

CALIFORNIA ASSOCIATION OF
PROFESSIONAL SCIENTISTS

May 20, 2011

Ron Yank, Director
Department of Personnel Administration
1515 S Street, North Building, Suite 400
Sacramento, CA 95814

Transmitted via Email and US Mail

Re: Improving the Relationship with State Scientific Supervisors

Dear Mr. Yank:

Last week you, Pam Manwiller (Assistant Chief Labor Relations) and Shawn Ramirez (Labor Relations Officer) met with the CAPS Supervisory Committee to discuss our proposals on behalf of state scientific supervisors. The discussion focused in on two particular issues: the Like Pay for Like Work Appeal and Contracting Out.

Like Pay for Like Work (LPLW): CAPS proposed to implement the April 2008 LPLW DPA Director Gilb decision. I then summarized the issue and appeal process to date. You asked if CAPS would like the state to drop the appeal. The answer is yes, please do so immediately. Please implement the decision, compensate the scientists at the adjusted rate (engineer supervisors have received pay increases since the appeal was filed), and provide back pay. The appellate court has not made a ruling in the case appealed by the Department of Finance.

Contracting Out: We also discussed the state's contracting out practices. These decisions are more costly and result in contractors developing new scientific knowledge, not owned by the state. Examples were shared describing: 1) chemistry work historically performed by CDFG lab for Pesticide Regulation, now contracted out to a lab without accreditation for the testing procedure, 2) environmental studies contracted out by Department of Water Resources for the peripheral canal, 3) state scientists and supervisors becoming scientific contract managers instead of performing field work and resource studies at Fish and Game and many other departments, 4) the state authorizes funds but not positions to complete scientific work, leading to contracting out scientific work, and 5) departments have been shopping for scientific conclusions – the USEPA Toxicologists evaluated and prepared recommendations regarding the Off Highway Vehicle program, Parks did not like the results so it entered into an interagency agreement with CalEPA Toxicologists to conduct a review, and again didn't like the results so let a contract with a private firm – all to justify the position they desired.

Unfortunately the state is losing its institutional knowledge to the private sector the past decade. The results are: continuing to pay for the learning curve, never building on prior knowledge, and

● **Headquarters**
455 Capitol Mall, Suite 500
Sacramento, CA 95814-4433
(916) 441-2629
FAX (916) 442-4182
E-mail: caps@capsscientists.org

● **Los Angeles**
130 N. Brand Boulevard, Suite 301
Glendale, CA 91203-3948
(818) 246-0629
FAX (818) 247-2348

● **San Francisco**
1 Sutter Street, Suite 800
San Francisco, CA 94104-4917
(415) 861-6343
FAX (415) 861-5360

Ron Yank, Director

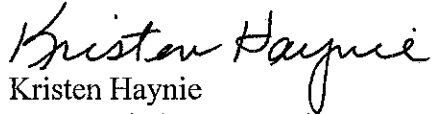
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making resource and protection decisions based upon an ever shrinking view and limited contractual scope of work.

We look forward to working with you on these two issues, as well as the other proposals presented at the meeting.

Sincerely,



Kristen Haynie

Labor Relations Consultant

C: CAPS Supervisors Committee

Pam Manwiller, DPA, Assistant Chief Labor Relations

Shawn Ramirez, DPA, Labor Relations Officer