

AMENDED IN ASSEMBLY APRIL 1, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2477

Introduced by Assembly Member Steinberg

February 21, 2002

An act to add Section 19836.1 to the Government Code, relating to state employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 2477, as amended, Steinberg. State employees: *excluded and* exempt employees: salaries and benefits.

Existing law provides that the Department of Personnel Administration shall establish and adjust salary ranges for each class of position in the state civil service subject to any merit limits contained in the California Constitution. Existing law further provides that these salary ranges shall be based on the principle that like salaries shall be paid for comparable duties and responsibilities and that the department, in establishing or changing these ranges, consider the prevailing rates for comparable service in other public employment and in private business.

This bill would establish the *Excluded and Exempt Employees Salary-Setting Commission*, to consist of 5 commissioners appointed by the Governor, President pro Tempore of the Senate, and Speaker ~~pro Tempore~~ of the Assembly, as specified, and would require the commission, no later than May 1 of each year, to recommend to the Legislature salaries and benefits for *excluded and* exempt positions in state government, *as defined*. The bill would require the commission, in preparing its recommendations, to consider the cost of living as

reflected in specified indices, the total compensation paid to benchmark classes in selected California cities, counties and special districts, University of California System, California State University, other states, federal government, and applicable industries in the private sector, the total compensation paid to ~~nonexempt rank-and-file~~ state employees under approved memoranda of understanding, and the goals of *excluded and exempt* employees. It would require that the commission recommend that *excluded and exempt* employees receive benefits comparable to benefits received by ~~nonexempt rank-and-file~~ employees under approved memoranda of understanding. It would require the commission to hold at least 2 public hearings each year prior to making its recommendations.

The bill would require the Department of Personnel Administration to provide administrative support to the commission.

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 19836.1 is added to the Government
 2 Code, to read:
 3 19836.1. (a) ~~There~~ *For purposes of this section:*
 4 (1) *“Excluded employee” means the same as in subdivision (b)*
 5 *of Section 3527.*
 6 (2) *“Excluded employee organization” means the same as in*
 7 *subdivision (d) of Section 3527.*
 8 (3) *“Exempt employee” means a state employee who is exempt*
 9 *pursuant to subdivision (e), (f), or (g) of Section 4 of Article VII*
 10 *of the California Constitution.*
 11 (b) *There is in state government the Excluded and Exempt*
 12 *Employees Salary-Setting Commission, which shall, at its sole*
 13 *discretion, no later than May 1 of each year, recommend to the*
 14 *Legislature salaries and ~~benefits for exempt positions in state~~*
 15 *government.*
 16 ~~(b)~~ *benefits for excluded and exempt employees in state*
 17 *government.*
 18 (c) The commission shall consist of five commissioners. The
 19 Governor shall appoint three commissioners, and the President pro
 20 Tempore of the Senate and the Speaker ~~pro Tempore~~ of the
 21 Assembly shall each appoint one, both of whom shall ~~represent~~



1 ~~exempt employees~~ *be representatives of excluded employee*
2 *organizations.* The term of each commissioner shall be five years.
3 No person may receive compensation for serving as a
4 commissioner, but each commissioner may be reimbursed for
5 reasonable expenses incurred while on authorized commission
6 business. The Department of Personnel Administration shall
7 provide administrative support to the commission.

8 ~~(e)~~

9 (d) In preparing its salary recommendations, the commission
10 shall consider all of the following:

11 (1) The cost of living, as reflected in the Consumer Price Index,
12 the West Coast Index, and statistics from the Bureau of Labor
13 Statistics of the United States Department of Labor, San Francisco,
14 and Los Angeles.

15 (2) The total compensation paid to bench mark classes in
16 selected California cities, counties and special districts, University
17 of California System, California State University, other states,
18 federal government, and applicable industries in the private sector.

19 (3) The total compensation paid to ~~nonexempt~~ *rank-and-file*
20 state employees under approved memoranda of understanding.

21 (4) The goals of *excluded and* exempt employees.

22 ~~(d) The commission shall recommend that exempt employees~~

23 (e) *The commission shall recommend that excluded and exempt*
24 *employees* receive benefits comparable to benefits received by
25 ~~nonexempt~~ *rank-and-file* employees under approved memoranda
26 of understanding.

27 ~~(e)~~

28 (f) No later than March 30 of each year, the commission shall
29 hold at least two public hearings, one in northern California and
30 one in southern California, in order to receive input about salary
31 and benefits for *excluded and* exempt employees from state
32 employees, employee organizations, the Department of Personnel
33 Administration, the Public Employees' Retirement System, and
34 representatives from other state agencies and departments.

