

ITEM 19
Salary Adjustment for
Attorney to the Commission on State Mandates
Chief Legal Counsel (CEA B)
Government Code Section 17529

Executive Summary

The Chief Legal Counsel position is established at a CEA B level. Ms. Shelton was appointed to her current position on December 9, 2005. Generally, the monthly salary range for a CEA B is \$8,765- \$10,442. However, state policy authorizes the salary of CEA incumbents, whose duties require membership in the State Bar of California, to be increased above the applicable CEA range to a maximum of \$14,058/month. Ms. Shelton's current monthly salary is \$12,971, which is above the CEA B salary range generally, but below the maximum salary for incumbents whose duties require membership in the State Bar of California. Without delegated authority, any salary above the respective range of the CEA level requires prior approval of the California Department of Human Resources (CalHR).¹

CalHR is in the process of setting agency-wide CEA salary caps and then delegating authority for setting salaries within those caps to the agencies. Therefore, as of this writing, the Commission would need to direct staff to submit a request to CalHR for any increase in Ms. Shelton's salary. However, it is possible that by the date of this hearing, CalHR will have delegated authority to the Commission, and in that case the Commission may approve an increase on its own.

Because a statewide salary increase of 2.5 percent is proposed for July 1, 2015, the Commission may increase Ms. Shelton's salary by up to 2.5 percent in order to limit the increase to a total of 5 percent in one year, consistent with administration policy. Staff will advise the Commission at the meeting whether it may take this action on its own or must direct staff to submit a request to CalHR.

Recommendation

If the Commission decides to adjust the Chief Legal Counsel's salary, the following motion and action must be taken:

"I move to adjust the Chief Legal Counsel's salary by ___ percent, effective July 1, 2015."

¹ California Department of Human Resources Memorandum, 2013-27, "Changes to the Career Executive Assignment (CEA) Program." Supersedes 2008-012. Online at <http://www.calhr.ca.gov/PML%20Library/2013027.pdf>