



PROFESSIONAL ENGINEERS

IN CALIFORNIA GOVERNMENT

July 29, 2010

Karla Broussard-Boyd
Administrative Law Judge
Department of Personnel Administration
1515 S Street, North Building, Suite 400
Sacramento, CA 95811

Re: DPA Case No. 09-SS-0002
PECG's Quasi-Legislative Hearing and Request for Salary Adjustment
Information Requested in Your June 15, 2010 Letter

Dear Judge Broussard-Boyd:

In your letter dated June 15, 2010, you note that PECG's claim will remain off calendar "until the claimant class identifies specific classifications to which it claims like salaries." This letter outlines the claimant classifications and lists the specific classifications to which PECG claims like salaries must be paid.

Throughout this proceeding, PECG has broken the salary claim down by groups of supervisory classifications: the U09 or "split" classes, the parallel classifications which have the parenthetical listings of (Supervisor) and (Specialist), and the "other classifications." This letter similarly groups the classifications.

The declarations submitted by PECG, and the closing argument filed by PECG, list the claimant classification and the specific classifications to which PECG claims like salaries must be paid for each classification. For the panel's convenience, that information is repeated here in a clear format with reference to PECG's Brief.

The U09 or Split Classes

Here PECG claims that the salaries of the supervisory employees in the six split classifications listed below should be the same as their rank-and-file counterparts which are 10.1% higher. This claim was made in the June 24, 2009 request for salary adjustments. For

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example, employees at the top step of the Senior Transportation Engineer, Caltrans classification that are rank-and-file have salaries of \$9870 per month while supervisors in the same classification have salaries of \$8965 per month. (See Exhibits 30 [DPA pay scales] and 31 [listing of Senior Transportation Engineer salaries].) Supervisory employees in these classifications should have their salaries raised by 10.1% retroactive to July 1, 2008 so that they are paid the same as the rank-and-file employees in the same classifications.

“U” classifications are defined in the State of California pay scales as “Unassigned classes which have a split responsibility of rank and file or supervisory.” (Exhibit 59.) A U09 or “split classification” is one which includes some engineering positions and individuals who are designated as rank-and-file and some engineering positions and individuals who are designated as supervisory. As discussed in PECG’s Brief in Support of the Quasi-Legislative Salary Adjustment, by statutory definition in Government Code section 18523, the fact that rank-and-file and supervisory employees are in the same classification demonstrates they are “sufficiently similar with respect to duties and responsibilities” and that they perform comparable duties.

The supervisory employees in U09 classifications are:

Senior Transportation Engineer, Caltrans (GJ70, Class Code 3161) - 656 Employees
Senior Bridge Engineer, Caltrans (GL50, 3185) - 129 Employees
Senior Engineering Geologist (HT40, 3751) - 92 Employees
Senior Water Resource Control Engineer (ID10, 3844) - 67 Employees
Senior Architect (IK50, 3961) - 12 Employees
Senior Waste Management Engineer (HY15, 3790) - 4 Employees

Government Code section 19826(a) requires “like salaries shall be paid for comparable duties and responsibilities.” As you point out in your letter, “in establishing or changing these (salary) ranges” (which is what PECG seeks to compel DPA to do here) “consideration shall be given to the prevailing rates for comparable service in other public employment.”

For Senior Transportation Engineer, Caltrans, DPA has already determined that the Supervisory positions are comparable to the rank-and-file positions in the Bargaining Unit. In the Unit 9 Memorandum of Understanding (“MOU”), “counterparts” in other public employment were surveyed. (Exhibit 47.) Their salary has been paid to the rank-and-file Unit 9 Senior Transportation Engineers. DPA determined that the Senior Transportation Engineer, Caltrans is the “Supervisory Level”. Their salary in the survey is paid to the Unit 9 Senior Transportation Engineers. (Exhibit G.) Referencing their “counterparts” in other agencies (in the MOU), Webster’s defines “counterpart” as “a thing that fits another perfectly...one remarkably similar to another...one having the same function or characteristics as another.” Thus, DPA has already found, based on “comparable service in other public employment” that the Senior Transportation

Engineer, Caltrans in Unit 9 and the Senior Transportation Engineer, Caltrans who are Supervisors are performing comparable duties and responsibilities, but the Supervising Senior is currently being paid 10.1% less than the Unit 9 Rank-and-File Senior and their counterparts in other public employment.

As summarized from pages 7 to 25 of PECG's Brief, ample un-rebutted testimony and evidence presented by PECG confirms that all supervisory employees in the split classes perform work comparable to their rank-and-file counterparts in the same classification.

Parallel Classes

For parallel classes, the supervisory parenthetical class is comparable to the corresponding specialist class. This claim, listing each class and the corresponding parallel classes, was made by PECG in the June 24, 2009 request for salary adjustments. They have historically been paid exactly the same. In most instances, the class specifications are exactly the same with the exception of *specialist* being replaced by *supervisor* in the supervisor's class specification and with supervisory duties being added. The civil service examination for most of these classes is the same examination for both classes.

Ample un-rebutted testimony and evidence presented by PECG confirms that all employees in the supervisory parenthetical classes perform work comparable to their rank-and-file counterparts in the equivalent specialist parentheticals. (PECG Brief 26 - 40.) The employees in the supervisory parenthetical classes must have their salaries raised by 10.1% retroactive to July 1, 2008 to be comparable in salary specialist parenthetical classes.

The supervisory class of:

Senior Hydroelectric Power Utility Engineer (Supervisory) (HO48, 3673)

Is equivalent to the comparable rank-and-file class of:

Senior Hydroelectric Power Utility Engineer (Specialist) (HO49, 3674)

(See pages 96 - 98 of PECG's Brief.)

The supervisory class of:

Senior Control Engineer (Supervisor) (HQ40, Class Code 3658) - 3 Employees

Is equivalent to the comparable rank-and-file class of:

Senior Control Engineer (Specialist) (HQ42, 3652) classification.

(See pages 26 - 28 of PECG's Brief.)

The supervisory class of:

Senior Electrical Engineer, Caltrans (Supervisor) (GM35, Class Code 3002) - 3
Employees

Is equivalent to the comparable rank-and-file class of:

Senior Electrical Engineer, Caltrans (Specialist) (GM30, 2177).

(See pages 28 - 31 of PECG's Brief.)

The supervisory class of:

Senior Oil and Gas Engineer (Supervisor) (HV10, Class Code 3780) - 11
Employees

Is equivalent to the comparable rank-and-file class of:

Senior Oil and Gas Engineer (Specialist) (HV50, 3727)

(See pages 31 - 33 of PECG's Brief.)

The supervisory class of:

Senior Process Safety Engineer (Supervisor) (HV84, Class Code 7010) - 1
Employee

Is equivalent to the comparable rank-and-file class of:

Senior Process Safety Engineer (Specialist) (HV85, 7009)

(See pages 33 - 35 of PECG's Brief.)

The supervisory class of:

Senior Transportation Electrical Engineer (Supervisor) (GK23, Class Code 3164)
- 53 Employees

Is equivalent to the comparable rank-and-file class of:

Senior Transportation Electrical Engineer (Specialist) (GK20, 3163)

(See pages 35 - 39 of PECG's Brief.)

The supervisory class of:

Senior Utilities Engineer (Supervisor) (HD75, Class Code 3508) - 15 Employees

Is equivalent to the comparable rank-and-file class of:

Senior Utilities Engineer (Specialist) (HD70, 3510)

(See pages 39 - 40 of PECG's Brief.)

Other Classes

In many instances, the classes listed below are comparable to one of the supervisory classifications listed above in either the split or parallel classifications. Once the finding of comparability is made for those classifications and the salaries are adjusted, the comparability of the classes below to those supervisors in split and parallel classes (who will receive the salary increases) entitles these employees to comparable pay which would require salary increases of 10.1%. In other instances, the classes listed below are comparable to a different supervisory classification which in turn as part of this proceeding is linked as comparable to one of the split or parallel classifications.

Whether the claim is directly to a split or parallel class, or through a series of findings of comparability, ample un-rebutted testimony and evidence presented by PECG confirms that all employees in the supervisory classes perform work comparable to their supervisory counterparts. (PECG Brief 40 - 116.) The employees in the other supervisory classes must have their salaries raised by 10.1% retroactive to July 1, 2008 to be comparable to their counterparts in the other supervisory classes which are comparable to the split or parallel classifications.

The supervisory class of:

Senior Corrosion Engineer (GR10, Class Code 3278) - 1 Employee

Is equivalent to the comparable class of:

Senior Engineer, Water Resources (GO40, 3261) classification which in turn is comparable to the split classification of Senior Transportation Engineer, Caltrans (GJ70, 3161).

(See pages 40 - 42 of PECG's Brief.)

The supervisory class of:

Senior Precision Electronic Specialist (QC45, Class Code 6932) - 4 Employees

Is equivalent to the comparable rank-and-file classification of:

Senior Electrical Engineer (HJ30, 3600).

(See pages 43 - 44 of PECG's Brief.)

The supervisory class of:

Supervising Electrical Engineer (HJ20, Class Code 3599) - 3 Employees

Is equivalent to the comparable classification of:

Supervising Transportation Engineer, Caltrans (GJ60, 3155) which is above the split classification of Senior Transportation Engineer, Caltrans (3161).

(See pages 44 - 46 of PECG's Brief.)

The supervisory class of:

Air Resources Supervisor I (IA86, Class Code 3762) - 125 Employees

Is equivalent to the comparable split classification of:

Senior Water Resource Control Engineer (ID10, 3844)

(See pages 46 - 47 of PECG's Brief.)

The supervisory class of:

Air Resources Supervisor II (IA88, Class Code 3763) - 36 Employees

Is equivalent to the comparable classification of:

Supervising Water Resources Control Engineer (Supervisory) (ID40, 3850)
classification which is above the split classification of Senior Water Resource
Control Engineer (ID10, 3844)

(See pages 48 - 49 of PECG's Brief.)

The supervisory class of:

Area Manager, CAL/OSHA Consultation Service (IG65, Class Code 3918) - 9
Employees

Is equivalent to the comparable classification of:

Senior Safety Engineer (Industrial) (IG60, 3909)

(See pages 49 - 50 of PECG's Brief.)

The supervisory class of:

Associate Transportation Electrical Engineer (Supervisor) (GK 33, Class Code
3165) - 11 Employees

Is equivalent to the rank-and-file classification of:

Associate Transportation Electrical Engineer (Specialist) (GK30, 3166)

(See pages 51 - 52 of PECG's Brief.)

The supervisory class of:

Construction Supervisor II (HA40, Class Code 3447) - 7 Employees

Is equivalent to the rank-and-file classification of:

Construction Supervisor II (IS50, 4030)

(See pages 53 - 54 of PECG's Brief.)

The supervisory class of:

Construction Supervisor III (IS40, Class Code 4029) - 7 Employees

Is equivalent to the rank-and-file classification of:

Senior Structural Engineer (GV50, 3336)

(See pages 54 - 56 of PECG's Brief.)

The supervisory class of:

Departmental Construction and Maintenance Supervisor (IR80, Class Code 4126)
- 18 Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 56 - 58 of PECG's Brief.)

The supervisory class of:

Direct Construction Supervisor II (IS30, Class Code 4038) - 4 Employees

Is equivalent to the rank-and-file classification of:

Construction Supervisor II (IS50, 4030)

(See pages 58 - 59 of PECG's Brief.)

The supervisory class of:

District Structural Engineer (GV 40, Class Code 3332) - 46 Employees

Is equivalent to the rank-and-file classification of:

Senior Structural Engineer (GV50, 3336); This classification has traditionally been paid approximately 5% more than the Senior Structural Engineer. This classification has traditionally been paid between that of the Supervising Structural Engineer and the Senior Structural Engineer.

(See pages 59 - 62 of PECG's Brief.)

The supervisory class of:

Regional Compliance Officer, Health Facilities Construction (IS52, Class Code 4016) - 7 Employees

Is equivalent to the supervisory classification of:

Supervising Structural Engineer (GV30, 3331) which supervises the rank-and-file Senior Structural Engineer (GV50, 3336)

(See pages 62 - 64 of PECG's Brief.)

The supervisory class of:

Senior Air Quality Engineer (QR25, Class Code 9943) - 4 Employees

Is equivalent to the parallel classification of:

Senior Control Engineer (Supervisor) (HQ40, 3658) which is equivalent to the Senior Control Engineer (Specialist) (HQ42, 3652)

(See pages 64 - 67 of PECG's Brief.)

The supervisory class of:

Senior Electrical Engineer, Hydraulic Structures (HJ90, Class Code 3610) - 3 Employees

Is equivalent to the parallel classifications of:

Senior Electrical Engineer, Caltrans (Supervisor) (3002) classification and Senior

Electrical Engineer, Caltrans (Specialist) (2177).

(See pages 67 - 68 of PECG's Brief.)

The supervisory class of:

Senior Engineer, Water Resources (GO40, Class Code 3261) - 172 Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 69 - 70 of PECG's Brief.)

The supervisory class of:

Senior Equipment Engineer (HM20, Class Code 3635) - 7 Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 70 - 72 of PECG's Brief.)

The supervisory class of:

Senior Landscape Architect, Caltrans (IM12, Class Code 2972) - 52 Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 72 - 74 of PECG's Brief.)

The supervisory class of:

Senior Materials and Research Engineer (GX20, Class Code 3375) - 22
Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 74 - 75 of PECG's Brief.)

The supervisory class of:

Senior Mechanical Engineer, Hydraulic Structures (HH30, Class Code 3562) - 4
Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 75 - 77 of PECG's Brief.)

The supervisory class of:

Senior Procurement Engineer (GY56, Class Code 3393) - 5 Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 77 - 78 of PECG's Brief.)

The supervisory class of:

Senior Registrar, Board for Professional Engineers and Land Surveyors (HC 40,
Class Code 3428)- 4 Employees

Is equivalent to the split classification of:

Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 78 - 80 of PECG's Brief.)

The supervisory class of:

Senior Safety Engineer, Pressure Vessels (IG20, Class Code 3903) - 5 Employees

Is equivalent to the rank-and-file classification of:

Senior Safety Engineer (Construction) (IF90, 3900)

(See pages 80 - 81 of PECG's Brief.)

The supervisory class of:

Senior Safety Engineer (Elevators) (IF50, Class Code 3894) - 12 Employees

Is equivalent to the rank-and-file classifications of:

Senior Safety Engineer (Construction) (IF90, 3900), Senior Safety Engineer (Electrical) (IF70, 3897), and Senior Safety Engineer (Industrial) (IG60, 3909)

(See pages 81 - 83 of PECG's Brief.)

The supervisory class of:

Senior Sanitary Engineer (HY60, Class Code 3822) - 33 Employees

Is equivalent to the rank-and-file classification of:

Senior Utilities Engineer (Specialist) (HD70, 3510)

(See pages 83 - 85 of PECG's Brief.)

The supervisory class of:

Senior Safety Engineer (Mining and Tunneling) (IG45, Class Code 3905) - 4 Employees

Is equivalent to the rank-and-file classification of:

Senior Safety Engineer (Construction) (IF90, 3900)

(See pages 86 - 87 of PECG's Brief.)

The supervisory class of:

Senior Telecommunications Engineer (HK75, Class Code 3637) - 22 Employees

Is equivalent to the rank-and-file classification of:

Senior Electrical Engineer (HJ30, 3600)

(See pages 87 - 90 of PECG's Brief.)

The supervisory class of:

Senior Transportation Surveyor (Caltrans) (GA10, Class Code 3031) - 88
Employees

Is equivalent to the split classifications of:

Senior Transportation Engineer, Caltrans (GJ70, Class 3161)
Senior Bridge Engineer, Caltrans (GL50, 3185)

(See pages 90 - 93 of PECG's Brief.)

The supervisory class of:

Supervising Hazardous Substances Engineer I (HY02, Class Code 3724) - 22
Employees

Is equivalent to the split classifications of:

Senior Hazardous Substances Engineer (HY03, 3725)

(See pages 93 - 96 of PECG's Brief.)

The supervisory class of:

Supervising Hydroelectric Power Utility Engineer (HO47, 3672) - 19 Employees

Is equivalent to the comparable classification of:

Supervising Water Resources Control Engineer (Supervisory) (ID40, 3850) classification which is above the split classification of Senior Water Resource Control Engineer (ID10, 3844)

(See pages 96 - 98 of PECG's Brief.)

The supervisory class of:

Supervising Oil and Gas Engineer (HU90, Class Code 3777) - 4 Employees

Is equivalent to the comparable classification of:

Other "Supervising" level engineers throughout state service, although the Oil and Gas Engineer series has recently been paid higher than the other class series as a result of recruitment and retention issues.

(See pages 98 - 100 of PECG's Brief.)

The supervisory class of:

Supervising Architect - (IK40, Class Code 3958) - 17 Employees

Is equivalent to the comparable classification of:

Supervisory Structural Engineer (GV30, 3331) which supervises the rank-and-file Senior Structural Engineer (GV50, 3336)

(See pages 101 - 104 of PECG's Brief.)

The supervisory class of:

Supervising Engineer, Water Resources (GO30, Class Code 3258) - 77 Employees

Is equivalent to the comparable classification of:

Supervising Transportation Engineer, Caltrans (GJ60, 3155) classification which supervises the Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 104 - 106 of PECG's Brief.)

The supervisory class of:

Supervising Mechanical Engineer (HH60, Class Code 3578) - 3 Employees

Is equivalent to the comparable classification of:

Supervising Transportation Engineer, Caltrans (GJ60, 3155) classification which supervises the Senior Transportation Engineer, Caltrans (GJ70, 3161)

(See pages 106 - 110 of PECG's Brief.)

The supervisory class of:

Supervising Structural Engineer (GV30, Class Code 3331) - 15 Employees

Is equivalent to the comparable classifications of:

Other "Supervising" levels in other agencies employing engineers. This classification has typically made approximately one step higher salary than the District Structural Engineer classification and approximately three steps more than the Senior Structural Engineer (GV50, 3336) classification. More recently, the rank-and-file Senior Structural Engineer salary has risen and is nearly the same as this class.

(See pages 110 - 112 of PECG's Brief.)

The supervisory class of:

Supervising Control Engineer (HQ35, Class Code 3686) - 1 Employee

Is equivalent to the comparable classification of:

Supervising Structural Engineer (GV30, 3331) classification which supervises the rank-and-file Senior Structural Engineer (GV50, 3336).

(See pages 112 - 114 of PECG's Brief.)

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The supervisory class of:

Transportation Surveyor Party Chief (Caltrans) GA15, 3030 - 92 Employees

Historically Transportation Surveyor Party Chiefs have made 10% more than their subordinate staffs, now they make \$77 less per month.

(See pages 114 - 116 of PECG's Brief.)

Thank you for the opportunity to provide this information. If you have any questions, I can be reached at (916) 446-0400.

Sincerely,



Gerald James
PECG Counsel

c: See attached service list

PROOF OF SERVICE BY MAIL

DPA Case No. 09-SS-0002

PECG's Quasi-Legislative Hearing and Request for Salary Adjustment

I declare I am employed in the County of Sacramento, California. I am over the age of 18 years and not a party to the within entitled cause. The address of my business is 455 Capitol Mall, Suite 501, Sacramento, California 95814. On July 29, 2010, I mailed a copy of the within document **LETTER - INFORMATION REQUESTED IN YOUR JUNE 15, 2010 LETTER** to the parties listed below by placing a true copy of said documents, enclosed in a postage paid sealed envelope, for collection and mailing following our ordinary business practices.

I am readily familiar with this business's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope(s) with postage fully prepaid.

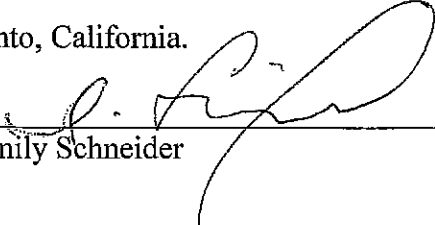
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 29, 2010, at Sacramento, California.



Emily Schneider