



CALIFORNIA ASSOCIATION OF  
PROFESSIONAL SCIENTISTS

March 28, 2013

Julie Chapman, Director  
California Department of Human Resources  
1515 S Street, North Building, Suite 400  
Sacramento, CA 95814

Dear Ms. Chapman:

Please find attached CAPS' initial bargaining proposals for 2013 pursuant to the Dills Act, Government Code Section 3525. Twenty five copies of this proposal will be made available for public review.

Sincerely,

Christopher J. Voight  
Chief Spokesman

/Enclosure

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**CAPS  
BARGAINING UNIT 10  
INITIAL BARGAINING PROPOSALS  
March 28, 2013**

**(Proposed changes in Blue)**

In accordance with Government Code Section 3523, this notice is provided to the State of California, the public and all other interested parties. The California Association of Professional Scientists (CAPS) proposes to modify the Memorandum of Understanding between CAPS and the State of California (April 1, 2011 – July 1, 2013) as specified below. CAPS reserves the right to reopen negotiations on **ALL** provisions of the current MOU, and to make additional new proposals during the course of negotiations.

**PREAMBLE**

CAPS proposes to continue this provision.

**ARTICLE 1 – RECOGNITION**

CAPS proposes to continue this provision.

**ARTICLE 2 – SALARIES**

- 2.1 **Salary Increase.** CAPS proposes one or more salary increases for state scientists to reach salary equity with related classifications and jurisdictions, and to cover cost-of-living increases, starting with an effective date of July 2, 2013.
- 2.2 **Merit Salary Adjustments.** CAPS proposes to continue this provision.
- 2.3 **Night Shift Differential.** CAPS proposes to continue this provision.
- 2.4 **Bilingual Differential Pay.** CAPS proposes to continue this provision.
- 2.5 **Timely Payment of Wages.** CAPS proposes to continue this provision.
- 2.6 **Staff Specialist Compensation.** CAPS proposes to continue this provision.
- 2.7 **Diving/Climbing Pay.** CAPS proposes to continue this provision.
- 2.8 **Overpayment/Payment Errors.** CAPS proposes to continue this provision.
- 2.9 **Alternate Range 40.** CAPS proposes to amend this provision to provide more equitable compensation for scientists who work in correctional facilities.
- 2.10 **Recruitment and Retention Differentials.** CAPS proposes to continue this provision.
- 2.11 **Payroll System.** CAPS proposes to continue this provision.
- 2.12 **Out-of-State Pay Differential.** CAPS proposes to continue this provision.
- 2.13 **Tax Deferral of Lump Sum Leave Cash Out Upon Separation.** CAPS proposes to continue this provision.
- 2.14 **Emergency Pay (Veterinarians).** CAPS proposes to expand this provision to additional classifications at CDFA.
- 2.15 **Canine Differential Pay.** CAPS proposes to continue this provision.

2.16 **Field Training Biologist.** CAPS proposes to continue this provision.

### **ARTICLE 3 – LEAVES**

- 3.1 **Vacation Leave.** CAPS proposes to continue this provision.
- 3.2 **Sick Leave.** CAPS proposes to continue this provision.
- 3.3 **FMLA.** CAPS proposes to continue this provision.
- 3.4 **Bereavement Leave.** CAPS proposes to continue this provision.
- 3.5 **Parental Leave.** CAPS proposes to continue this provision.
- 3.6 **Union Leave.** CAPS proposes to continue this provision.
- 3.7 **Unpaid Leave of Absence.** CAPS proposes to continue this provision.
- 3.8 **Jury Duty.** CAPS proposes to continue this provision.
- 3.9 **Nonindustrial Disability Insurance.** CAPS proposes to continue this provision.
- 3.10 **Catastrophic Leave.** CAPS proposes to continue this provision.
- 3.11 **Work and Family Program.** CAPS proposes to continue this provision.
- 3.12 **Catastrophic Leave – Natural Disaster.** CAPS proposes to continue this provision.
- 3.13 **Annual Leave.** CAPS proposes to continue this provision.
- 3.14 **Enhanced Nonindustrial Disability Insurance – Annual Leave.** CAPS proposes to continue this provision.
- 3.15 **Blood Donation.** CAPS proposes to continue this provision.
- 3.16 **Mentoring Leave.** CAPS proposes to continue this provision.
- 3.17 **Mentoring Leave Authorization – Science Fairs.** CAPS proposes to continue this provision.
- 3.18 **Precinct Election – Paid Time Off.** CAPS proposes to continue this provision.
- 3.19 **Voluntary Personal Leave Program (VPLP).** CAPS proposes to continue this provision.
- 3.20 **Personal Leave Program 2011.** CAPS proposes to continue this provision.
- 3.21 **Furlough Protection.** CAPS proposes to continue this provision for the duration of the agreement.

### **ARTICLE 4 – HOLIDAYS**

- 4.1 **Holidays.** CAPS proposes to continue this provision.

### **ARTICLE 5 – HEALTH AND WELFARE**

- 5.1 **Health, Dental, Vision Plans.** CAPS proposes to continue these provisions.

- 5.2 **Employee Assistance Program.** CAPS proposes to continue this provision.
- 5.3 **Medical Monitoring.** CAPS proposes to continue this provision.
- 5.4 **Employee Injury on the Job.** CAPS proposes to continue this provision.
- 5.5 **Independent Medical Examination.** CAPS proposes to continue this provision.
- 5.6 **Employee Injury or Disability.** CAPS proposes to continue this provision.
- 5.7 **Flex-Elect Program.** CAPS proposes to continue this provision, and to increase the cash option for Health and Dental opt outs.
- 5.8 **Pre-Tax of Health/Dental/Vision Premiums.** CAPS proposes to continue this provision.
- 5.9 **Benefits Advisory Committee.** CAPS proposes to continue this provision.
- 5.10 **Pre-Retirement Death Continuation of Benefits.** CAPS proposes to continue this provision.
- 5.11 **Accidental Death/Dismemberment Benefits – Department of Fish and Game.** CAPS proposes to amend this provision to cover all appropriate classification titles for the Department of Fish and Wildlife.
- 5.12 **Rural Health Subsidy Program.** CAPS proposes to restore this program.
- 5.13 **Health Promotion Activities.** CAPS proposes to continue this provision.

#### **ARTICLE 6 – BUSINESS AND TRAVEL EXPENSES**

- 6.1 **Business and Travel Expenses.** CAPS proposes to continue this provision but with increased travel reimbursement rates that enable state scientists to do the state's work safely and timely.
- 6.2 **Moving Expenses.** CAPS proposes to continue this provision.
- 6.3 **Business Equipment, Materials and Supplies.** CAPS proposes to continue this provision.
- 6.4 **Uniform Replacement Allowance.** CAPS proposes to continue this provision but with additional funding to purchase required uniforms.
- 6.5 **Damage of Personal Items.** CAPS proposes to continue this provision.
- 6.6 **License Renewal Fees.** CAPS proposes to continue this provision.
- 6.7 **Safety Footwear.** CAPS proposes to continue this provision but with additional funding to purchase required footwear.

#### **ARTICLE 7 – HOURS OF WORK AND OVERTIME**

- 7.1 **Meal Period.** CAPS proposes to continue this provision.
- 7.2 **Alternative Work Schedule.** CAPS proposes to continue this provision.
- 7.3 **Overtime Scheduling.** CAPS proposes to continue this provision.
- 7.4 **Call Back Time.** CAPS proposes to continue this provision.

- 7.5 **Fair Labor Standards Act.** CAPS proposes to continue this provision.
- 7.6 **Duty Officer, DTSC.** CAPS proposes to continue this provision.
- 7.7 **Work Week Group Definitions and Compensation.** CAPS proposes to continue these provisions.
- 7.8 **On Call Assignments.** CAPS proposes to expand this provision to state departments where it is not in use.
- 7.9 **Arduous Duty Differential.** CAPS proposes to continue this provision.
- 7.10 **Telecommute/Telework Program.** CAPS proposes to amend this provision by incorporating the June 2012 agreement on telecommuting.

#### **ARTICLE 8 – RETIREMENT**

- 8.1 **Retirement-Miscellaneous Members.** CAPS proposes to continue this provision..
- 8.2 **Retirement-Safety Members.** CAPS proposes to continue this provision.
- 8.3 **Second-Tier Retirement Plan.** CAPS proposes to continue this provision.
- 8.4 **Savings Plus Program.** CAPS proposes to continue this provision.
- 8.5 **Items Excluded from Compensation for Retirement Purposes.** CAPS proposes to continue this provision.
- 8.6 **Enhanced Industrial Retirement.** CAPS proposes to continue this provision.
- 8.7 **Employer Paid Retirement Contributions.** CAPS proposes to continue this provision.

#### **ARTICLE 9 – GRIEVANCE AND ARBITRATION PROCEDURE**

- 9.1-9.13 **Grievance and Arbitration.** CAPS proposes to continue these provisions.

#### **ARTICLE 10 – CAPS REPRESENTATIONAL RIGHTS**

- 10.1 **Representational Designation.** CAPS proposes to continue this provision.
- 10.2 **Access.** CAPS proposes to continue this provision.
- 10.3 **Use of State Phones.** CAPS proposes to continue this provision.
- 10.4 **Distribution of Literature.** CAPS proposes to continue this provision.
- 10.5 **Use of State Facilities.** CAPS proposes to continue this provision.
- 10.6 **Representative Time Off.** CAPS proposes to continue this provision.
- 10.7 **Employee Time Off.** CAPS proposes to continue this provision.
- 10.8 **Representation Protection.** CAPS proposes to continue this provision.

10.9 **Release of Home Addresses.** CAPS proposes to continue this provision.

#### **ARTICLE 11 – ORGANIZATIONAL SECURITY**

11.1 **Organizational Security.** CAPS proposes to continue this provision.

#### **ARTICLE 12 – STATE RIGHTS**

12.1 **State Rights.** CAPS proposes to continue this provision.

#### **ARTICLE 13 – GENERAL PROVISIONS**

13.1 **No Strike.** CAPS proposes to continue this provision.

13.2 **No Lockout.** CAPS proposes to continue this provision.

13.3 **Individual Agreements.** CAPS proposes to continue this provision.

13.4 **Savings Clause.** CAPS proposes to continue this provision.

13.5 **Reprisals.** CAPS proposes to continue this provision.

13.6 **Supersession.** CAPS proposes to continue this provision.

13.7 **Non-Discrimination.** CAPS proposes to continue this provision.

13.8 **Sexual Harassment.** CAPS proposes to continue this provision.

13.9 **State-Owned Housing Rental and Utility Rates.** CAPS proposes to continue this provision.

#### **ARTICLE 14 – HEALTH AND SAFETY**

14.1 **Health and Safety Committees.** CAPS proposes to continue this provision.

#### **ARTICLE 15 – CAREER DEVELOPMENT**

15.1 **Release Time for State Civil Service Examinations.** CAPS proposes to continue this provision.

15.2 **Performance Appraisal.** CAPS proposes to continue this provision.

15.3 **Training.** CAPS proposes to continue this provision.

15.4 **Certification or Registration.** CAPS proposes to continue this provision.

15.5 **Departmental Orientation.** CAPS proposes to continue this provision.

15.6 **Professional Papers.** CAPS proposes to continue this provision.

15.7 **Volunteer Training.** CAPS proposes to continue this provision.

15.8 **Professional Society Dues.** CAPS proposes to increase the reimbursement amount.

#### **ARTICLE 16 – TRANSFER AND LAYOFF**

- 16.1 **Layoff and Reemployment.** CAPS proposes to continue this provision.
- 16.2 **Reducing the Adverse Effects of Layoff.** CAPS proposes to continue this provision.
- 16.3 **Change in Work Location.** CAPS proposes to continue this provision.
- 16.4 **Appeal of Involuntary Transfer.** CAPS proposes to continue this provision.

#### **ARTICLE 17 – CLASSIFICATION**

- 17.1 **Classification Changes.** CAPS proposes to continue this provision.
- 17.2 **Out-of-Classification Grievance Process.** CAPS proposes to continue this provision.
- 17.3 **Salary Survey.** CAPS proposes to continue this provision.
- 17.4 **Joint LM Committee-Classification Issues.** CAPS proposes to modify and continue this provision.

#### **ARTICLE 18 – PERMANENT INTERMITTENT APPOINTMENTS**

- 18.1 **Permanent Intermittent Appointments.** CAPS proposes to continue this provision.

#### **ARTICLE 19 – MISCELLANEOUS**

- 19.1 **Request for Reinstatement After AWOL Separation.** CAPS proposes to continue this provision.
- 19.2 **Incompatible Activities.** CAPS proposes to continue this provision.
- 19.3 **Personnel and Evaluation Materials.** CAPS proposes to continue this provision.
- 19.4 **Release Time for State Personnel Board Hearings.** CAPS proposes to continue this provision.
- 19.5 **Peer Review.** CAPS proposes to continue this provision.
- 19.6 **Transportation Incentives.** CAPS proposes to continue this provision.
- 19.7 **Group Legal Services.** CAPS proposes to continue this provision.
- 19.8 **Workplace Violence Prevention.** CAPS proposes to continue this provision.
- 19.9 **CalEPA Relocation and Transportation Agreement.** CAPS proposes to continue this provision.
- 19.10 **Contracting Out.** CAPS proposes to continue this provision.

#### **ARTICLE 20 – ENTIRE AGREEMENT AND DURATION**

- 20.1 **Entire Agreement.** CAPS proposes to continue this provision.
- 20.2 **Duration.** CAPS proposes a definite term.
- 20.3 **Contract Appropriation.** CAPS proposes to continue this provision.
- 2.04 **Contract Protection.** CAPS proposes to delete this section.

**SIGNATURE PAGE.** CAPS proposes to include a signature page.

**SALARY SCHEDULE.** CAPS proposes to retain and update this section.

**New Proposal.** Add an incentive program for scientists working at the Department of Water Resources.