

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Bargaining Unit 5 – Budget Savings Reduction and Personal Leave Program 2012	REFERENCE NUMBER: 2012-019
DATE ISSUED: 06/28/12	SUPERSEDES:

This memorandum should be forwarded to:

**Personnel Officers
Employee Relations Officers**

FROM: Department of Personnel Administration
Labor Relations Division

CONTACT: Personnel Services Branch
(916) 323-3343
Fax: (916) 327-1886
Email: psb@dpa.ca.gov

To assist in achieving 2012-2013 Budget Savings, the State reached a side letter labor agreement with the California Association of Highway Patrolmen (CAHP) representing State employees in Bargaining Unit 5. The agreement provides a Personal Leave Program (PLP) 2012 and a 4.62 percent pay reduction for all Bargaining Unit 5 employees effective July 1, 2012 through June 30, 2013.

PLP 2012

Effective July 1, 2012, all employees will be credited with PLP 2012 on the first day of each pay period for 12 consecutive pay periods in the manner outlined below:

Full-Time Employees

Full-time employees will continue to work his/her work schedule and shall have a reduction in pay equal to 4.62 percent and eight (8) hours of leave will be credited to the employee's PLP 2012 leave balance.

Part-Time Employees

Part-time employees shall be subject to the same conditions as full-time employees, on a prorated basis. The pro-ration shall be determined based on the employee's time base consistent with the following chart.

Time Base	PLP 2012 Credit in Hours
1/10	1
1/8	1
1/5	2
1/4	2
3/10	3
3/8	3
2/5	4
1/2	4
3/5	5
5/8	5
7/10	6
3/4	6
4/5	7
7/8	7
9/10	8

Intermittent Employees

Intermittent employees PLP 2012 credit shall be prorated based upon the number of hours worked in the monthly pay period as stated in the chart below.

Hours Worked During Pay Period	PLP 2012 Credit in Hours
0 to 10.9	0
11 to 30.9	1
31 to 50.9	2
51 to 70.9	3
71 to 90.9	4
91 to 110.9	5
111 to 130.9	6
131 to 150.9	7
151 or over	8

ADDITIONAL INFORMATION

- The 4.62 percent reduction shall not affect transfer determinations between State civil service classes.
- Compensation for the purpose of lump sum cash outs, retirement, death, and disability benefits shall not be affected by this reduction and shall be based on the unchanged salary rate.

- Employees are encouraged to use PLP 2012 hours before any other leave with the exception of sick leave.
- PLP 2012 shall be requested and used by the employee in the same manner as vacation/annual leave, or sick leave in accordance with departmental policies and applicable contract provisions.
- Employees shall be encouraged to use PLP 2012 hours in the month in which they are earned.
- PLP 2012 leave credits shall not be included in the calculation of the 816-hour leave credit cap.
- PLP 2012 credits may be donated or transferred to appropriate leave banks in a manner similar to the transfer of vacation or annual leave. An employee receiving the benefits of a catastrophic leave bank must first exhaust all leave credits prior to eligibility for donated leave.
- Employees on a leave of absence without pay shall be excluded from the PLP 2012 for the pay period if they are out the entire pay period. Partial pay periods shall have their reduction in pay and PLP 2012 credit reduced on a proration basis according to the intermittent chart above.
- PLP credits earned in any prior PLP or VPLP programs shall be kept separate from any PLP credits earned as a result of this agreement.
- Employees on military leave shall be excluded from the PLP 2012. Additionally, the employee's 30 calendar days of military leave compensation, or any supplemental pay provided pursuant to the military leave statutes, shall not be reduced for the purposes of PLP 2012.
- Employees who are on temporary disability, industrial disability leave, non-industrial disability leave, LC 4800.5 time or involuntary leave for the entire pay period are excluded from the PLP 2012 regardless of whether or not they supplement their disability payment. Employees who are on disability for a partial month, or working while on disability, regardless of whether or not they supplement, are included in the PLP 2012 for all time not covered by the disability/supplementation. This means that employees will receive the unreduced salary for any period of disability, including supplementation, during the pay period, with the remaining days being paid at the reduced rate and will receive a pro-rated amount of PLP 2012 credit, up to eight (8) hours.
- Holidays shall be excluded from the PLP 2012 if the employee is on disability for the entire pay period. However, if the employee works while on IDL, or works a partial month and a holiday falls during this working time, the holiday compensation shall be subject to a PLP 2012 reduction.

- When separations are effective July 1, 2012, and after, lump sum payments shall be based on the employee's unreduced salary. PLP 2012 credits accrued prior to the employee's separation date shall be paid the same as vacation, based on the employee's unreduced salary.
- Prior to separation, any unused PLP 2012 credits can be rolled over to deferred compensation plans, within the limits of the 457 and 401K plans.
- A State employee shall be entitled to the same level of State employer contributions for health, vision, dental, flex-elect cash option, and enhanced survivor's benefits he or she would have received had the PLP 2012 not occurred.
- PLP 2012 shall not cause a break in State service, a reduction in the employee's accumulation of service credit for the purposes of seniority and retirement, leave accumulation, or a merit salary adjustment.
- PLP 2012 shall neither affect the employee's final compensation used in calculating State retirement benefits nor reduce the level of State death or disability benefits to supplement those benefits with paid leave.

For questions related to this PML, State department personnel office designated liaisons should contact Department of Personnel Administration's Personnel Services Branch at the phone number or email address listed above.

/s/Julie Chapman

Julie Chapman
Acting Director