

State of California

M E M O R A N D U M

TO: PERSONNEL MANAGEMENT LIAISONS **DATE:** July 20, 2004
REFERENCE CODE: 2004-030

THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:

Employee Relations Officers
Personnel Officers

FROM: Department of Personnel Administration
Labor Relations Division

SUBJECT: Delegated Meet and Confers

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This is to place in writing the Department of Personnel Administration's (DPA's) policy regarding the delegation of its authority to departments to meet and confer in good faith with employee organizations, to enter into agreements, and to declare impasse.

- 1) All authority to meet and confer in good faith must be delegated in writing on the attached form, and signed by the DPA Labor Relations Officer (LRO) assigned to the appropriate bargaining unit. Without such written delegation, departments may not enter into binding agreements with employee organizations.
- 2) Departmental authority is limited to the impact of a management decision on those terms and conditions of employment within the scope of representation that are not otherwise covered by the Memorandum of Understanding (MOU).
- 3) In addition to any other specific limitations, no department will carry the delegated authority to commit to the following:
 - Agree to any provision that requires Legislation to implement.

- Agree to the expenditure of unbudgeted funds, or operational changes that would result in a Department submitting a Budget Change Proposal (BCP) to implement.
 - Agree to amend or augment any section of the MOU, or any term and condition of employment from an expired MOU that is being continued until a successor agreement is negotiated.
 - Agree to any provision that supersedes any law, any DPA Rule or any DPA policy.
- 4) All agreements must be reduced to writing and signed by the parties.
- 5) Forward completed agreements to DPA along with your bargaining notes.
- 6) Consult with the appropriate DPA, LRO prior to the declaration of impasse to provide the LRO with an opportunity to provide guidance and assistance.

DPA Labor Relations Officers are always available to offer assistance should you need it during any delegated meet and confer.

If you have any questions, please contact either me or Julie Chapman at (916) 324-0476.

David Gilb
Chief of Labor Relations

"Attachment will be mailed with the original hard copy."