal Leave Program during the term of this agreement.

• Personal Leave Program 2010 and 2012 must be used before any other leave, excluding Sick Leave.
• The State and CSLEA agree to present to the Legislature, as part of the legislation implementing this Memorandum of Understanding (MOU), a provision to appropriate funds to cover the economic terms of this agreement through July 1, 2016.

• Business and Travel Reimbursements, the State increased the breakfast rate to $7.00, lunch to $11.00, dinner to $23 and incidentals to $5.00. The State increased lodging rates as follows:

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<td></td>
</tr>
<tr>
<td>Sacramento, Napa, Riverside</td>
<td>$95</td>
</tr>
<tr>
<td>San Diego, Monterey County, Alameda, San Mateo,</td>
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<tr>
<td>Santa Clara</td>
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<tr>
<td>San Francisco, City of Santa Monica</td>
<td>$150</td>
</tr>
</tbody>
</table>

V. Duration

• July 2, 2013 through July 1, 2016

VI. Fiscal

• FY 13/14 Cost: $1.1 million (GF = $0.3 million and OF = $0.8 million)
• Total Incremental Cost: $26.4 million (GF = $9.1 million and OF = $17.3 million)
• Total Budgetary Cost: $32.1 million (GF = $10.8 million and OF $21.3 million)

VII. Agreement

• The complete Tentative Agreement between the State and CSLEA BU 7 is posted at: http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx
### 3 Year Agreement

#### Rank and File

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<td>($765)</td>
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Data Source: Position Benefits file March 2013; SCO Table 183 April 2013
FY2015-16 - 5 months of 2016 health and dental costs are not shown
General Salary increase - 3% GSI effective 7/1/15
Per DOF, while PEPRA is in effect January 1, 2013, savings are not realized until January 1, 2015.
Travel dollars provided by DOF
### California Department of Human Resources
#### Bargaining Unit 7
#### CSLEA BUDGETARY MOU Summary
#### 3 Year Agreement
(Dollars in Thousands)

#### 3 YEAR AGREEMENT

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<th>Proposals</th>
<th>Effective Date</th>
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<th>FY2014-15</th>
<th>FY2015-16</th>
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<td>Health Flat Rate 80/80</td>
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**Non-adds**

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Data Source: Position Benefits file March 2013; SCO Table 183 April 2013
FY2015-16 - 5 months of 2016 health and dental costs are not shown
General Salary increase - 3% GSI effective 7/1/15
Per DOF, while PEPPRA is in effect January 1, 2013, savings are not realized until January 1, 2015.
Travel dollars provided by DOF