

AMENDED IN ASSEMBLY JUNE 4, 2007

AMENDED IN ASSEMBLY APRIL 26, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

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 amended, 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, one year prior to the expiration of a ratified

collective bargaining agreement between State Bargaining Unit 10 and the state, the total compensation for comparable services in other public agencies, as specified. The bill would require the department, upon completion of the survey, 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 one year prior to the expiration of a ratified collective bargaining
 7 agreement between State Bargaining Unit 10 and the state, and
 8 calculate the estimated average total compensation based on
 9 projected average total compensation for comparable services in
 10 other public agencies as of July 1 of the fiscal year in which the
 11 survey is conducted. The state and the exclusive representative for
 12 State Bargaining Unit 10 shall meet and confer in good faith
 13 pursuant to the Ralph C. Dills Act (Chapter 10.3 (commencing
 14 with Section 3512) of Division 4 of Title 1) regarding survey
 15 methodology consistent with this section. The survey shall contain
 16 comparable occupations or benchmark classes in California cities,
 17 counties, and special districts, the University of California, the
 18 California State University, and similar classifications in state
 19 government and the federal government. For survey comparison
 20 purposes, each State Bargaining Unit 10 classification shall be
 21 placed into one of the following categories: Environmental Scientist
 22 Range C, Chemist Range C, Associate Geologist, Research
 23 Scientist III and IV, Associate Industrial Hygienist, and Associate
 24 Health Physicist. Upon completion of the survey, the department
 25 shall submit to the Legislature a report containing the survey’s
 26 findings related to the salaries of employees in comparable
 27 occupations in the other public sector agencies.
 28 (b) In order for the state to recruit and retain highly skilled and
 29 educated professional scientists and to recognize the vital role

1 these employees serve within state government, it is the policy of
2 the state to consider comparable salaries prior to making salary
3 recommendations.

4 ~~(e) In order to provide comparability in pay for professional~~
5 ~~scientists in State Bargaining Unit 10, the department shall take~~
6 ~~into consideration the salary of other scientists in public~~
7 ~~employment as contained in the report prepared pursuant to this~~
8 ~~section.~~

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