

M/C DESIGNATIONS

The following information may help to clarify the meaning of the criteria for managerial or confidential designation as outlined in the Taylor Law:

- # **Formulating policy** means having a direct and powerful influence at the highest level in determining the objectives of government or the agency and the means of achieving those objectives. Incumbents must participate regularly in the essential decision processes that result in policy proposals, selecting among options, and the decision to implement such policies. It does not extend to determining methods of operation that are merely of a technical nature.
- # **Participation in collective negotiations** requires direct involvement in or being a part of the preparation for negotiations, including the formulation of positions or proposals so as to be part of the decision making process.
- # **A major role in the administration of agreements** means the responsibility to interpret the agreement both within and outside the grievance process, and includes only those whose authority in labor relations goes beyond traditional supervisory concerns. Supervisors who take part in first step grievance decisions do not meet this criterion if the decisions conform to policy or interpretations made at a higher level.
- # **A major role in personnel administration** requires the exercise of independent judgment and cannot be clerical or routine in nature. Incumbents who, due solely to their supervisory responsibilities, are required to carry out personnel policies, do not meet this criterion.
- # **Confidential designations** may apply only to those working in a confidential capacity to managerial individuals in the personnel or labor relations areas described above and not to those who formulate policy. Such individuals must have regular access and exposure to information related to personnel matters and contract negotiations and administration. PERB decision 32 PERB 3001 is instructive.