



Legislation Text

File #: 19-1520, **Version:** 1

Human Resources Department recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **188-2019** approving the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the Operating Engineers Local No. 3 representing employees in the Corrections 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: General Fund.

DISCUSSION / BACKGROUND

The term of the current Memorandum of Understanding (MOU) between the County of El Dorado (County) and Operating Engineers Local No. 3 (OE3) representing employees in the Corrections (CR) bargaining unit, ended on June 30, 2018.

Pursuant to the Meyers-Milias-Brown Act (Government Code sections 3500 et seq.), representatives of OE3 and the County have met and conferred in good faith regarding wages, hours, and other terms and conditions of employment of employees in the CR bargaining unit. The County and OE3 jointly prepared a successor MOU, for the term of July 1, 2018 through June 30, 2023, 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 all employees in the Unit by 4.79% to ensure that the benchmark job classification and laterally tied non-benchmark classifications within the Unit are approximately 7% behind the median market average utilized by the County - estimated annual cost of \$376,000
2. Effective the first full pay period in July, 2020, base wages for all classifications in the Unit will receive an equity increase of 2.0% - estimated annual cost of \$183,000
3. Effective the first full pay period in July, 2021, base wages for all classifications in the Unit will receive an equity increase of 1.0% - estimated annual cost of \$94,000
4. Effective the first full pay period in July, 2022, base wages for all classifications in the Unit will receive an equity increase of 1.15% - estimated annual cost of \$112,000
5. Increase existing Education Incentive pay for a Bachelor's Degree from 3% base wage to 5% base wage - estimated annual cost of \$16,000

6. Increase Uniform Allowance from approximately \$700 per year to approximately \$800 per year, and modify existing Uniform Allowance language for County-wide consistency - estimated annual cost of \$8,500

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 Longevity Pay language, which would provide for cost savings beginning in fiscal year 2022-23:
 - 1) Eliminate longevity for employees who separate and who are subsequently re-employed;
 - 2) Eliminate longevity for all new employees hired on or after date MOU adopted by the Board;
 - 3) Provide the first longevity pay tier for current employees who do not yet receive longevity pay, once they complete the required period of service, but discontinue eligibility for any further longevity advancement thereafter; and
 - 4) Continue longevity pay for current employees who currently receive longevity pay, but after the first day of the pay period including June 30, 2023, discontinue eligibility for advancement into further longevity tiers.
- Modification of existing Tahoe Differential language for County-wide consistency.
- Modification of the part-time employee holiday compensation proration calculation for Fenix implementation.
- Modification of existing language pertaining to overtime compensation:
 - 1) Modification of existing references to “overtime rate” in order to clarify and distinguish between FLSA required overtime and non-FLSA required overtime (“contract overtime”) compensation rates and CTO accrual eligibility. Contract overtime compensation rates are already prescribed in the MOU; therefore there is no known cost impact to this change. The term “premium rate” is added to further differentiate contract overtime provisions.
 - 2) Expansion of contract overtime paid for 24/7 continuous coverage positions to provide that the contract overtime compensation will apply to both mandatory shift holdover, as well as time the employee is required to come in before their shift to cover other shifts. Costs would depend on the number of employees, if any, who are required to work additional hours beyond their regular shift.
- Removal of agency shop language; default to requirements under the law.
- Modification of existing vacation accrual language for County-wide consistency.

- Modification of existing off-duty Court Pay to increase minimum compensated time from two (2) to three (3) hours. Costs would depend on the number of times employees would have to attend court outside of their regular work shift.

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

The MOU, which cancels all previous agreements and shall supersede any policies, practices or ordinance provisions, with which it may be in conflict, shall become of full force and effect upon approval and adoption by the Board of Supervisors and shall remain in effect through June 30, 2023. 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 OE3 under authority and direction of the Board, thus there are no recommended alternatives.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Operating Engineers Local No. 3

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The combined fiscal impact of the new MOU changes is estimated at \$2,587,000 by fiscal year 2022-23 when the last salary increase goes into effect; the estimated cost for the remainder of fiscal year 2019-20 is \$ 264,200.

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 OE3; and
- 3) The Clerk will return one (1) copy of the 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

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