

**California Department of Human Resources
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Update to SB 621 Delegation Process and Submission of Delegated Agreements to CalHR for the Joint Legislative Budget Committee (JLBC)	REFERENCE NUMBER: 2013-0016
DATE ISSUED: 04/29/13	SUPERSEDES: None

This memorandum should be forwarded to:

**Personnel Officers
Labor Relations Officers**

FROM: California Department of Human Resources
[Labor Relations]

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This is an update to CalHR's April 4, 2007 email direction regarding the submission of delegated agreements to CalHR and the Joint Legislative Budget Committee (JLBC) as required by Senate Bill 621 (Chapter 499, Statutes of 2005).

As a reminder, in 2007, SB 621 amended the Dills Act (Government Code Section 3517.63) to provide greater legislative oversight of the collective bargaining process and the expenditure of funds. The implementation of SB 621 requires that any negotiated changes, such as any side letter, appendix or other addendum, may be subject to legislative review and approval.

As you know, CalHR authorizes limited delegations of authority to bargain for specific departmental labor relations staff.

Departmental labor relations staff must request delegation and must receive written delegation from CalHR prior to noticing and meeting and conferring with the union to negotiate the impact of a management initiated change. No department may enter into any addenda to the MOU through the meet and confer process required by the various MOU's Entire Agreement clause, or any other contract clause, except as expressly delegated in writing in advance by a CalHR LRO (Labor Relations Officer). CalHR LRO's are available to assist in negotiating cases where departments do not have qualified individuals to conduct meet and confer negotiations.

As noted below, when a departmental labor relations staff person concludes a meet and confer, he/she must submit the signed agreement to the appropriate CalHR LRO.

Effective immediately, CalHR will submit all agreements (including those reached by departmental labor relations staff with delegated authority to bargain and those reached by CalHR LRO's) to the JLBC for review.

In light of this, CalHR directs all departmental labor relations staff to submit all delegated agreements to CalHR as follows:

1. Within two business days of reaching a signed agreement, the departmental labor relations staff will send an email to the CalHR LRO(s) responsible for the affected bargaining unit(s) containing the following documents:
 - a. a copy of the approved delegation,
 - b. a copy of all bargaining notes,
 - c. the final signed, scanned agreement, side letter, appendix or other addendum, and
 - d. the final Word version of the agreement, side letter, appendix or other addendum (prior to signing).
2. If the negotiations do not result in a signed agreement, then the departmental labor relations staff will send an email to the CalHR LRO(s) responsible for the affected bargaining unit(s) containing the following document:
 - a. a closure letter stating the results of the negotiations, referencing the CalHR Log Number.

CalHR will continue to provide negotiating instructions to departmental labor relations staff along with the written approval of delegated authority to bargain. Additional guidance necessary to comply with the statutory provisions of SB 621 (GC 3517.63) may also be given at the time of any delegated meet and confer.

Upon receipt of a signed agreement, CalHR will review the agreement for approval and submit it to the JLBC and post it on the CalHR Website.

If you have any questions with regard to this direction, please contact CalHR.

/s/ Pam Manwiller
Deputy Director