



# INFORMER

# 5, April 2008

Professional Engineers in California Government

## PERS, PPP, D/B, and OSHPD Bills

Springtime in a legislative session means lots of acronyms and alphabet soup. Thousands of bills, many held over from last year, are still in the mix, being sent to Committees to either get approval and move on or to languish and die.



A recent entry is AB 2940 by Assemblymember Kevin de Leon. This bill would **authorize private sector employees to contribute to CalPERS** so their pre-tax dollars can be invested more effectively than under current individual accounts. However, this raises serious questions regarding CalPERS' status as a public pension and retirement system and the duty of the CalPERS Board of Administration to solely represent the interests of its public employee participants. It comes at a particularly troublesome time, as CalPERS staff is seeking to convince its Board that investments in infrastructure, such as public-private-partnerships, could be a good idea even if it results in outsourcing the jobs of some CalPERS public employee members. PECG and CalPERS legal staff are looking at the potential impact of the bill on public employees.



PECG-sponsored AB 2966 (authored by Assemblymember Sally Lieber) would require the Office of Statewide Health Planning and Development (OSHPD) to provide the inspectors of record for **hospital construction**. Currently, hospitals outsource

the **inspection**, which has led to documented evidence of inspectors being pressured to approve defective work in order to keep costs down. This bill would eliminate that conflict of interest by transferring the function to OSHPD, which could then use its own employees or outsource the work. The bill passed the Assembly Health Committee and is now pending in the Assembly Appropriations Committee.

There are numerous bills to **authorize public-private-partnerships** or **design-build** for highways, local wastewater treatment facilities, or just infrastructure in general. PECG has met with good success thus far in blocking or defeating the bills and is working with several of the authors to determine if the bills could be amended satisfactorily.



There are other bills dealing with such topics as high speed rail, school construction inspection by the **Division of the State Architect**, and bills authorizing specific infrastructure projects. All of these are in addition to the formulation of a **State Budget** for the upcoming fiscal year, which will become the main focus of attention during May and June.

## Caltrans Issues

PECG leaders meet monthly with Caltrans Director Will Kempton and other top managers to discuss current issues. Frequently, problems are resolved; sometimes, they are not. The following summarizes issues discussed at the latest such meeting.

- Due to low attrition, the **hiring** goals for engineers and related professionals are relatively low. For example, only 274 new TE Civils will be added this year. Hiring for Capital Outlay Support (the major engineering program which includes planners, administrators, and others) is behind schedule by about 150 hires thus far for this fiscal year.
- The balance between **Telecommunications Engineer** and IT positions has been an ongoing issue. Audits of positions have been conducted but information has not yet been provided to PECG, despite two years of information requests. The long-delayed Senior Telecommunications Engineer exam will be announced in October.

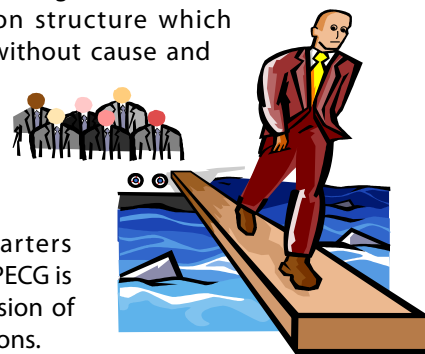


- There has been a concern regarding transmissions from CHP and Caltrans towers above the **Traffic Management Center** facility in Los Angeles. It was agreed that testing will be arranged every 90 days for the next year to ensure that any radiation or other negative effects of the transmissions are negligible and not potentially harmful.



- A concern was raised about outsourcing the processing of **cooperative agreements**. This is being done to address a backlog which has occurred while Caltrans' staff has been working on development and implementation of a new program. The outsourcing will be temporary to eliminate that backlog.

- Caltrans has requested State Personnel Board (SPB) approval of conversion of 26 positions from regular civil service to Career Executive Assignment (**CEA**), a general classification structure which allows termination without cause and has other non-civil service aspects. The positions include Deputy District Directors and a number of headquarters management spots. PECG is opposing the conversion of the civil service positions.



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