

ASSEMBLY BILL

No. 385

Introduced by Assembly Member Ruskin

February 15, 2007

An act to add Section 19826.7 to the Government Code, relating to public employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 385, as introduced, Ruskin. Public employees: salaries: professional scientists.

Existing law requires the Department of Personnel Administration to establish and adjust salary ranges for each class of position in the state civil service subject to any merit limits contained in Article VII of the California Constitution. Accordingly, the department represents the Governor and presents the state's management position in negotiations with recognized employee organizations representing state employees.

At least 6 months before the end of the term of an existing memorandum of understanding or immediately upon the reopening of negotiations under an existing memorandum of understanding, existing law requires the department to submit to the parties involved and the Legislature, a report containing the department's findings relating to the salaries of employees in comparable occupations in private industry and other governmental agencies.

This bill would instead require the Department of Personnel Administration and the exclusive representative of State Bargaining Unit 10 to jointly survey annually the salaries of comparable occupations in other public agencies, as specified. On or before January 10 of each year. The bill would then require the department to submit a report to the Legislature containing the survey's findings, and would declare the

policy of the state to consider comparable salaries prior to making salary recommendations.

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 19826.7 is added to the Government
2 Code, to read:

3 19826.7. (a) In lieu of the report required under subdivision
4 (c) of Section 19826, the department and the exclusive
5 representative for State Bargaining Unit 10 shall jointly survey
6 annually and calculate the estimated average total compensation
7 based on projected average total compensation for comparable
8 services in other public agencies as of July 1 of the fiscal year in
9 which the survey is conducted. The state and the exclusive
10 representative for State Bargaining Unit 10 shall meet and confer
11 in good faith pursuant to the Ralph C. Dills Act (Chapter 10.3
12 (commencing with Section 3512) of Division 4 of Title 1) regarding
13 survey methodology consistent with this section. The survey shall
14 be completed on or before January 10 each year and shall contain
15 comparable occupations or benchmark classes in California cities,
16 counties, and special districts, the University of California, the
17 California State University, and similar classifications in state
18 government and the federal government. For survey comparison
19 purposes, each State Bargaining Unit 10 classification shall be
20 placed into one of the following categories: Environmental Scientist
21 Range C, Chemist Range C, Associate Geologist, Research
22 Scientist III and IV, Associate Industrial Hygienist, and Associate
23 Health Physicist. On or before January 10 of each year, the
24 department shall submit to the Legislature a report containing the
25 survey’s findings related to the salaries of employees in comparable
26 occupations in the other public sector agencies.

27 (b) In order for the state to recruit and retain highly skilled and
28 educated professional scientists and to recognize the vital role
29 these employees serve within state government, it is the policy of
30 the state to consider comparable salaries prior to making salary
31 recommendations.

32 (c) In order to provide comparability in pay for professional
33 scientists in State Bargaining Unit 10, the department shall take

1 into consideration the salary of other scientists in public
2 employment as contained in the annual report prepared pursuant
3 to this section.

O