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Good morning, Chairman Manendo and members of the Committee. I am Karen Masters, Personnel Officer, with the Department of Human Resources. I am here today to express the department's concerns regarding Assembly Bill 537.

The department has difficulty supporting subsection 12 of Section 1 concerning holiday pay because it is inherently inequitable. If an employee works four, 10-hour days and each of the eleven state holidays falls on a 10-hour workday, the employee would receive 22 hours of holiday pay (over 2 ½ days) which the majority of state employees would not be eligible to receive.

Many employees are interested in working innovative workweeks. However, not everyone can be afforded that opportunity because the department has the obligation to staff its agencies in a manner that best meets the needs of our clients and the public. This subsection, if adopted, would confer a differential benefit to selected employees in state service.

The department also has concerns regarding Section 4 which would establish an arbitration panel as another forum to hear grievances in addition to the existing Employee-Management Committee (EMC). The EMC is comprised of six state employees - three representatives of management and three

representatives of employees. Members of the committee are knowledgeable of state government as well as being knowledgeable of the state personnel statutes and regulations by which all state employees must abide. The EMC also has the benefit of the history of the decisions rendered by the Committee in the past.

Operating two dispute resolution systems concurrently increases the potential for inconsistent decisions. Arbitrators do not have the same knowledge base as the EMC and primarily rely on the facts and exhibits presented at the hearing. There would be no incentive for the arbitrators to ensure their decisions are consistent with decisions of the Employee-Management Committee. Their role is to provide a service for a fee.

Additionally, there is the potential for additional cost to the department if the arbitrator assesses our agencies for the arbitration fees. No funding is provided in the bill for these costs.

Thank you for the opportunity to comment on A.B. 537.