

CAPSule

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Governor Presses For Minimum Wage



You might think that a thoughtful, caring employer would want his employees to be paid in full and on time for work performed. If so, think again. After all, this is California, and the Governor is The Terminator Arnold

Schwarzenegger. He likes things his way, and he will use maximum leverage to get what he wants.

The Governor wants a permanent pay cut for current employees and reduced retirement benefits for future hires. To get them, he has aggressively pressed a lawsuit against State Controller John Chiang to force issuance of minimum wage checks if a timely budget isn't passed. In fact, with a quick ruling at the conservative Third District Court of Appeal (oral argument is scheduled for June 21), Schwarzenegger may soon have the authority to order minimum wage payments to virtually all state employees in the event a state budget is not adopted by the constitutional July 1 deadline.

This could result in the Controller paying salaries—starting in July—at the federal minimums: \$7.25 per hour for rank-and-file employees and \$455 per week for supervisors and managers. His appointees at the Department of Personnel Administration have sent a “pay letter” that instructs Controller John Chiang to begin paying minimum wage for the July pay period.

Governor Schwarzenegger apparently believes that CAPS (and other state employee representatives) will bend to his will and grant deep concessions on salary and benefits in order to avoid payment of minimum wage. Failing that, he is certain to press the state legislature to end run the bargaining process and make his “reforms” part of any final budget deal, as he has before. He knows that a budget WILL be adopted sooner or later, and the state WILL be required to make state scientists and all employees whole for lost wages. Before that happens, he will exert maximum pressure to get his way.

CAPS won't sign any deal that includes permanent pay and benefit cuts. CAPS has pressed state lawmakers to resist the urge to once again sacrifice the interests of state employees for the sake of another smoke and mirrors budget deal.

CAPS is disgusted by the Governor's behavior. CAPS has several lawsuits pending that challenge unpaid furloughs and loss of benefits. These are taking far too long, but, sooner or later, we expect to win. We want every CAPS member reimbursed for lost wages. These legal actions are posted with summaries on the CAPS webpage: www.capsscientists.org.

CAPS continues to press for a continuous appropriation. We encourage every member to take the necessary steps to weather the financial hardship caused by one or more minimum wage payments. We regret to have to provide this advice but, under the circumstances, it is both prudent and necessary.



State Scientist Day 2010. May 19 saw about 4,000 kids converge on the state capitol. Scientists from 18 departments were on hand to educate and entertain.



Spotlight On a Scientist:

Kathleen Jennings, Staff Environmental Scientist, Office of Oil Spill Prevention and Response, DFG



Career Focus. Ms. Jennings' career has always focused on the interactions between organisms and their environments, particularly those impacted by anthropogenic activities. She has monitored aquatic and terrestrial biota associated with geothermal development, ecological risk assessments of sites contaminated with hazardous wastes, and assessment of impacts to natural systems from accidental releases of hazardous substances. Kathleen shares her knowledge and

experience by teaching and training others.

Professional Awards or Achievements. Kathleen is very proud of the OSPR Top Team Player Award she received in 2003. As a member of the Northern Field Response Team, she works closely with other CAPS scientists, DFG Wardens and OSPR Oil Spill Prevention Specialists. She recognizes that the three-discipline approach results in a organized, integrated and appropriate response to pollution events. She has served on the Contra Costa County Fish and Wildlife Committee for the last 10 years.

Scientific Specialty. Kathleen began with OSPR in 2001 as a member of the Northern Field Response Team. She has responded to numerous petroleum and other hazardous material spills. She identifies and protects resources and habitats at risk and selects appropriate response technologies. Prior to joining OSPR, she taught full time in the Department of Environmental Science at the University of San Francisco, where she continues to teach part time.

Education. Kathleen holds a Ph.D. in Wildland Resource Science (emphasis Wildlife Ecology) from U.C. Berkeley, and an M.S in Environmental Management and B.S. in Biology and Theology from the University of San Francisco. (Yes, Theology!)

Hobbies. Kathleen enjoys spending time with family and friends, keeping an eye on her two teenaged sons, bird watching, doing calligraphy, and reading whatever she can get her hands on.

Quote: George Bernard Shaw said "Some men see things as they are and ask why. Others dream things that never were and ask why not." I am proud to be a CAPS scientist because we are encouraged to do both.

Jerry Brown for Governor

The CAPS Board of Directors on May 22 endorsed Attorney General Jerry Brown to be the next Governor of California. CAPS didn't even exist when Jerry Brown was Governor the first time 1974-1982. It was during that time that Jerry Brown brought collective bargaining to hundreds of thousands of public employees for the first time, signing collective bargaining legislation for school teachers, university and college employees and, of course, state employees. He was a tough employer then, and can be expected to be firm as an employer the second time around. He will face the daunting task of picking up the pieces from the failed leadership of Arnold Schwarzenegger.

CAPS made this endorsement even before the primary election battle between Steve Poizner and Meg Whitman. The choice was easy, because both Poizner and Whitman have made repeated statements about their commitment to laying off and paying less to state

employees. Whitman in fact was quoted repeatedly as saying she will lay off 40,000 state employees. Her public statements demonstrate an incredibly shallow grasp of the role of public service in the lives of Californians and the role of public servants in delivering essential services.



Jerry Brown, on the other hand, has served in a variety of high profile public positions throughout his adult life, including Governor, Mayor of the City of Oakland, and most recently, Attorney General of California.

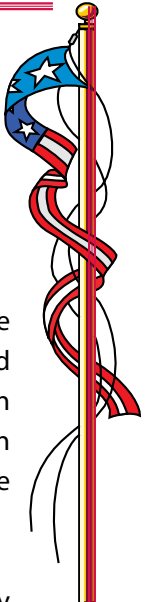
Brown has a solid record in support of environmental protection, resource management, public safety and public education. The CAPS vote for Jerry

Brown was unanimous, because it was an easy call relative to the established record of his likely opponent, Meg Whitman.



YES, JERRY BROWN FOR GOVERNOR

By Patty Velez, President



The last several years have been challenging for every one of us. Heavy workloads, fewer resources, unpaid furloughs, a total lack of appreciation from the Governor, and unkind comments from the media.

Nevertheless, I love my job, I'm good at it, and I work hard.

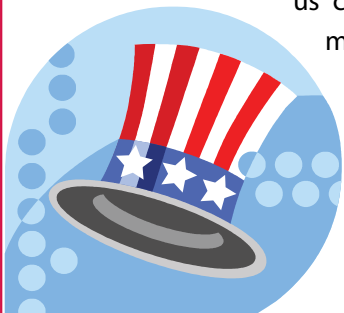
We continue to weather a nasty economic downturn. We continue to be scapegoated by our boss, Governor Schwarzenegger, who would have



everyone believe the reason for the state's budget fiasco is state employees' excessive salaries and pensions.

We face one final Schwarzenegger budget maneuver expressly designed to reduce our salaries permanently, increase what we pay for benefits, and reduce retirement benefits for future state scientists and all state employees. Against this backdrop is a statewide election for the next Governor. CAPS has jumped in with both feet in support of Attorney General Jerry Brown, the Democratic nominee.

It wasn't automatic. We sent questionnaires to the three major candidates months ago. Whitman's campaign referred us to her webpage, Poizner ignored us completely, and Jerry Brown met with us personally. He explained his positions. He said he won't make any



written promises for more spending due to the financial hole the state is in. We are convinced that the candidate most likely to negotiate in good faith is Jerry Brown. He has that record in the past and promises to respect the collective bargaining process.

Of course we want a guarantee of salary equity over time, restoration of benefit cuts and fair treatment in future contract negotiations. We

haven't received any such guarantee from Jerry Brown, but he is clearly our best hope for good faith dealings.

It won't be easy to get him elected, or to deal with him after he's in office, but the alternative is much, much worse. State scientists did not cause the state's fiscal problems, and we shouldn't be used to solve them with pay cuts, unpaid furloughs and other morale busting maneuvers. We are part

of solutions, not problems.

I encourage all state scientists to support Jerry Brown and to work hard for his election. Only through that campaign can we realize the potential of fair pay and straight dealing with the Governor. Join me in supporting Jerry Brown for Governor!



"... we want a guarantee of salary equity over time, restoration of benefit cuts and fair treatment in future contract negotiations."



In This Issue

- ◉ ***Governor Threatens Minimum Wage***
- ◉ ***Spotlight on Scientist Kathleen Jennings***
- ◉ ***Jerry Brown for Governor***
- ◉ ***Yes, Jerry Brown for Governor, by Patty Velez, President***

Encapsulations . . .



Bargaining Heats Up. The CAPS Bargaining Team is scheduled to meet several times this month with Governor Schwarzenegger's appointed labor negotiators from the Department of Personnel Administration, all in a last ditch effort to reach agreement in the waning months of his last year in office. The challenge is daunting, given a \$19 billion deficit, the threat of minimum wage payments starting in July, and negotiations between Schwarzenegger and the legislature over a new budget. That budget deal could include adverse changes to the pay and benefits of state employees, as they have in the recent past, when the legislature agreed with the Governor to eliminate holidays and overtime benefits. A collective bargaining agreement would limit or prevent such damage, and that is why the CAPS Team is so actively engaged. Information related to CAPS bargaining is emailed directly to state scientists as events occur, or you can go to the CAPS web page, under bargaining: www.capsscientists.org.



CAPS Getting Greener. Rather read *CAPSule* on the web? Tired of wasting good cellulose? If so, you may want to opt OUT of getting *CAPSule* via snail mail. Many of your state scientist colleagues already have. You can too, simply by going to the CAPS web page at www.capsscientists.org and clicking on "Go Green." Follow the instructions from there! You get one less piece of mail, and CAPS saves scarce resources for other productive uses!!



Annual Age-Related CAPS Group Policy Insurance Premiums Adjustment. Some CAPS members who have insurance through the CAPS group plan with Standard Insurance Company will see an increase in insurance premium deductions effective with their pay warrants received at the end of July (August 1 warrants for retired CAPS members). Employees who had their 30th, 35th, 40th, 45th, 50th, 55th, or 60th birthday since July 1, 2009 will see an age-related premium increase as specified in plan brochures and other materials. (Please note that Standard Insurance does not send individual letters notifying affected individuals of these increases.) To learn more about reduced rate insurance through the CAPS group plan, or to obtain a quote, please visit us: <http://www.capsscientists.org/Benefits/insurance.htm>.

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