

Assembly Bill No. 385

Passed the Assembly June 6, 2007

Chief Clerk of the Assembly

Passed the Senate September 5, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 385, 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.

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

SECTION 1. Section 19826.7 is added to the Government Code, to read:

19826.7. (a) In lieu of the report required under subdivision (c) of Section 19826, the department and the exclusive representative for State Bargaining Unit 10 shall jointly survey, one year prior to the expiration of a ratified collective bargaining agreement between State Bargaining Unit 10 and the state, and calculate the estimated average total compensation based on projected average total compensation for comparable services in other public agencies as of July 1 of the fiscal year in which the survey is conducted. The state and the exclusive representative for State Bargaining Unit 10 shall meet and confer in good faith pursuant to the Ralph C. Dills Act (Chapter 10.3 (commencing with Section 3512) of Division 4 of Title 1) regarding survey methodology consistent with this section. The survey shall contain comparable occupations or benchmark classes in California cities, counties, and special districts, the University of California, the California State University, and similar classifications in state government and the federal government. For survey comparison purposes, each State Bargaining Unit 10 classification shall be placed into one of the following categories: Environmental Scientist Range C, Chemist Range C, Associate Geologist, Research Scientist III and IV, Associate Industrial Hygienist, and Associate Health Physicist. Upon completion of the survey, the department shall submit to the Legislature a report containing the survey's findings related to the salaries of employees in comparable occupations in the other public sector agencies.

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

Approved _____, 2007

Governor