

**Department of Personnel Administration  
Memorandum**

**TO: Personnel Management Liaisons (PML)**

<b>SUBJECT:</b> SEIU Agreement	<b>REFERENCE NUMBER:</b> 2010-030
<b>DATE ISSUED:</b> 11/10/10	<b>SUPERSEDES:</b>

This memorandum should be forwarded to:

**Personnel Officers  
Employee Relations Officers**

**FROM:** Department of Personnel Administration  
Labor Relations Division

**CONTACT:** Personnel Services Branch  
(916) 323-3343  
Fax: (916) 327-1886  
Email: psb@dpa.ca.gov

The State negotiated new labor contracts with SEIU for bargaining units 1, 3, 4, 11, 14, 15, 17, 20, and 21.

**RETIREMENT CONTRIBUTION**

The agreements increase employee retirement contributions by an additional three percent (3%) for new employees and for all employees in these bargaining units.

Effective November 2, 2010, employee retirement contribution rate will be as follow.

<b>Retirement Categories</b>	<b>Increased Retirement Contribution</b>
Miscellaneous/Industrial/ARP - w/SSI	8% in excess of \$513/mo.
Miscellaneous/Industrial - No SSI	9% in excess of \$317/mo.
State Safety	9% in excess of \$317/mo.
Second Tier	0% Second Tier

## RETIREMENT FORMULA CHANGES

The retirement formula and method of calculating final compensation for SEIU-represented employees first employed with the State on or after January 15, 2011 with no prior service will be as follows. "Prior State employment" includes any State service (such as part-time, seasonal, or temporary employment) that can be purchased as CalPERS service credit.

Retirement Categories	New Employee Retirement Formulas
Miscellaneous/Industrial/ARP	2% at age 60 formula based on 3-year highest compensation
State Safety	2% at age 55 formula based on 3-year highest compensation
Second Tier	1.25% at age 65 formula based on 3-year highest compensation

### *Payroll Processing and Retirement Codes*

The State Controller's Office will be issuing a pay letter to provide additional instructions along with new retirement codes.

DPA is updating the Alternate Retirement Program (ARP) [Eligibility Worksheet](#) on DPA's web site (under HR Staff tab). The worksheet assists personnel staff in determining ARP eligibility and which ARP retirement code to apply.

### *Additional Retirement Information*

Retirement contributions are based on bargaining unit agreements. If an employee transfers from one bargaining unit to another, the retirement contribution may be different. Personnel staff can verify the accurate retirement contribution by reviewing the [bargaining contracts](#) located on DPA's web site.

## FURLOUGH PROGRAM

The Temporary Furlough Program that began August 2010 ends November 1, 2010 for SEIU-represented employees.

**PERSONAL LEAVE PROGRAM 2010 (PLP 2010)**

Effective November 2, 2010, all SEIU employees (including employee's previously excluded from the furlough program) will be credited with PLP 2010 credit on the first day of each pay period for 12 consecutive pay periods in the manner outlined below:

Full-Time Employees

Full-time employees shall have a reduction in pay equal to 4.62% and eight (8) hours of leave will be credited to the employee's PLP 2010 leave balance.

Part-Time Employees

Part-time employees shall be subject to the same conditions as full-time employees, on a pro-rated bases. The pro-ration shall be determined based on the employee's time base consistent with the chart below.

<u>Time Base</u>	<u>PLP 2010 Credit</u>
1/10	1
1/8	1
1/5	2
1/4	2
3/10	3
3/8	3
2/5	4
1/2	4
3/5	5
5/8	5
7/10	6
3/4	6
4/5	7
7/8	7
9/10	8

Permanent Intermittent and Special School Employees

Permanent Intermittent and Special School employees who are subject to the State Special Schools 10-month compensation agreement shall be subject to the pro-ration of salary and PLP 2010 credits pursuant to the chart below.

<u>Hours Worked During Pay Period</u>	<u>PLP 2010 Credit</u>
0 to 10.9	0
11 to 30.9	1
31 to 50.9	2
51 to 70.9	3
71 to 90.9	4
91 to 110.9	5
111 to 130.9	6
131 to 150.9	7
151 or over	8

Bargaining Unit 3 Employees at DJJ

Bargaining Unit 3 employees at DJJ on the 220/day Academic Calendar schedule shall have a reduction in pay equal to 4.62% and will accrue 6.78 hours of PLP 2010 per month.

PLP 2010 credit must be used before any other leave with the exception of furlough and sick leave. Employees may elect to use PLP 2010 credits in lieu of sick leave. PLP 2010 credits shall be requested and used by the employee in the same manner as vacation/annual leave and in accordance with departmental policies. All PLP 2010 credits earned must be used prior to June 30, 2013. PLP 2010 shall have no cash value and may not be cashed out.

Employees on NDI, ENDI, IDL, EIDL, or Worker's Compensation for the entire monthly pay period are excluded from the PLP 2010 Program for that pay period. Employees off for partial months shall receive PLP 2010 credits based on the intermittent chart above.

During the PLP 2010 period, the State will not be subject to furloughs.

Seasonal and temporary employees are not subject to the PLP 2010.

Employees newly hired on or after November 2, 2010 into a SEIU-represented classification while the PLP 2010 is in effect will be subject to this program for its duration.

Participation in the PLP 2010 will be based on the classification an employee moves to when transferring between classifications/BUs that have different PLP ending dates. An employee shall have no more than 12 months of PLP 2010 participation.

Example: If an employee in an SEIU-represented classification transfers to a BU 12 classification on December 1, 2010, the employee shall continue to participate in the PLP 2010 until September 1, 2011.

Time during which an employee is excused from work because of PLP 2010 time shall not be considered as "time worked" for purposes of determining the number of hours worked in a work week.

## **HOLIDAYS**

Lincoln's Birthday and Columbus Day are no longer paid State holidays.

Employees shall receive premium compensation (one and one half the hourly rate) for working on the following holidays:

January 1<sup>st</sup>  
The last Monday in May  
July 4<sup>th</sup>  
The 1<sup>st</sup> Monday in September  
Thanksgiving Day  
December 25<sup>th</sup>

All other holidays shall be compensated as provided by GC Section 19853, PML 2009-040 (PML link).

## **OVERTIME**

For the purposes of calculating overtime, leave time is not included in the overtime calculation for Bargaining Units 1, 3, 4, 11, 14, 15, 17, 20 and 21.

Bargaining Units 15, 17, and 20 have special provisions that address overtime calculations refer to those MOUs for further direction.

## **PROFESSIONAL DEVELOPMENT DAY (PDD)**

The State shall provide to all employees two days per fiscal year for activities such as professional association activities, professional and/or personal development seminars, etc., to promote professional and/or personal growth and to enhance professional and/or personal goals. These activities are at the employee's expense and therefore the choice of activity is at the employee's discretion. Supervisors shall not request documentation for this time. This time

shall be requested and approved in the same manner as vacation/annual leave. PDD must be used within the fiscal year it is granted and not accumulated or cashed out. PDD will be available for the 2010/2011 fiscal year as of November 2, 2010.

### **SPECIAL SALARY ADJUSTMENT**

Effective July 1, 2013, all SEIU represented classifications (excluding Seasonal Clerks and CDCR BU 3 employees who work an academic calendar) shall be adjusted by increasing the maximum step of the pay range by 3%. Employees at the old maximum salary range for a minimum of twelve (12) qualifying pay periods shall receive a 3% increase. Employees at the old maximum salary rate for less than twelve (12) qualifying pay periods shall receive a new salary anniversary date based on qualifying service. Qualifying service toward the twelve (12) qualifying pay periods shall be in accordance with DPA Rules 599.682(b) and 599.687. All other employees shall retain their salary and merit salary anniversary date (MSA).

Effective July 1, 2013, CDCR BU3 employees who work an academic calendar schedule and have been at step 6 or higher (at any range) for a minimum of 12 qualifying pay periods or have been at any step higher than 7 (at any range), shall receive a 3 percent salary increase, which shall be considered part of the employee's base pay for the purpose of retirement contributions.

Effective July 1, 2013, 50 cents will be added to each salary rate of the Seasonal Clerk classification.

Personnel staff with questions about the retirement changes should contact Desi Rodrigues at (916) 324-9400 or [desirodrigues@dpa.ca.gov](mailto:desirodrigues@dpa.ca.gov). For all other questions contact the Personnel Services Branch at the phone number or email address listed above.

/s/Julie Chapman

Julie Chapman  
Chief Deputy Director of Policy

**EMPLOYEES IN BARGAINING UNITS 2, 6, 7, 9, 10 & 13 (ADDENDUM)**

The chart below provides a short narrative of the changes in retirement contributions and formulas, holiday compensation, and Furlough Program for employees represented in Bargaining Units (BU) 2, 6, 7, 9, 10 & 13 as indicated on the Department of Personnel Administration Personnel Management Liaison 2010-027 Retirement Contribution and Formulas, Holiday Compensation, and the Furlough Program.

**INFORMATION AMENDED - SEE BELOW.**

Furlough Program	Employee Retirement Formulas & Contributions	Personal Leave Program (PLP) 2010	Holidays	Professional Development Day (PDD)	Special Salary Adjustment	Contract Ratified
<p>The current Furlough Program applies to employees in BUs 2, 6, 7, 9, 10 &amp; 13, &amp; will remain in effect until there is Legislative approval of a new Memorandum of Understanding, or certification from the Director of the Department of Finance that there is sufficient cash to allow the State to meet its obligations to pay for critical &amp; essential services.</p> <p>Effective November 2, 2010, furloughs will be self-directed. <b>CDCR must make every effort to comply with the PMLs to ensure employees take their three furlough days off within the pay period their compensation is adjusted as operational needs allow and within budgeted leave allotments for posted positions.</b></p>	<p><b>RETIREMENT FORMULAS - NEW EMPLOYEES AFTER JANUARY 15, 2011</b></p> <p>Miscellaneous/Industrial /ARP 2% at age 60 formula based on 3-year highest compensation.</p> <p>State Safety 2% at age 55 formula based on 3-year highest compensation.</p> <p>Peace Officer/Firefighter 2.5% at age 55 formula based on 3-year highest compensation.</p> <p>Second Tier 1.25% at age 65 formula based on 3-year highest compensation.</p> <p><b>RETIREMENT FORMULAS - CURRENT EMPLOYEES</b></p> <p>Miscellaneous/Industrial /ARP 2% at age 55 formula.</p> <p>State Safety 2.5% at age 55 formula.</p> <p>Peace Officer/Firefighter 3% at age 50 formula.</p> <p>Second Tier 1.25% at age 65 formula.</p> <p><b>EMPLOYEE RETIREMENT CONTRIBUTIONS (new &amp; current)</b></p> <p>Miscellaneous/Industrial/ARP - w/SSI <b>Bargaining Unit 2</b> 6% in excess of \$513.</p> <p>Miscellaneous/Industrial/ARP - No SSI 7% in excess of \$317.</p> <p>State Safety 7% in excess of \$317.</p> <p>Miscellaneous/Industrial/ARP - w/SSI <b>Bargaining Units 6, 7, 9, 10, &amp; 13</b> 5% in excess of \$513/mo.</p> <p>Miscellaneous/Industrial/ARP - No SSI 6% in excess of \$317/mo.</p> <p>State Safety 6% in excess of \$317/mo.</p> <p>Peace Officer/Firefighter (Unit 6) 8% in excess of \$863 (BU6).</p> <p>Peace Officer/Firefighter (Unit 7) 8% in excess of \$513 (BU7).</p> <p>Second Tier 0% for Second Tier Members</p>	<p>NOT APPLICABLE</p>	<p>Pursuant to Government Code 19853 &amp; DPA PML 2009-040, Lincoln's Birthday &amp; Columbus Day are no longer paid State holidays, &amp; an employee who works on a holiday is entitled to receive straight-time pay &amp; eight hours of holiday credit.</p>	<p>NOT APPLICABLE</p>	<p>NOT APPLICABLE</p>	<p>NOT APPLICABLE</p>