

CAPS Proposes “Golden Handshake”

CAPS’ Bargaining Team meets regularly with negotiators from the Governor’s Department of Personnel Administration and several of the state departments which employ scientists. The last such meeting was March 11.

CAPS expected at that meeting to receive an offer close to the deal between the state and SEIU. The highlights of that agreement include reduction of the mandatory furlough from two days to one monthly, two floating holidays to replace Columbus Day and Lincoln’s Birthday which were taken away by statute in the recent budget deal, language that purportedly protects SEIU members from layoff, and a promise that if any other group does better they will reopen negotiations.

Surprisingly, DPA didn’t provide CAPS with anything. Instead, the Governor’s negotiator told the CAPS Team that CAPS wouldn’t be offered the SEIU agreement. Rather, any such proposal to CAPS would not include layoff protections, the two floating holidays to replace Columbus Day and Lincoln’s Birthday, nor any language that would guarantee a reopening of negotiations in the event that DPA reached a better agreement with another union.

In other words, Governor Schwarzenegger’s DPA failed to present CAPS with any written proposal, and when it does, the proposal will not include several key elements from the SEIU agreement. CAPS has insisted that DPA present firm written proposals no later than the next scheduled meeting, April 2.

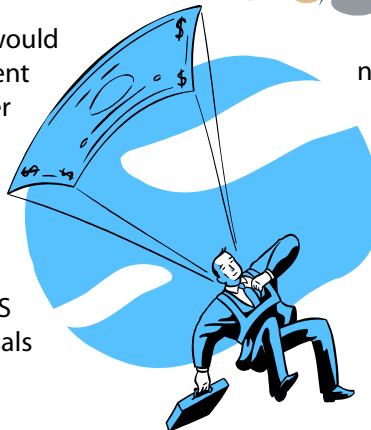
CAPS Again Proposes Retirement Incentives. CAPS presented two proposals of its own. First, a new “golden handshake” early retirement incentive proposal would grant any state scientist who is eligible to retire two years of service and two years of age credit to encourage retirement on or before September 30, 2009. Second, CAPS proposed expansion of the voluntary personal leave program to enable scientists to increase participation in the voluntary personal leave program. Both proposals can be viewed on the CAPS webpage here: <http://www.capsscscientists.org/Bargaining-Proposals.htm>.



The CAPS proposals are another effort by CAPS to suggest ways other than mandatory unpaid furloughs to save state money. The state’s negotiators took the CAPS proposals under submission.

Surplus Notices A Sham. The official position of DPA is that no surplus notices are being withdrawn. Some state departments refused to issue surplus notices in the first place, and other departments have either withdrawn the notices or told employees that layoffs in their department will be unnecessary. With nearly 80 percent of Unit 10 Scientists being funded by Special and not General Funds, it is no surprise that layoffs are very unlikely in Unit 10.

The CAPS Team next meets with DPA on April 2.

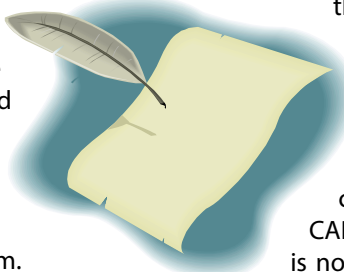


CAPS SAYS **NO!** TO **MINIMUM WAGE**

Sacramento Superior Court Judge Tim Frawley recently ruled that state Controller John Chiang is prohibited from issuing the full paychecks if a state budget is not in place. While the decision may be stayed while the case is being appealed, the issue must finally



be dealt with. It may not be a concern this year because the package of bills passed by the Legislature and signed by the Governor in February is a Budget through June 2010. Regardless, now is the time to resolve the problem.



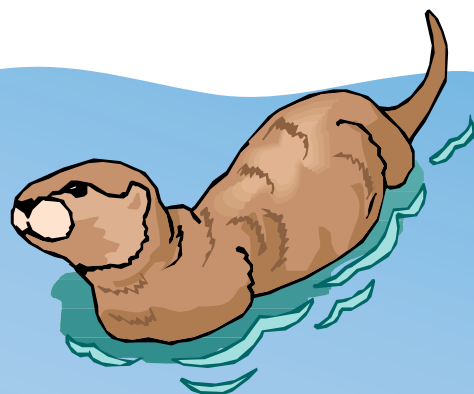
This current case flowed from a decade-old legal challenge by taxpayer groups and others who hate state government. Everyone agrees that state employees WILL get paid. The

question is whether state employees will get paid the federal minimum wage (currently \$6.55/hr) in the absence of a state budget and receive the rest after a budget is adopted.

The solution would require the Legislature and the Governor to enact a continuous appropriation which would provide that state employees would be paid their full salaries on time, whether or not the Legislature passes a state budget within the Constitutional deadlines.

Assembly Bill 1125 (Hernandez) is the continuous appropriation bill being sponsored by CAPS and other state employee organizations. There is no reason why state employees who do their jobs and deliver their work on time should have their paychecks delayed because the Legislature and Governor don't pass a state budget. AB 1125, the continuous appropriation bill, is the solution to that problem.

Saving the **California Sea Otter**



Assemblymember Dave Jones (D-Sacramento) is a good friend of state scientists and CAPS and is asking for your donation to the California Sea Otter Fund. His legislation from 2006 (AB 2485) established a "check off" on state income tax forms to help fund more research on the sea otter. This fund supports researchers and state agencies who are working to understand the threats facing the sea otter and to find ways to recover their population in California. Half the money raised by the fund goes to the California Coastal Conservancy for research and programs related to improving sea otter habitat, including activities to reduce sea otter mortality. The remaining half goes to the California Department of Fish and Game for increased investigation, prevention and enforcement actions. In its first year, California taxpayers donated \$255,088 to the California Sea Otter Fund.

Nonetheless, the California sea otter population is threatened. Although protected by state and federal law, their numbers aren't growing. In fact, over the last two years, approximately 10% of the otter population has died due to many factors, including parasitic disease. Marine researchers are working hard to identify the cause. This research is expensive and funding is shrinking.

This is a critical year for the program. If donation levels drop below \$250,000, the State Franchise Tax Board will remove the "CA Sea Otter Fund" from the list of programs to which individuals can donate via the state tax forms.

Please consider checking the Sea Otter box on your tax form and making a donation. Your donation will add up and help keep the California sea otter population thriving for generations to come.

Vision From the Past

By Patty Velez, President



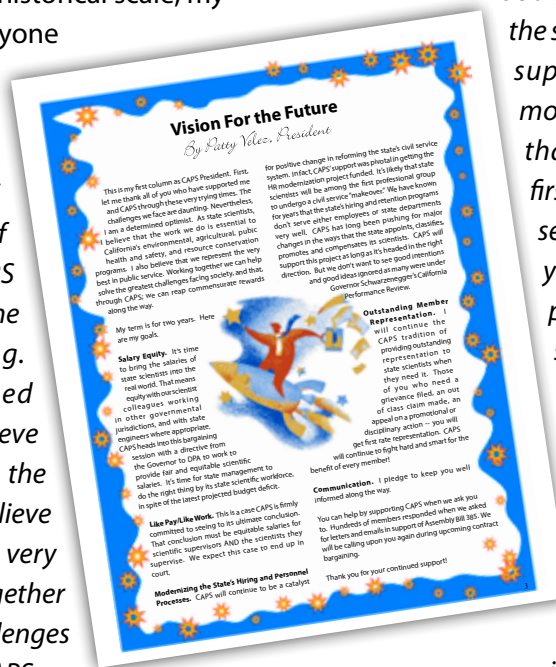
As I reviewed past issues of CAPSule, I came upon my first column, written in November 2007, just over one year ago. In spite of tough times on a historical scale, my goals haven't changed, and everyone with CAPS is committed to them. Here's what I said then:

"This is my first column as CAPS President. First, let me thank all of you who supported me and CAPS through these very trying times. The challenges we face are daunting. Nevertheless, I am a determined optimist. As state scientists, I believe that the work we do is essential to the public's health and safety. I also believe that state scientists represent the very best in public service. Working together we can help solve the greatest challenges facing society, and that through CAPS, we can reap commensurate rewards along the way."

"My term is for two years. Here are my goals."

"Salary Equity. It's time to bring the salaries of state scientists into the real world. That means equity with our scientist colleagues working in other governmental jurisdictions, and with state engineers where appropriate. It's time for state management to do the right thing by its state scientific workforce, in spite of the latest budget deficit."

"Like Pay/Like Work. This is a case CAPS is firmly committed to seeing to its ultimate conclusion. We expect it to end up in court."



"Modernizing the State's Hiring and Personnel Processes. CAPS will continue to

be a catalyst for positive change in reforming the state's civil service system. In fact, CAPS' support was pivotal in getting the HR modernization project funded. It's likely that state scientists will be among the first professional group to undergo a civil service "makeover." We have known for years that the state's hiring and retention programs don't serve either employees or state departments very well. CAPS has long been pushing for major changes in the ways that the state appoints, classifies, promotes and compensates its scientists. CAPS will support this project as long as it's headed in the right direction. But we don't want to see good intentions and good ideas ignored as many were under Governor Schwarzenegger's California Performance Review.

"Outstanding Member Representation. I will continue the CAPS tradition of providing outstanding representation to state scientists when they need it individually or in groups.

Those of you who need a grievance, an out of class claim, an appeal on a promotional or disciplinary action -- you will get first rate representation. CAPS will continue to fight hard and smart for the benefit of every member.

When it comes to representing state scientists, CAPS will remain unafraid to bite back."

"Communication. I pledge to keep you well informed along the way."



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CAPS President Patty Velez greets newly elected Assembly Member Bill Monning at the CAPS Legislative Reception in the state capitol on March 2. Velez worked precincts to help Monning get elected.

CAPS (ISSN 10446230) is published monthly by the California Association of Professional Scientists, 660 J Street, Suite 480, Sacramento, CA 95814. Periodicals Postage Paid at Sacramento, CA. POSTMASTER: Send address changes to: 660 J Street, Suite 480, Sacramento, CA 95814-2483.

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