



February 9, 2022

Eraina Ortega, Director
CalHR
1515 S Street, North Building, Suite 500
Sacramento, CA 95811

Dear Ms. Ortega,

Pursuant to Section 3523 of the Dills Act, the following is the initial meet and confer proposal of the California Association of Psychiatric Technicians (CAPT) for a successor agreement to the Bargaining Unit 18 agreement that expires July 1, 2022.

To simplify 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 change. 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

- 1.1 Recognition and Coverage
- 1.3 No Lockout
- 1.5 Savings Clause
- 1.7 Supersession

Article 2- Psychiatric Technician Provisions

- 2.2 Psychiatric Technician Career Ladder
- 2.3 Professional Practice Groups (PPGs)

Article 3- Management Rights

Article 4- Wages

- 4.1 Salary Definitions
- 4.7 Rate on Reinstatement after Separation
- 4.8 Semi-Monthly Pay
- 4.10 401K Plan

Article 5- Hours of Work and Overtime

- 5.2 Show-up Time
- 5.6 Days Off Cycles
- 5.8 Compensable Travel Time
- 5.9 Excess Time
- 5.10 Mixed Shifts

Article 6- Leaves and Holidays

- 6.5 Maternal, Parental, Adoption Leave
- 6.7 Jury Duty
- 6.8 Release Time for State Civil Service Examinations
- 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
- 6.16 Organ or Bone Marrow Donation
- 6.17 Paid Time Off & Precinct Election Board
- 6.18 Vacation/Annual Leave Cash Out

Article 7- Benefits

- 7.2 Pre-Tax of Health/Dental Premiums Costs
- 7.3 Joint Labor/Management Benefits Committee
- 7.4 Flexible Benefit (FlexElect) Program
- 7.5 Continuation of Flexible Benefits Election
- 7.6 Non-Industrial Disability Insurance (NDI)
- 7.7 Enhanced Non-Industrial Disability Insurance (ENDI) -- Annual Leave
- 7.8 Industrial Disability Leave (IDL)
- 7.11 Business, Travel and Relocation Policy and Reimbursements
- 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 Services Plan

Article 8- Retirement Provisions

- 8.1 Second Tier Retirement Plan
- 8.2 Sick Leave Credit Upon Retirement
- 8.3 Survivors' Benefits
- 8.4 Tax Treatment of Employee Retirement Contributions
- 8.5 Items Excluded from Compensation for Retirement Purposes
- 8.6 State Miscellaneous/Industrial – First Tier A Retirement formula (2% at age 55), First Tier B Retirement Formula (2% at age 60), and Public Employees' Pension Reform Act (PEPRA) First Tier Retirement Formula (2% at age 62)/Employee Contribution/Final Compensation
- 8.8 First Tier Retirement Eligibility for Employees in Second Tier Retirement
- 8.9 Industrial Disability Retirement
- 8.10 Public Employees' Pension Reform Act of 2013 (PEPRA)
- 8.11 Preretirement – Alternate Death Benefit

Article 9- Working Conditions

- 9.1 Layoff and Reemployment
- 9.3 Seniority
- 9.7 Classification Changes
- 9.8 Adverse Actions
- 9.10 Facility Transfer
- 9.12 Request for Reinstatement after AWOL Separation

Article 10- Health and Safety

- 10.3 Nursing Stations
- 10.8 Emergency Care
- 10.9 Substance Abuse
- 10.10 Workplace Violence Prevention
- 10.12 Referral of Assault/Battery
- 10.14 Duty Statements/Post Orders

Article 11- Committees

- 11.1 Joint Apprenticeship
- 11.4 Labor/Management Committee on Forensic Safety

Article 12- Representation and Association Provisions

- 12.5 Bulletin Boards
- 12.6 New Employee Orientation
- 12.7 Conferences and Schools
- 12.8 Association Leave Without Pay
- 12.9 Release from Duty (State Officers)
- 12.10 Release from Duty/Reduced Work Time, CAPT Chapter Officers
- 12.11 Dues Deductions
- 12.14 Agency/Unit Changes

Article 13- Grievance and Arbitration Procedures

- 13.2 Complaint Procedure

Article 14- Entire Agreement and Duration

- 14.1 Entire Agreement
- 14.4 Continuous Appropriation

Article 15- Retiree Health and Dental Benefits

Appendix C- Government Code Sections incorporated into the Agreement pursuant to Supersession Section 1.7

Appendix D- Sponsorship

Appendix E- Sample Contract

Part 2 – Changes Proposed by CAPT

Article 1- General Provisions

- 1.2 No Strike-
CAPT proposes to make changes to this provision.
- 1.4 Non-Discrimination-
CAPT proposes to clarify this provision.
- 1.6 Reasonable Accommodation-
CAPT proposes to make changes to this provision.

Article 2- Psychiatric Technician Provisions

- 2.1 Professional Recognition and Rights-
CAPT proposes to negotiate improvements to this provision
- 2.4 Security Cameras-
CAPT proposes to negotiate changes 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 improvements to this provision.
- 4.4 Merit Salary Adjustments-
CAPT proposes to negotiate changes to this provision.
- 4.5 Shift Differential-
CAPT proposes to negotiate improvements to this provision.
- 4.6 Bilingual Differential Pay-
CAPT proposes to negotiate improvements to this provision.
- 4.9 Timely Payment of Wages-
CAPT proposes to make changes to this provision.
- 4.11 Overpayments/Payroll Errors-
CAPT proposes to make changes to this provision.
- 4.12 Blood Withdrawal Certification-
CAPT proposes to negotiate changes to this provision.
- 4.13 Recruitment and Retention-
CAPT proposes to negotiate improvements to this provision.
- 4.14 Weekend Differential-
CAPT proposes to negotiate increases to this provision.

Article 5- Hours of Work and Overtime

- 5.1 Overtime-
CAPT proposes to negotiate changes to this provision that will continue to reduce mandatory overtime and other improvements.
- 5.4 Rest Periods-
CAPT proposes to negotiate compensation for employees who are not scheduled for rest periods and to make this provision arbitrable.
- 5.5 Meal Periods-
CAPT proposes to negotiate improvements to this provision.
- 5.7 Exchange of Days Off-
CAPT proposes to negotiate improvements to this provision, including expanding the period in which the exchange may take place.

5.11 Alternate Work Schedules-

CAPT proposes to negotiate changes to this provision, including expanding eligibility to participate and removing restrictions.

5.12 Report Preparation Time for Senior Psychiatric Technicians-

CAPT proposes to negotiate extending this provision to all BU 18 employees.

Article 6- Leaves and Holidays

6.1 Holidays-

CAPT proposes to negotiate improvements to this provision including increasing the number of premium holidays.

6.2 Vacation Leave-

CAPT proposes to negotiate improvements to this provision relative to accrual, scheduling of vacation/ad hoc time off, vacation calendars and managements' responsibilities.

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 changes to 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 changes to this provision.

6.15 Furlough and PLP Programs-

CAPT proposes to negotiate changes to this provision.

Article 7- Benefits

7.1 Consolidated Benefits (CoBen) Program-

CAPT proposes to negotiate that the State pick up any increase in the premiums for Health, Dental and Vision plans.

7.9 Enhanced Industrial Disability Leave (EIDL)-

CAPT proposes to negotiate changes to this provision.

7.10 Overtime Meal Allowance-

CAPT proposes to negotiate improvements to this provision.

7.16 Education and Training-

CAPT proposes to negotiate changes to this provision.

7.17 Continuing Education-

CAPT proposes to negotiate changes to this provision.

Article 8- Retirement Provisions

8.7 State Safety A Retirement Formula (2.5% at age 55), State Safety B Retirement Formula (2% at age 55), and Public Employees' Pension Reform Act (PEPRA) Retirement Formula (2% at age 57) Employee Contributions/Final Compensation-
CAPT proposes to negotiate changes to this provision including completion of a Safety Retirement Study for BU 18 employees in DDS.

Article 9- Working Conditions

- 9.2 Post and Bid-
CAPT proposes to negotiate improvements to this provision.
- 9.4 Staffing-
CAPT proposes to negotiate improvements to this provision including establishing staffing minimums for unlicensed units in CDCR/CCHCS.
- 9.5 Personnel File-
CAPT proposes to negotiate changes to this provision.
- 9.6 Out-of-Class Work-
CAPT proposes to negotiate changes to this provision.
- 9.9 Notice of Shift Change-
CAPT proposes to negotiate changes to this provision.
- 9.11 Performance Appraisal-
CAPT proposes to negotiate changes to this provision.
- 9.13 Shift Lead Relief-
CAPT proposes to negotiate changes to this provision.
- 9.14 Hardship Transfer-
CAPT proposes to negotiate changes to this provision.

Article 10- Health and Safety

- 10.1 Health and Safety-
CAPT proposes to negotiate changes to this provision.
- 10.2 Infectious Disease-
CAPT proposes to negotiate improvements to this provision.
- 10.4 Alarm Systems-
CAPT proposes to negotiate changes to this provision.
- 10.5 Limited Duty-
CAPT proposes to negotiate improvements to this provision.
- 10.6 Management of Assaultive Behavior-
CAPT proposes to negotiate changes to this provision to provide training in all departments.
- 10.7 Employee Assistance Program-
CAPT proposes to negotiate changes to this provision.

- 10.11 Safety Equipment-
CAPT proposes to negotiate changes to this provision.
- 10.13 Incident Debriefing-
CAPT proposes to negotiate changes to this provision.

Article 11- Committees

- 11.2 Labor/Management-
CAPT proposes to negotiate changes to this provision.
- 11.5 CDCR- Use of Permanent Intermittents and Retired Annuitants-
CAPT proposes to negotiate updates to this provision.
- 11.6 JLMC Coleman Salary-
CAPT proposes to negotiate updates to this provision.

Article 12- Representation and Association Provisions

- 12.1 CAPT Representation-
CAPT proposes to negotiate changes to this provision.
- 12.2 Access-
CAPT proposes to negotiate improvements to this provision.
- 12.3 Distribution of Literature-
CAPT proposes to negotiate changes to this provision.
- 12.4 Use of State Facilities-
CAPT proposes to negotiate changes to this provision.
- 12.12 Home Addresses-
CAPT proposes to negotiate changes to this provision to improve consistency.
- 12.13 Use of State Equipment-
CAPT proposes to negotiate changes to this provision.

Article 13- Grievance and Arbitration Procedure

- 13.1 Grievance Procedure-
CAPT proposes to negotiate changes to this provision.
- 13.3 Individual Agreement-
CAPT proposes to negotiate changes to this provision.
- 13.4 Expedited Arbitration-
CAPT proposes to negotiate expanding this provision.

Article 14- Entire Agreement and Duration

- 14.2 Duration-
CAPT proposes to negotiate the duration of this agreement.

Side Letters

CAPT proposes to include all relevant side letters as a part of the agreement and place them under the appropriate provisions.

Part 3 – New Proposals

CAPT proposes to negotiate Essential Worker Pay for all BU 18 employees who worked during the COVID-19 Pandemic.

CAPT proposes to negotiate Longevity Pay for BU 18 employees.

CAPT proposes to negotiate a Relief Shift Lead differential for BU 18 employees.

CAPT proposes to negotiate appropriate leave to be used by BU 18 employees when tardy.

CAPT proposes to negotiate a Voluntary Personal Leave Program for BU 18 employees who wish to participate.

CAPT proposes to negotiate a provision to provide Retirement Credit in Lieu of Layoff for BU 18 employees.