



## Legislation Details (With Text)

**File #:** 22-0493      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 3/5/2022      **In control:** Board of Supervisors

**On agenda:** 3/22/2022      **Final action:** 3/22/2022

**Title:** Human Resources Department recommending the Board:  
 1) Adopt and authorize the Chair to sign Resolution 047-2022 approving the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the Operating Engineers Local No. 3 representing employees in the Trades and Crafts Bargaining Unit;  
 2) Authorize the Chair to sign said MOU, noting the MOU will be effective the first full pay period following Union ratification and Board of Supervisors adoption of the MOU; and  
 3) Direct the Human Resources Department and the Auditor-Controller's Office to administer and implement the MOU provisions.

FUNDING: Various.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Blue Route 3-22-22, 2. B - Resolution 3-22-22, 3. C - TC MOU Redline 3-22-22, 4. D - TC MOU Clean 3-22-22, 5. Executed Resolution 047-2022, 6. Executed TC MOU

Date	Ver.	Action By	Action	Result
3/22/2022	1	Board of Supervisors	Approved	Pass

Human Resources Department recommending the Board:  
 1) Adopt and authorize the Chair to sign Resolution **047-2022** approving the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the Operating Engineers Local No. 3 representing employees in the Trades and Crafts Bargaining Unit;  
 2) Authorize the Chair to sign said MOU, noting the MOU will be effective the first full pay period following Union ratification and Board of Supervisors adoption of the MOU; and  
 3) Direct the Human Resources Department and the Auditor-Controller's Office to administer and implement the MOU provisions.

**FUNDING:** Various.

### DISCUSSION / BACKGROUND

The term of the current Memorandum of Understanding (MOU) between the County of El Dorado and the Operating Engineers Local No. 3 (OE3 or "Union") representing employees in the Trades and Crafts (TC) Bargaining Unit, ended on June 30, 2021.

Pursuant to the Meyers-Milias-Brown Act (Government Code sections 3500 et seq.), representatives of the Union and the County have met and conferred in good faith regarding wages, hours, and other terms and conditions of employment of employees in the bargaining unit. The County and Union jointly prepared a successor MOU, for the term of July 1, 2021 through June 30, 2024, reflecting agreed revisions to certain terms and conditions. Subject to the provisions in the MOU, those revised terms and conditions with a County cost impact are summarized below, along with the estimated

annual cost.

1. Effective the first full pay period following MOU adoption, the County will increase base wages for benchmark classifications and internally tied non-benchmark classifications to (+/- 1%) of the median of the County's approved benchmark organizations. Estimated annual cost of \$1,256,000.
2. Effective the first full pay period of July 2022, the County will increase base wages for all classifications in the Trades & Crafts unit by 2.0%. Estimated annual cost of \$290,200.
3. Effective the first full pay period of July 2023, the County will increase base wages for all classifications in the Trades & Crafts unit by 2.0%. Estimated annual cost of \$296,000.
4. Addition of new Geographic differential, up to \$400 per month, for qualified employees who reside in the Tahoe Basin (defined as the Tahoe Regional Planning Agency jurisdiction boundary around Lake Tahoe). Estimated annual cost of \$73,100.
5. Expansion of existing language pertaining to toxic chemical differential to include a 5% per hour differential for employees in the Building Maintenance Worker classification series who are qualified and assigned by the Facilities Division of the CAO to handle ammonia and/or halocarbon refrigerant, including the removal of Freon, in the performance of work on stationary air conditioners and refrigeration systems. Estimated annual cost of \$28,500.
6. Modification of existing boot allowance to:
  - A) Pay the allowance one time per year instead of in 24 installments per year; and
  - B) Increase the allowance to one payment of \$350, paid the first full pay period which occurs at least one hundred twenty (120) days following Board adoption of this MOU, and then \$325 paid in pay period fifteen (15), 2023 and in each year thereafter; and
  - C) Pay the same allowance to all eligible employees (removes distinction between custodial and non-custodial employees).These boot allowance changes will result in a savings of approximately \$12,400 in Fiscal Year 2021-22, and an approximate increased cost of \$9,500 in Fiscal Year 2022-23. Beginning in Fiscal Year 2023-2024, estimated annual cost of \$2,650.

Other Terms and Conditions which are recommended for update, and which have little or unknown direct cost impact include, but are not limited to:

- Modification of existing language pertaining to Building Inspector Certification Program pay to:
  - 1) remove references to specific certifications Building Inspectors must possess and defer such requirements to the respective Classification Specifications; and
  - 2) clarify that compensation under this program shall only apply when an eligible employee is in paid status during the pay period in which the certification premium is paid.
- Modification of existing language pertaining to toxic chemical differential to define the term "handle".
- Modification of existing language pertaining to Reduction in Force (RIF) to clarify that RIF may be for any lawful reason.

- Modification of existing language pertaining to Compensatory Time Off (CTO) to clarify that usage of accrued CTO for authorized leaves shall be at the discretion of the employee.
- Modification of existing language pertaining to full understanding to clarify that the parties shall continue to negotiate any non-MOU proposals made during MOU negotiations that have not otherwise reached agreement or declared impasse.

Additional “house-keeping” language changes are included in the recommended MOU.

This MOU cancels all other previous agreements and shall otherwise supersede any policies, practices, or ordinance provisions, with which it may be in conflict. The MOU shall become of full force and effect upon approval and adoption by the Board of Supervisors and shall remain in effect through June 30, 2024. Nothing contained in the MOU shall be applied on a retroactive basis unless specifically stated.

### **ALTERNATIVES**

The County negotiated this MOU in good faith with the Union under authority and direction of the Board, thus there are no recommended alternatives.

### **PRIOR BOARD ACTION**

This successor MOU succeeds and replaces the MOU adopted by the Board of Supervisors on June 30, 2020 with Resolution 108-2020, Legistar item 20-0761.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Operating Engineers Local No. 3

### **CAO RECOMMENDATION**

Approve as recommended.

### **FINANCIAL IMPACT**

The impacted classifications are approximately 52% General Fund; the impact to the remainder of Fiscal Year (FY) 2021-22 would be approximately \$325,900 consisting of \$170,000 General Fund, \$122,600 Road Fund, and \$33,300 other funds. It is anticipated that most departments will be able to cover the increased costs. Some departments might not be able to cover all increases with current appropriations and will return to the Board with a budget transfer.

The increased cost in Fiscal Year 2022-23 from current costs would be approximately \$1,555,700, consisting of \$809,000 General Fund, \$637,800 Road Fund, and \$108,900 in other funding.

The additional increased cost in Fiscal Year 2023-24 from Fiscal Year 2022-23 costs would be approximately \$289,100, consisting of \$150,400 General Fund, \$118,500 Road Fund, and \$20,200 in other funding.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk will obtain the signature of the Chair on the Resolution; and,
- 2) Human Resources will provide the Clerk with three (3) original MOUs for the Chair to sign upon

ratification by the Union; and

3) The Clerk will return one (1) copy of each executed resolution and two (2) original MOUs to Misty Garcia in Human Resources once fully executed by the Chair, and retain one (1) fully executed MOU for the Board.

## **STRATEGIC PLAN COMPONENT**

Good Governance

## **CONTACT**

Joseph Carruesco, Director of Human Resources