

CAPSule

E-Mail CAPS at: caps@capsscientists.org

Website: www.capsscientists.org

September 2011, Issue #11-09

Initiative Threatens Collective Bargaining

During early September, three initiatives submitted by a Santa Barbara tax crusader were approved for signature circulation by the Secretary of State.

One of these would eliminate collective bargaining rights for California public employees. Another would increase the income tax on public employees for pension income exceeding \$100,000 annually. A third would increase the minimum retirement age to 65 for all California public employees. While the protections of collective bargaining are weaker than CAPS would like, the proponents of these measures recognize that collective bargaining laws and rules prevent management from taking unilateral actions at its whim, and require the State to negotiate "in good faith" with CAPS and other union representatives. CAPS, as part of Californians for Retirement Security (<http://www.letstalkpensions.com/>), will aggressively oppose these measures, starting with the signature-gathering phase.

The bargaining measure is especially troubling, because it threatens the ability of California public employees at all levels from addressing concerns about pay, benefits and terms and conditions of employment in an organized, hopefully collaborative manner. Yet the critics of public pensions have put a target on public employees and their union representatives nationwide. In Wisconsin, for example, Governor Scott Walker signed legislation virtually banning bargaining rights for its state employees, after a highly publicized walkout by Democrats in the State Legislature. Now self-appointed taxpayer advocates seek to continue this project in California, where they unfairly blame high pension costs for budget deficits and the resulting diminishing of public services. CAPS stands with other unions and responsible public officials and public thought leaders in opposition to this effort.

All state scientists should urge family and friends to refrain from signing a petition for any one of these measures, should it appear at a retail outlet near you. Not only are these measures bad for current and future public servants, they are simply bad public policy. CAPS is confident that

these measures, if passed, would not alter the retirement and health benefits owed to current state scientists. Nevertheless, CAPS is prepared to take any action necessary to ensure that owed benefits are provided as promised. The best approach is to prevent them from reaching the ballot, and to defeat them if they do. View these measures at www.sos.ca.gov/elections/.



Meanwhile, CAPS continues to have an active role in the Pension Truth Squad, holding news conferences at strategic locations around California. The Truth Squads appeared most recently on September 13 at the Modesto City Hall, where about 30 people turned out. Next stop is September 27 in San Jose. The Truth Squads remain a valuable part of connecting local public employees with our statewide effort to protect retirement security. Speakers at the San Jose event are needed. For more information on this effort, go to www.LetsTalkPensions.com.



CAPS Congratulates the 2011 Outstanding Young Scientist. Pictured (back row, left to right) are Ashish Nag, 2011 Outstanding Young Scientist, CAPS Board members David Miller, Valerie Chenoweth-Brown, Yvonne Addassi, and Margarita Gordus, and (front row) Runners-Up Meredith Lehmann and Apoorva Dharmadhikari.

California State Scientists ... Knowledge, Innovation, Protection

455 Capitol Mall, Suite 500, Sacramento, CA 95814 • (916) 441-2629

130 North Brand Boulevard, Suite 301, Glendale, CA 91203 • (818) 246-0629

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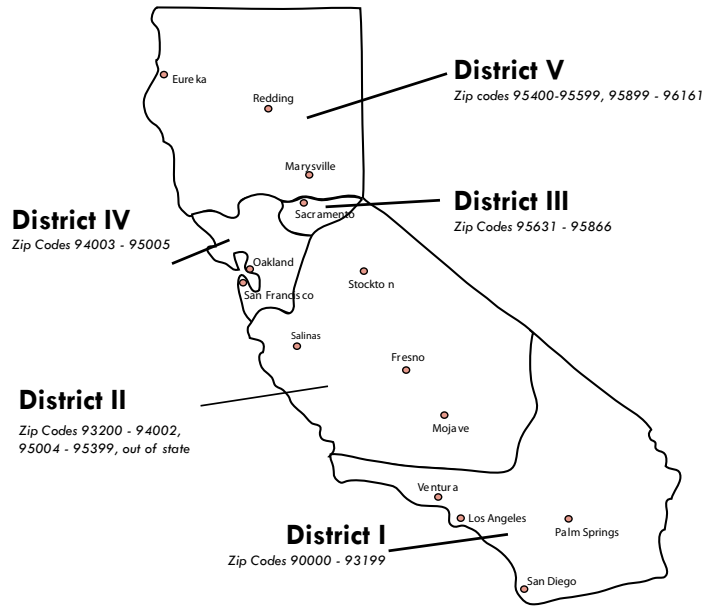


CAPS Board of Directors Election

The election to determine which state scientist volunteers will lead CAPS for the next two years is underway. A ballot packet will be mailed to every CAPS member on October 3rd. The deadline for return of ballots--by U.S. Mail only--is October 24th. Ballots will be counted and results announced on October 24th. There are six contested seats on the twelve member board, meaning that six members are running for seats unopposed.

The three officer and two at-large positions are subject to a statewide vote. District offices are broken down geographically. The Supervisors Director is elected by CAPS supervisory members. Supervisory members may vote only for the Supervisors Director and CAPS Officers.

CAPS' Bylaws provide that Officers and Directors running unopposed are elected by acclamation, without the need for confirmation on the ballot. Members will be presented with candidate statements and may vote only where there is a contested election, as follows:



OFFICE	CANDIDATES	DEPARTMENT	WORK CITY
President	David Miller	Toxic Substances Control	Sacramento
	Will Wright	Public Health	Richmond
Vice President	Patty Velez	Fish and Game	Monterey
	Charles Rachlis	Public Health	Richmond
Treasurer	Giorgio Cosentino	Public Health	Richmond
	Ryan Kinsella	Toxic Substances Control	Chatsworth
Secretary	Scott Bauer	Fish and Game	Eureka
Director District 1	Stephanie Lewis	Toxic Substances Control	Chatsworth
Director District 2	Margarita Gordus	Fish and Game	Fresno
Director District 3	Marty Berbach	Water Resources	Sacramento
Director District 4	Rachel Broadwin	Environ. Health Hazard Assessment	Oakland
Director District 5	Gordon Leppig	Fish and Game	Eureka
Director At-Large (2 positions)	Ryan Atencio	Toxic Substances Control	El Centro
	John Budroe	Environ. Health Hazard Assessment	Oakland
	A. Marc Commandatore	Public Health	Sacramento
Supervisors Director	Valerie Brown	Toxic Substances Control	Sacramento
	Yvonne Addassi	Fish and Game	Sacramento

On Labor Day, Reasons to Protect Pensions of Public Employees September 1, 2011, Reprinted from California Majority Report

by David Miller

Sacramento is crackling back to life: Kids are heading back to school, a new crop of freshmen is unpacking dorm rooms at Sacramento State. But as our region's youngsters launch a new year full of promise and anticipation in these scorching late summer days, those of us trusted to teach, protect and serve them are meeting a chilly reception.

Misguided attacks on the retirement security of working men and women continue as lawmakers race to wrap up another session and California's revenue picture becomes increasingly bleak. Ideologically and politically driven forces, including the taxpayer-funded and supposedly impassionate Little Hoover Commission, are back to urging politicians to break promises to millions of public employees. They are issuing ominous warnings. Threats of lost jobs, lost services or worse.

I urge you not to succumb to these scare tactics. Remember, a few short months ago, some of these very folks were refusing to sign on to tax extensions that actually would have spared cuts to schools, universities, parks and services for the poor and elderly.

The cost of pensions cannot legitimately be blamed for cuts to other services. The state pays less today for pensions on a percentage basis than in 1980. The refusal of a small, politically entrenched faction to allow a vote on tax extensions, paired with the Wall Street abuses that left our nation's economy in shambles, dwarfs the impact of pension costs by a ratio of about 20 to 1.

This "our way or the highway" argument is as old as the hills and a classic strong-arm tactic. We know better.

The fact is, we have made pension changes, at the state and local level. Public employee pension concessions have saved California taxpayers \$600 million. Employer, employee and state contribution rates for public school teachers – who do not receive Social Security – are set by the Legislature and have been stable for the past 25 years. The State reduced its payment to CalSTRS from 4.6 percent to 2 percent back in 2000, which has saved the state more than \$3 billion over the past decade.

In at least 185 California counties and local districts, firefighters, police and other public employees have agreed to increase employee pension contributions and lower public costs.

We all support changes that reduce spiking and double-dipping. Those abuses hurt us, too.

The Legislature is the appropriate body to examine systemic problems within the complex structure of government. The bargaining table is the appropriate place to help equip the government with the necessary tools to attract and keep a quality workforce. The give and take is already happening. No other single cut to any other area of government has made a bigger dent in state spending.

Veiling a politically motivated campaign against public employees in emotional threats of lost services is underhanded. Urging the Legislature to act in haste is a mistake. These maneuvers will not lead to real change, or better schools or improve our communities. They only will lead to sloppy, half-baked plans that are bound to cost taxpayers more in the long run.

In fact, when placed under a microscope, most proposals to "reform" pensions are deemed confusing, incomplete and probably unconstitutional. Legislative Analyst's Office analyses of several pending pension-busting measures warn that these would-be propositions would do more harm than good and will create additional demand on government-provided social services.

California's major pension funds, CalPERS and CalSTRS reported their largest investment gains in years for the 2010-11 fiscal year. The CalPERS investment portfolio posted a 20.7 percent gain, its highest in 14 years. CalSTRS reported a 23.1 percent return, the highest in 25 years. It is pension funds that have consistently been deemed a highly efficient tool for investing and providing benefits and have provided the nation's only true retirement security.

Meanwhile, please remember, as depressing economic news persists, we are part of the backbone of this region. CalPERS retirement paychecks generate \$1.1 billion in local economic activity. A study commissioned by CalSTRS concluded that the California economy gained \$6.71 for every dollar invested in pensions by employers and taxpayers.

Consider the irony of blaming middle class public servants as the nation's corporate CEOs enjoy the biggest raises in recent memory and the gulf between all of this nation's workers and executives continues to widen.

As you and your family make plans for Labor Day and settle into new fall routines, please take a moment to reflect on the real people who stand to lose so much in this political battle.

Perhaps you will plunge in a mountain swimming hole this long weekend, trusting that the crisp water is perfectly safe for you and your loved ones. You may load up the car and hit the road, trusting law enforcement to patrol the highway and road crews to prevent hazards in your path.

If you are a parent, you probably met your children's teachers recently or will in the coming days. You're making that yearly leap of faith of patting your precious ones on the back and handing them over for the better part of each day to a teacher to help shape their future.

Think about the people who supply that peace of mind for you, and help us keep our peace of mind.

David Miller is a Senior Hazardous Substances Scientist for the California Department of Toxic Substances Control. He has been working for state government for more than 20 years.

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EnCAPsulations

Oil Fee Increase Helps Fund OSPR. Governor Jerry Brown is considering a signature on Assembly Bill 1112 (Huffman), which increases the Oil Spill Prevention and Administration Fund (OSPAF) per barrel fee. Increased fees are necessary to ensure the solvency of the fund that employs CAPS members at OSPR and the State Lands Commission. CAPS advocates pushed hard over the last month to garner the support of moderate Senators who were key to passing the bill. Multiple oil companies and associations pushed back, charging misuse of the OSPAFA funds. In the end, it was agreed to amend the bill to authorize a 1.5 cents per barrel (from 5 to 6.5 cents) increase in the fee for three years. This agreement should cover the vast majority of the Fund's shortfall over the next few years. This battle will undoubtedly fire up again in two years or so.



State Scientists Ignored On Pesticide Issue. According to an August 30 article in *California Watch*, former Department of Pesticide Regulation Director MaryAnn Warmerdam dismissed safety guidelines suggested by her own staff scientists on the grounds that they were "excessive" and too onerous for the pesticide manufacturer. The report was based on recently released internal documents. The full report can be read at <http://californiawatch.org>.

CalPERS Rating Good As Gold. CalPERS announced last month week that Fitch Ratings has reaffirmed its highest rating for the pension fund's Credit Enhancement Program. Fitch is a leading global rating agency. It gave CalPERS its "AAA" rating based on several factors, including the System's high liquidity, adequate funding even after applying Fitch's conservative discount rates, and CalPERS prudent underwriting guidelines for its program.



APsule (ISSN 10446230) is published monthly by the California Association of Professional Scientists, 455 Capitol Mall, Suite 500, Sacramento, CA 95814. Periodicals Postage Paid at Sacramento, CA. POSTMASTER: Send address changes to: 455 Capitol Mall, Suite 500, Sacramento, CA 95814-2483.

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