

**Proposed Amendments General and Attorney Unit
Memorandum of Understanding
2014 and after**

Executive Summary

1. **Compensation & CalPERS Retirement:** The State Bar will pay a \$1500 lump sum to each employee before the end of 2013.

The State Bar will shift 7% of current CalPERS Employer Paid Member Contributions (EPMC) to employees effective the first payroll period in January 2014.

The State Bar will increase employee salary ranges 7% the first payroll period in January 2014 and offset the shift of 7% CalPERS EPMC to employees.

The State Bar will increase employee salary ranges 2.5% effective with the first payroll period in January 2014.

The State Bar will increase employee salary ranges 2.5% the first payroll period in January 2015, not contingent upon specified events, and another .25% subject to the contingency on steps set forth below at MOU Section 22.C.4.

The State Bar will increase employee salary ranges 2.5% the first payroll period in January 2016, subject to the State Bar obtaining a fee bill increase effective in 2015 or 2016 of no less than \$20 to the Active Membership Fee subject to the spending discretion of the Board.

The State Bar will increase employee salary ranges 1% the first payroll period in July 2016, regardless of whether a fee bill increase is obtained in 2015 or 2016.

In the event the State Bar does not obtain a \$20 fee bill increase effective in 2015 or 2016, the parties return to negotiations to negotiate the repercussions.

MOU Section 22.C.4 is amended as follows:

“The adjustments of Section 22.C.3 in 2015 and after are suspended in the event any of the following events occur:

a. The Governor vetoes the State Bar’s authorization to collect annual licensing fees in 2014 or after;
or

b. The Legislature approves statutory authorization to collect total Active Membership licensing fees that is below the amount of the total 2014 Active Membership licensing fees authorized by statute and dedicated to the State Bar’s use (\$390.00); or

c. \$500,000 or more of the funds subject to the State Bar's control in 2014 or after is reduced or diverted from the State Bar's receipt, use or control by legislation in or after 2014.

MOU Section 22.C.5 is amended As follows: "The suspension of wage adjustments identified in Paragraph 4, will only remain in effect while the conditions set forth in Paragraph 4.a, 4.b, or 4.c remain in effect. The parties will return to the bargaining table to negotiate the repercussions of Paragraphs 4.a, 4.b, or 4.c should any of these situations arise."

This is part of a 3 year contract, covering 2014, 2015 and 2016.

2. **Sick Leave/Exempt Status:** Attorney Unit Appendix H and General Unit Appendix K [Letter of Understanding Overtime Exempt Status] are amended to state in both Letters of Understanding:

G. Employees shall not be "docked" paid time for absences in less than whole day increments, *except for sick leave taken for actual sickness (which shall not include scheduled medical appointments.)* Vacation can continue to be taken in half-day increments in accordance with MOU Section 25.E/26.E." [Emphasis added.]
3. **Holidays:** The one-half day floating holiday of MOU Section 24/25 to be taken at a time mutually satisfactory to the Employee and the State Bar is eliminated.
4. **Term:** This is a 3 year contract, the term to run January 1, 2014 to December 31, 2016, on the above terms.
5. **Dress Standards:** MOU Section 23/24.E [Dress Code] is amended to explicitly ban "tennis shoes" and "sneakers." Dress code "citations" issued by the State Bar and grievances filed by the Union based on sneakers or tennis shoes will be withdrawn.
6. **Vacation Cash Out:** During the term of this MOU only, Employees who have reached the top of the salary range for their classification and who have 15 or more days of accrued and unused vacation, may, upon written notification to the Office of Human Resources, cash in accrued and unused vacation in increments of one week, one at a time, not to exceed a total of two weeks per calendar year.
7. **Expense Reimbursement:** The State Bar will increase State Bar travel "per diem" meal rates to those paid to state civil service employees from \$6 to \$7 breakfast; \$10 to \$11 lunch; \$18 to \$23 dinner by amending its Travel and Business-Related Expense Reimbursement Policy in 2014 to adopt these meal

per diems, as set forth in Appendix C to the policy statement, after these amendments to the State's reimbursement policy are ratified by the Legislature and the Governor. The MOU on Expense Reimbursement will remain unchanged.

8. **Reopeners:** Two reopeners on a subjects of the Union's choosing in 2015 and two reopeners of the Union's choosing in 2016; the State Bar to have one reopener of its choosing in each year, 2015 and 2016.