

AMENDED IN ASSEMBLY APRIL 11, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2853

Introduced by Assembly Member Diaz

February 25, 2002

An act to add Section 3517.1 to the Government Code, relating to state employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 2853, as amended, Diaz. State employees: engineers: prevailing wages.

Existing law establishes the conditions and procedures under which state employees may be represented by employee organizations on matters of employer-employee relations and requires the Governor or his or her representative to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations.

This bill would require that state employees in specified engineer and related classifications shall receive prevailing wages no less than salaries received by the counterparts in larger local agencies and the University of California based on a specified survey of the Department of Personnel Administration and calculated in a specified manner. The bill would require the department, and request a recognized employee organization, to jointly conduct an analysis of the prevailing wage paid to engineering and related professional employees of private firms contracting with state agencies and to report their findings to the Legislature no later than December 1, 2003.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3517.1 is added to the Government
2 Code, to read:
3 3517.1. (a) Employees in classifications in State Bargaining
4 Unit 9, the Professional Engineer unit, and other employees in
5 classifications with collective bargaining identifications related to
6 Unit 9, including, but not limited to, S09, M09, and E09
7 classifications, shall receive prevailing wages no less than salaries
8 received by their counterparts in California’s larger local agencies
9 and the University of California. The comparison shall be based
10 on the Department of Personnel Administration’s survey of
11 Professional Engineer Benchmarks, utilizing the California public
12 agencies and the University of California included in the
13 department’s ~~2000–01 survey published in November 2000~~ survey
14 *published in November 2001*, and the local agency classifications
15 and salary range matches contained therein. Prevailing wages or
16 salaries shall include employer payment of employee
17 contributions to the California Public Employees Retirement
18 System or similar retirement program for those agencies. Salaries
19 for those classifications and agencies shall be updated no less than
20 once per year. The agencies and classifications included in the
21 survey shall only be changed upon agreement between the
22 Department of Personnel Administration and the recognized
23 employee organization.

24 (b) The calculation of the prevailing wage lead or lag for
25 state-employed Unit 9 and related employees shall be based on
26 weighted average salaries of employees in the classifications in
27 those agencies in the following manner: prevailing wages at the
28 entry level shall be based on the bottom step of salary ranges and
29 prevailing wages for the professional registration required and full
30 supervisor levels shall be based on the top step of the salary ranges.
31 Other steps in the salary ranges and the prevailing wage for
32 intermediate classifications and ranges between the entry and full
33 supervisory levels shall be based on the procedures prescribed in
34 this chapter.



1 (c) Salaries for employees in State Bargaining Unit 9 and
2 affiliated employees shall be increased as necessary to correspond
3 to the timing of the prevailing wages received by local agency
4 employees included in the survey, with adjustments in the state
5 employee compensation occurring no less than once every 12
6 months. In no event shall state employee salaries be reduced as a
7 result of this provision. The Department of Personnel
8 Administration and the recognized employee organization may
9 negotiate salaries above the minimum level on any general,
10 regional, specialty, classification, department, or other basis they
11 choose.

12 (d) The Department of Personnel Administration is directed
13 and the recognized employee organization is requested to jointly
14 conduct an analysis of the prevailing wage paid to engineering and
15 related professional employees of private firms which provide
16 engineering and related services through contracts with state
17 agencies or departments and to report the findings of their analysis
18 to the Legislature no later than December 1, 2003.

