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Prior to accepting my position in December of 2000 as an Environmental Scientist with the Department of Toxic Substances Control's Hazardous Waste Management Program, Enforcement and Emergency Response Division, I was unaware of the grievous salary issue that I would be subjected to as a state scientist.

You and your representatives have received a lot of input from both the CAPS Team and Unit 10 scientists regarding the pay issue, so I presume you have some understanding of its history and the problems it has been causing. However, in case you aren't fully aware of all the details, I developed a list of important points that you and others in the administration need to know:

- The Unit 10 salary issues were not created through the collective bargaining process but rather, through unilateral decisions by previous administrations to not maintain standard horizontal and vertical salary relationships.
- A logical pay structure based on minimum qualifications and experience no longer exists in Unit 10 due to the State's inaction and unwillingness to maintain standard internal pay relationships for the last 16 years.
- Unit 10's horizontal and vertical salary relationships were disrupted in 2005 and then again in 2014 and 2018.
- Severe recruitment and retention issues are being experienced by some departments and programs, especially in high-cost areas.
- Departments and programs that are experiencing ongoing recruitment and retention issues are spending significant resources on advertising, hiring, and training costs, resources that could be used for other priorities if scientists weren't consistently leaving for other employment opportunities.

- The State continuously relies on a flawed Total Compensation Report that seeks to understand how State of California wages and benefits compare to outside employers. Yet, even with its significant flaws, salary lags are consistently reported for Unit 10, especially when compared to private and federal government employers.
- The State's Total Compensation Report is designed to identify large unit-wide trends, but it is not sensitive enough to zero in on problems at the departmental, program or classification level. As a result, it has repeatedly failed to identify the large pay gaps between environmental scientists and environmental engineers.
- If CalHR were establishing new salary structures and pay relationships for scientists and engineers today, they would not be created with the large wage gaps that are in place now.
- The Dills Act precludes rank-and-file scientists from using the courts to force the State to follow its own laws that pertain to wages and benefits, like the Unit 10 supervisors and managers succeeded in doing in 2008.
- The Dills Act does not protect the State nor give it the right to violate its own laws and policies just because rank-and-file employees are "represented".
- Monetary costs have consistently been used as an excuse to not address the Unit 10 pay issue. The State has been unwilling to consider or recognize any other costs, such as the cost of lost productivity due to constant turnover, recruitment and training expenses, and poor performance (mistakes) due to low morale, etc.
- Department executives and managers have been told they are not permitted to raise their concerns as employee pay and benefit issues are handled exclusively by CalHR and CAPS. However, many Unit 10 managers

have expressed their desire to fix the pay issue, despite the risks of speaking up.

- The State has continuously ignored the advice of its own Legislative Analyst and has failed to “maintain appropriate differentials between supervisors and rank-and-file staff.”
- Cabinet Secretaries of the State’s two largest environmental agencies have written to CalHR about the Unit 10 pay issue and have requested that it be fixed. Both secretaries provided their own analysis of the issue and stated that it’s an impediment to accomplishing their agencies’ missions. To date, their requests have gone unanswered.
- The State continues to disregard the “equal pay for equal work” principle that is practiced by other government employers at the local and federal level.
- By compensating engineers substantially more than scientists for doing the same job, CalHR is suggesting to incumbents in both classifications that scientists are inferior and contribute less than their engineer counterparts.
- CalHR’s unequal treatment of engineers and scientists creates a work environment in which scientists are seen as not deserving of the same level of respect and appreciation shown to engineers.
- The State continues to knowingly violate its own laws and policies that are intended to ensure equitable and fair compensation for its employees.
- CAPS only wants to restore the appropriate historical salary relationships that existed for approximately 30 years prior to 2005.
- CAPS should not be put in a position of trying to compel the State to do what it is responsible for. Instead, the State should act on its own to ensure compliance with its salary laws and policies.

These points were developed with information provided by CAPS, from conversations with DTSC employees at both the manager and staff level, from letters submitted by colleagues over the years, and from interactions with CAPS board members and local representatives. Taken together they send a very clear and unmistakable message to all Unit 10 scientists: that we are not respected or valued by our employer, that CalHR lacks integrity, and that the State cannot be trusted to comply with its own laws and policies.

Does the Newsom administration want to continue sending this message to its own scientists? How much more pleading and coercing will it take for the State to stop abdicating its responsibility? When will you take seriously the enforcement of laws and policies that you alone are responsible for enforcing?

It's shameful that Unit 10 scientists have been subjected to this pay predicament for years and that many of us have felt it necessary to write letters imploring you to fix it. Please, demonstrate that the State of California is an upstanding and reputable employer that can be trusted to treat its employees in a fair and impartial manner. Act immediately and restore the appropriate pay relationships that served Unit 10 well for decades.

Sincerely,

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