



California Association of Psychiatric Technicians

January 20, 2016

Richard Gillihan, Director
CalHR
1515 S Street, North Bldg, Suite 400
Sacramento, CA 95814

Dear Mr. Gillihan:

Pursuant to Section 3523 of the Dills Act, The following is the initial meet and confer proposal of the California Association of Psychiatric Technicians for a successor agreement to the Bargaining Unit 18 agreement that expires July 1, 2016.

To simplify the presentation, we are first listing Part 1 which includes those sections of the agreement for which CAPT proposes to roll over existing language with no changes. After that, we list Part 2 which covers our proposals for change, including – *but not limited to* – certain specific areas. Part 3 introduces new provisions.

Part 1 – No Changes Proposed by CAPT

Preamble

Article 1 – General Provisions

- 1.2 No Strike
- 1.3 No Lockout
- 1.5 Savings Clause
- 1.7 Supersession

Article 3 – Management Rights

Article 4 – Wages

- 4.1 Salary Definitions
- 4.6 Bilingual Differential Pay
- 4.7 Rate on Reinstatement after Separation
- 4.8 Semi-Monthly Pay
- 4.10 401K Plan
- 4.12 Blood Withdrawal Certification
- 4.13 Recruitment and Retention

Article 5 – Hours of Work and Overtime

- 5.5 Meal Periods
- 5.6 Days Off Cycles
- 5.8 Compensable Travel Time
- 5.9 Excess Time
- 5.10 Mixed Shifts
- 5.12 Report Preparation Time for Senior Psychiatric Technicians

Article 6 – Leave and Holidays

- 6.5 Maternal, Parental, Adoption Leave
- 6.7 Jury Duty
- 6.9 Catastrophic Leave (Work and Family Program Assistance)
- 6.10 Catastrophic Leave (Natural Disaster)
- 6.11 Personal Leave
- 6.12 Unpaid Leave of Absence
- 6.15 Furlough and PLP Programs
- 6.16 Organ or Bone Marrow Donations
- 6.17 Paid Time Off: Precinct Elections Board

Article 7 – Benefits

- 7.2 Pre-Tax of Health/Dental Premium Costs
- 7.3 Joint Labor/Management Benefits Committee
- 7.4 Flexible Benefit (FlexElect) Program
- 7.5 Continuation of Flexible Benefits Program
- 7.11 Business and Travel Expenses
- 7.12 Client Escort Reimbursement
- 7.13 Replacement of Damaged Personal Clothing and/or Articles
- 7.14 License Renewal Fees
- 7.15 State-Owned Housing Rental Rates
- 7.18 Transportation Incentives and Parking Rates
- 7.19 Long-Term Care Insurance Plan
- 7.20 Legal Service Plan

Article 8 – Retirement Provisions

Article 9 – Working Conditions

- 9.7 Classification Changes
- 9.8 Adverse Actions
- 9.12 Request for Reinstatement after AWOL Separation

Article 10 – Health and Safety

- 10.2 Infectious Disease
- 10.3 Nursing Stations
- 10.7 Employee Assistance Program
- 10.10 Workplace Violence Prevention
- 10.11 Safety Equipment
- 10.12 Referral of Assault/Battery

Article 11 – Committees

Article 12 – Representation and Association Provisions

- 12.1 CAPT Representation
- 12.2 Access
- 12.3 Distribution and Literature
- 12.4 Use of State Facilities
- 12.5 Bulletin Boards
- 12.7 Conferences and Schools
- 12.8 Association Leave Without Pay
- 12.12 Home Addresses
- 12.13 Use of State Equipment

Article 13 – Grievance and Arbitration Procedure

- 13.13 Individual Agreement

Article 14 – Entire Agreement and Duration

- 14.3 No Mandated Reduction in Work Hours
- 14.4 Continuous Appropriation

Appendix B – Recruitment and Retention Differentials

Appendix D – Sponsorship

Appendix E – Sample Contract

Side Letter # 1 – Sick Leave Benefits for Military Veterans

Part 2 – Changes Proposed by CAPT

Article 1 – General Provisions

- 1.1 Recognition and Coverage
CAPT proposes to delete classifications that have been eliminated by CalHR.
- 1.4 Non-Discrimination
CAPT proposes to negotiate that this provision be grievable through the 3rd step of the grievance procedure.
- 1.6 Reasonable Accommodation
CAPT proposes to negotiate improvements to allow this provision to be grievable.

Article 2 – Psychiatric Technician Provisions

- 2.1 Professional Recognition and Rights
CAPT proposes to negotiate improvements in this provision which will shorten the time a formal investigation is concluded and define employees' rights during the course of an investigation. CAPT proposes to negotiate improvements in the method of issuing corrective counseling memorandums. CAPT proposes to negotiate this provision be grievable and other improvements.
- 2.2 Psychiatric Technician Career Ladder
CAPT proposes to negotiate improvements to this provision.
- 2.3 Professional Practice Groups (PPGs)
CAPT proposes to negotiate improvements to this provision.

Article 4 – Wages

- 4.2 Adjusted Pay Ranges
CAPT proposes to negotiate fair and equitable wage increases that address cost of living, inequities and recruitment and retention.
- 4.3 Ranges
CAPT proposes to negotiate additional alternate ranges.
- 4.4 Merit Salary Adjustments
CAPT proposes to negotiate changes to this provision.
- 4.5 Shift Differential Pay
CAPT proposes to negotiate language to define what qualifies as 3rd watch/PM and 1st watch/NOC shifts and to include these differentials as PERsable for the purposes of retirement compensation.

- 4.9 Timely Payment of Wages
CAPT proposes to negotiate changes to this provision.
- 4.11 Overpayments/Payroll Errors
CAPT proposes to negotiate improvements to this provision that will require more specific notification to employees.

Article 5 – Hours of Work and Overtime

- 5.1 Overtime
CAPT proposes to negotiate improvements that will reduce the amount of mandatory overtime.
- Allow all paid leave to count towards time for the purpose of overtime.
 - Expand the use of voluntary overtime.
- 5.2 Show-up Time
CAPT proposes to negotiate changes to this provision.
- 5.3 Call Back Time
CAPT proposes to negotiate changes to this provision.
- 5.4 Rest Periods
CAPT proposes to negotiate improvements to this provision to allow for greater flexibility as to how rest breaks are taken and supervisors documentation of scheduled breaks. CAPT proposes this provision to be grievable.
- 5.7 Exchange of Days Off
CAPT proposes to negotiate improvements to this provision.
- 5.11 Alternate Work Schedule
CAPT proposes to negotiate expansion of this provision.
- 5.13 Voluntary Overtime – CDCR and CCHCS
CAPT proposes to negotiate improvements to this provision that address how daily unscheduled overtime is awarded and expand the VOT language to all departments.

Article 6 – Leaves and Holidays

- 6.1 Holidays
CAPT proposes to negotiate improvements to this provision.
- Increase the number of premium holidays.
 - Define employee compensation when working a holiday as a result of exchanging days off with another employee.

- 6.2 Vacation Leave
CAPT proposes to negotiate improvements to this provision relative to the scheduling of vacations/ad hoc time off, vacation calendars and managements response time.
- 6.3 Annual Leave
CAPT proposes to negotiate changes to this provision.
- 6.4 Sick Leave
CAPT proposes to negotiate changes to this provision.
- 6.6 Bereavement Leave
CAPT proposes to negotiate improvements to this provision.
- 6.8 Release Time for State Civil Service Examinations
CAPT proposes to negotiate changes to define employees' eligibility for this provision.
- 6.13 Family and Medical Leave Act (FMLA)
CAPT proposes to negotiate changes to this provision.
- 6.14 Work and Family Participation
CAPT proposes to negotiate improvements to this provision, defining notice requirements and management's response time.

Article 7 – Benefits

- 7.1 Consolidated Benefits (CoBen) Program
CAPT proposes that the State pick up any increase in the premium for Health, Dental and Vision Plans.
- 7.6 Non-Industrial Disability Insurance (NDI)
CAPT proposes to negotiate improvements to this provision.
- 7.7 Enhanced Non-Industrial Disability Insurance (ENDI)
CAPT proposes to negotiate improvements to this provision.
- 7.8 Industrial Disability Leave (IDL)
CAPT proposes to negotiate improvements to this provision.
- 7.9 Enhanced Industrial Disability Leave (EIDL)
CAPT proposes to negotiate improvements to this provision.

- 7.10 Overtime Meal Allowance
CAPT proposes to negotiate an increase in the overtime meal allowance as well as language to streamline the process.
- 7.16 Education and Training
CAPT proposes to negotiate improvements to this provision.
- 7.17 Continuing Education
CAPT proposes to negotiate improvements to this provision which allow employees greater access to CEUs.

Article 9 – Working Conditions

- 9.1 Layoff and Reemployment
CAPT proposes to negotiate improvements to this provision including statewide bidding to vacant positions within departments in lieu of layoff.
- 9.2 Post and Bid
CAPT proposes to negotiate the percentage of positions ratio and other improvements.
- 9.3 Seniority
CAPT proposes to negotiate language that defines a qualifying month of full-time State service.
- 9.4 Staffing
CAPT proposes to negotiate increases in the staffing ratios and language which requires supervisors to prioritize duties. CAPT proposes to negotiate established staffing ratios for CDCR/CCHCS facilities.
- 9.5 Personnel File
CAPT proposes to negotiate provisions that will define what documents are permitted to be placed in the employees' OPF or Supervisory file.
- 9.6 Out-of-Class Work
CAPT proposes to negotiate improvements to this provision.
- 9.9 Notice of Shift Change
CAPT proposes to negotiate improvements to this provision.
- 9.10 Facility Transfer
CAPT proposes to negotiate improvements to this provision.
- 9.11 Performance Appraisal
CAPT proposes to negotiate improvements to this provision which defines

timeframes for reports to be issued to employees and makes this section grievable.

- 9.13 Psychiatric Technician Relief of Shift Supervisor
CAPT proposes to negotiate a differential for employees assigned this duty and to preclude probationary employees from being assigned as relief shift lead.
- 9.14 Hardship Transfer
CAPT proposes to negotiate improvements to this provision.

Article 10 – Health and Safety

- 10.1 Health and Safety
CAPT proposes to negotiate improvements to this provision revising the expedited health and safety grievance procedure.
- 10.4 Alarm Systems
CAPT proposes to negotiate improvements to this provision.
- 10.5 Limited Duty
CAPT proposes to negotiate improvements to this provision expanding employees' access to limited duty assignments.
- 10.6 Management of Assaultive Behavior
CAPT proposes to negotiate expanding this provision to cover CDCR/CCHCS and other improvements.
- 10.8 Emergency Care
CAPT proposes to negotiate improvements to this provision.
- 10.9 Substance Abuse
CAPT proposes to negotiate improvements to this provision.
- 10.13 Incident Debriefing
CAPT proposes to negotiate improvements to this provision.
- 10.14 Duty Statements/Post Orders
CAPT proposes to negotiate improvements to this provision including defining supervisory duties included for the SPT classification and making this provision grievable through all steps of the grievance procedure.

Article 12 – Representation and Association Provisions

- 12.6 Orientation
CAPT proposes to negotiate changes to this provision.

- 12.9 Release from Duty (State Officers)
CAPT proposes to negotiate changes to this provision relative to reimbursement.
- 12.10 Release from Duty/Reduced Work Time, CAPT Chapter Officers
CAPT proposes to negotiate changes to this provision relative to reimbursement.
- 12.11 Fair Share Fees and Dues Deductions
CAPT proposes to negotiate changes to this provision.

Article 13 – Grievance and Arbitration Procedure

- 13.1 Grievance Procedure
CAPT proposes to negotiate improvements to this provision.
- 13.2 Complaint Procedure
CAPT proposes to negotiate improvements to this provision.
- 13.4 Expedited Arbitration
CAPT proposes to negotiate improvements to this provision.

Article 14 – Entire Agreement and Duration

- 14.1 Entire Agreement
CAPT proposes to negotiate improvements to this provision.
- 14.2 Duration
CAPT proposes to negotiate the duration of this agreement.

Side Letters

CAPT proposes to include all relative side letters as a part of this contract and place them under the appropriate provisions.

Part 3 – New Provisions

CAPT proposes to negotiate new provisions relative to:
Longevity Ranges
Tardiness
Walk time