

CHAPTER 13

MANAGEMENT RELATIONS PROGRAM

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CHAPTER 13

MANAGEMENT RELATIONS PROGRAM

1. MANAGEMENT RELATIONS PROGRAM. The state's Management Relations Program encompasses three separate groups of employees—managers, supervisors, and confidential employees—who comprise the Department's management team (Annex C of Chapter 2, History of California's Employee Relations Laws, of this manual). These employees are expressly excluded from collective bargaining by the Ralph C. Dills (Dills Act). Since the enactment of the Dills Act, the management structure within the civil service system has been significantly altered. In parallel, the salaries, fringe benefits, and conditions of employment have also changed commensurate with the individual's role and function as an active representative of management.

2. RESPONSIBILITY FOR MANAGEMENT COMPENSATION. California Department of Human Resources (CalHR) is ultimately responsible for administering the compensation, benefits, and terms and conditions of employment governing employee relations for the three categories of employees who are excluded from collective bargaining.

3. DEPARTMENTAL AUTHORITY FOR MANAGEMENT COMPENSATION. The Office of Employee Relations (OER), under the direction of the Commissioner, is designated as the departmental authority for the administration of the Management Relations Program of the California Highway Patrol (CHP). The OER will coordinate departmental recommendations with CalHR. The commander of OER is charged with the responsibility of facilitating the CHP's relationship with CalHR to effectuate, on an ongoing basis, implementation of an executive compensation and benefit plan for departmental managers.

4. SUPERVISORY EMPLOYEES.
 - a. Limited Representational Rights. Although an integral part of the management team, supervisors are not restricted in their representational rights under the Dills Act; however, supervisory issues are totally separate from those of rank-and-file employees.

 - b. Scope of Representation. Employee organizations have the right to represent their supervisory employee members in their employment relations with the state. The scope of representation for supervisory employees includes all matters relating

to employment conditions and supervisory employer/employee relations encompassing wages, hours, and other terms and conditions of employment.

c. Definition of Meet-and-Confer for Supervisors. The state meets and confers with employee organizations representing supervisory employees. As outlined in Chapter 2, “meet-and-confer” in this context means that the state shall consider as fully as the employer deems reasonable presentations made by the employee organization on behalf of its supervisory members prior to arriving at a determination of policy or course of action. This differs significantly for negotiations with represented employees in that there is no requirement to reach agreement on proposals.

d. Departmental Representative. The OER interacts with supervisory employee organizations on supervisory relations and works closely with CalHR in the development and maintenance of a viable statewide supervisory relations program.

5. CONFIDENTIAL EMPLOYEES. Since confidential employees are denied participatory rights under the Dills Act, and because the nature of their specific assignments and responsibilities requires access to confidential information contributing significantly to the development of management bargaining positions, the treatment of confidential employees is similar to that of managers. Pay and benefits for confidential employees are determined by CalHR and have historically been aligned with the entitlements of their related bargaining unit and with certain enhancements granted to supervisory employees.

6. MANAGERIAL EMPLOYEES. Of the three groups, designated managers “have significant responsibilities for formulating policy or administering programs.” Therefore designated managers, have no representational rights under the Dills Act. Management has a significant impact upon the success of the collective bargaining process. The OER works closely with CalHR to ensure the Department’s managers are appropriately compensated for their efforts.

7. OTHER EXCLUDED EMPLOYEES. Pay and benefits for other excluded employees are also determined by CalHR.