

AMENDED IN ASSEMBLY AUGUST 28, 2013

AMENDED IN ASSEMBLY AUGUST 27, 2013

SENATE BILL

No. 102

Introduced by Committee on Budget and Fiscal Review

January 10, 2013

An act relating to the state employees, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

SB 102, as amended, Committee on Budget and Fiscal Review. State employees: memoranda of understanding.

Existing law requires the Department of Human Resources to provide to the Joint Legislative Budget Committee any side letter, appendix, or other addendum to a properly ratified memorandum of understanding that requires the expenditure of \$250,000 or more related to salary and benefits and that is not already contained in the original memorandum of understanding or the Budget Act. Existing law requires the Joint Legislative Budget Committee, within 30 days after receiving the side letter, appendix, or other addendum, to determine if the addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding and thereby requires legislative action to ratify the addendum.

This bill would approve the addenda to memoranda of understanding entered into by the state employer and certain bargaining units that require the expenditure of funds, as specified, and would further appropriate \$45,115,000 from the General Fund and other unallocated nongovernmental cost funds for those purposes. The bill would also approve a calculation of final compensation for the Department of Water Resources, State Member Unit 12, as specified.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

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

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

1 SECTION 1. The Legislature finds and declares that the
2 purpose of this act is to approve addenda to memoranda of
3 understanding entered into by the state employer and specific state
4 bargaining units that require the expenditure of funds.

5 SEC. 2. The provisions of the addenda to memoranda of
6 understanding entered into by the state employer and the state
7 bargaining units that require the expenditure of funds are hereby
8 approved for the purposes of Section 3517.63 of the Government
9 Code.

10 SEC. 3. (a) Addenda to memoranda of understanding entered
11 into by the state employer and the following state bargaining units
12 are hereby approved in accordance with the following schedule:

13 (1) State Bargaining Unit 5: California Association of Highway
14 Patrol addendum dated June 19, 2013, effective July 1, 2013.

15 (2) State Bargaining Unit 12: International Union of Operating
16 Engineers addendum dated June 20, 2013, effective July 1, 2013,
17 requiring an appropriation.

18 (3) State Bargaining Unit 12: International Union of Operating
19 Engineers addendum (Lanterman Developmental Center Closure)
20 dated July 3, 2013.

21 (4) State Bargaining Unit 7: California Statewide Law
22 Enforcement Association addendum dated July 31, 2013, effective
23 upon approval of this act, requiring an appropriation.

24 (5) State Bargaining Units 1 and 4: Service Employees
25 International Union Local 1000 addendum dated July 31, 2013,
26 and effective upon approval of this act, requiring an appropriation.

27 (6) State Bargaining Units 1, 3, 4, 11, 15, 17 and 20: Service
28 Employees International Union Local 1000 addendum (Lanterman
29 Developmental Center Closure) dated July 2, 2013.

30 (7) State Bargaining Unit 18: California Association of
31 Psychiatric Technicians addendum (Lanterman Developmental
32 Center) dated July 5, 2013.

1 (8) Bargaining Unit 19: American Federation of State, County
2 and Municipal Employees (Lanterman Developmental Center
3 Closure) addendum dated July 2, 2013.

4 (b) The sum of forty-five million one hundred fifteen thousand
5 dollars (\$45,115,000) is hereby appropriated ~~from the General~~
6 ~~Fund~~ for the purposes of state employee compensation in
7 accordance with the following schedules:

8 (1) The sum of eighteen million two hundred eighty-five
9 thousand dollars (\$18,285,000) is appropriated, to the extent set
10 forth in Section 5 of this act, relative to an addendum dated June
11 20, 2013, for State Bargaining Unit 12 for expenditures in the
12 2013–14 fiscal year in augmentation of, and for the purpose of
13 state employee compensation as provided in, Items 9800-001-0001,
14 9800-001-0494, and 9800-001-0988 of Section 2.00 of the Budget
15 Act of 2013 in accordance with the following schedule:

16 (A) One million four hundred fifty-two thousand dollars
17 (\$1,452,000) from the General Fund in augmentation of Item
18 9800-001-0001.

19 (B) Eleven million two hundred seventy-eight thousand dollars
20 (\$11,278,000) in augmentation of Item 9800-001-0494.

21 (C) Five million five hundred fifty-five thousand dollars
22 (\$5,555,000) from other unallocated nongovernmental cost funds
23 in augmentation of Item 9800-001-0988.

24 (2) The sum of twenty six million eight hundred thirty thousand
25 dollars (\$26,830,000) is appropriated, to the extent set forth in
26 Section 5 of this act, relative to addenda dated July 31, 2013, for
27 those in State Bargaining Units 1, 4, and 7 for expenditures in the
28 2013–14 fiscal year in augmentation of, and for the purpose of
29 state employee compensation as provided in, Items 9800-001-0494
30 and 9800-001-0988 of Section 2.00 of the Budget Act of 2013 in
31 accordance with the following schedule:

32 (A) Seventeen million nine hundred seventy-six thousand dollars
33 (\$17,976,000) in augmentation of Item 9800-001-0494.

34 (B) Eight million eight hundred fifty-four thousand dollars
35 (\$8,854,000) from other unallocated nongovernmental cost funds
36 in augmentation of Item 9800-001-0988.

37 SEC. 4. After July 1, 2013, the following calculation for final
38 compensation for the Department of Water Resources, State
39 Member Unit 12, shall apply:

1 (a) Notwithstanding Sections 20035, 20037, and 20037.8 of the
2 Government Code, “final compensation,” for the purpose of
3 determining any pension or benefit with respect to a Department
4 of Water Resources employee hired before July 1, 2013, in the
5 following job classifications: 3728, 3729, 3730, 3731, 6246, 6259,
6 6262, 6263, 6265, 6267, 6450, 6451, 6452, 6453, 6454, 6455,
7 6456, 6457, 6458, 6459, 6460, 6461, 6462, 6463, 6465, 6466,
8 6467, 6469, who is a member of State Bargaining Unit 12 or a
9 related excluded unit associated with State Bargaining Unit 12,
10 and whose monthly salary range that was to be effective July 1,
11 2013, was increased pursuant to a memorandum of understanding
12 entered into during the 2013–14 fiscal year, shall be determined
13 in accordance with the provisions of this section.

14 (b) For an employee who retires or dies on or after July 1, 2013,
15 and prior to July 1, 2014, any pay increase pursuant to a
16 memorandum of understanding entered into during the 2013–14
17 fiscal year shall not be used in determining “final compensation.”

18 (c) For an employee who retires or dies on or after July 1, 2014,
19 and prior to July 1, 2015, only 50 percent of the pay increase
20 pursuant to a memorandum of understanding entered into during
21 the 2013–14 fiscal year shall be used in determining “final
22 compensation.”

23 (d) For an employee who retires or dies on or after July 1, 2015,
24 the entire pay increase pursuant to a memorandum of understanding
25 entered into during the 2013–14 fiscal year shall be used in
26 determining “final compensation.”

27 (e) The increased costs, if any, that may result from the
28 application of the definition of “final compensation” provided in
29 this section shall be paid by the employer in the same manner as
30 other retirement benefits are funded.

31 SEC. 5. This act is a bill providing for appropriations related
32 to the Budget Bill within the meaning of subdivision (e) of Section
33 12 of Article IV of the California Constitution, has been identified
34 as related to the budget in the Budget Bill, and shall take effect
35 immediately.