

[LABOR RELATIONS AGENCY STATIONERY]

January 23, 1978

ANALYSTS

ORDER AND DECISION NO. 31 PERTAINING
TO STATUS OF PROGRAM BUDGET
IN THE CLASSIFIED SYSTEM

FINDINGS OF FACT

In 1974 Order and Decision No. 13 of the Agency found that the Program Budget Analysts then employed in the Department of Administration were "officials", as defined in the regulations, i.e., that they participated in the formulation of management policy as it pertained to collective bargaining.

In the latter part of 1975 all Program Budget Analysts working in the Department of Administration were moved into the Governor's Office, into the Office of Management and Budget, and being so moved became either exempt or partially exempt employees.

Subsequently seven classified positions with the title Program Budget Analyst came into being, one in the Department of Administration and the others in Public Safety, Fish and Game, or Health and Social Services. The Program Budget Analyst in the Department of Administration was placed in the General Government Unit for collective bargaining purposes, whereas by oversight the other six Program Budget Analysts were not placed in a collective bargaining unit.

All six of the Program Budget Analysts not in collective bargaining units are shown by the organization charts to be

supervised by either General Government or Supervisory Unit employees.

Although evidence as to supervisory or non-supervisory status was insufficient to make a final determination, such evidence as was presented indicated that the probable correct placement of the employees in question would be in the General Government Unit.

Conclusions

The Program Budget Analysts in the Classified Service were excluded from collective bargaining by an accident of circumstances and should be placed in the appropriate collective bargaining unit.

Such evidence as was presented indicates that they should be in the General Government Unit. However, this question should be appealable, based upon the definition of "supervisor" in the regulations and as further defined in determinations by the Agency.

ORDER AND DECISION NO. 31

The Program Budget Analyst now in the Department of Administration shall remain in status quo. The other Program Budget Analysts listed below shall be placed in the General Government Unit, with the right of appeal for placement in the Supervisory Unit, effective February 1, 1978, at 12:01 a.m. local time.

<u>Class Title</u>	<u>PCN</u>	<u>Department</u>
Program Budget Analyst III	02-1030	Administration
Program Budget Analyst III	06-0004	H & S S
Program Budget Analyst III	06-0295	H & S S
Program Budget Analyst III	06-3340	H & S S
Program Budget Analyst III	11-0265	Fish & Game
Program Budget Analyst III	12-3054	Public Safety
Program Budget Analyst IV	06-0093	H & SS

ORDER AND DECISION NO. 31

SIGNED: _____
C.R. "Steve" Hafling, Chairman

DATED: 1/23/78

SIGNED: _____
Ronald M. Henry, Member

DATED: _____

SIGNED: _____
Morgan Reed, Member

DATED: _____

[Signatures On File]