



## Legislation Details (With Text)

**File #:** 18-1459      **Version:** 1

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

**File created:** 9/13/2018      **In control:** Board of Supervisors

**On agenda:** 9/25/2018      **Final action:** 9/25/2018

**Title:** Human Resources Department recommending the Board:  
1) Adopt and authorize the Chair to sign Resolution 206-2018 approving the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the El Dorado County Deputy County Counsel Association (EDCDCCA) representing the Deputy County Counsel bargaining unit;  
2) Authorize the Chair to sign said MOU, noting the MOU will be effective the first full pay period following EDCDCCA 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.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - CC Draft MOU CLEAN 9-25-18, 2. B - CC Draft MOU REDLINE 9-25-18, 3. C - CC Final Reso MOU 9-25-18, 4. D - Approved Blue Route 9-25-18, 5. Executed Resolution 206-2018, 6. Executed Memorandum of Understanding El Dorado County Deputy County Counsel Association

Date	Ver.	Action By	Action	Result
9/25/2018	1	Board of Supervisors	Approved	Pass

Human Resources Department recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **206-2018** approving the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the El Dorado County Deputy County Counsel Association (EDCDCCA) representing the Deputy County Counsel bargaining unit;
- 2) Authorize the Chair to sign said MOU, noting the MOU will be effective the first full pay period following EDCDCCA 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.

The term of the current Memorandum of Understanding (MOU) between the County of El Dorado (County) and El Dorado County Deputy County Counsel Association (EDCDCCA) representing the Deputy County Counsel (CC) bargaining unit (Unit), ended on June 30, 2017.

Pursuant to the Meyers-Milias-Brown Act (Government Code sections 3500 et seq.), EDCDCCA and County representatives have met and conferred in good faith regarding wages, hours, and other terms and conditions of employment of employees in the CC Unit. The County and EDCDCCA jointly prepared a successor MOU 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. Each regular employee in this Unit who is employed on the date the Board of Supervisors signs this MOU shall receive a one-time, non-pensionable, lump sum payment of \$2,400 - estimated one-time cost: \$24,000;

2. Base wages for all classifications in the Unit will be increased 3.85% to offset the equivalent elimination of management leave cash-out - estimated annual cost: \$71,678 (it should be noted that the total cost of management leave payouts in 2017 was approximately \$47,387 for the Unit, so the impact of the additional cost would be partially offset by the reduction in the cost of payouts); and

3. Each regular, full-time employee in this Unit shall receive an additional \$240 Optional Benefit Plan contribution for a total of \$6,240 per individual per year - estimated annual cost increase: \$2,400.

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

- Addition of language that provides for a cash-out of up to forty (40) accrued vacation leave hours one (1) time per year if the employee's cap of vacation accrual has been reached with no opportunity to use vacation leave, subject to the provision of the MOU. Costs would depend on the number of employees, if any, who are eligible for cash-out under the provisions of the MOU in any given year.
- Modification of existing Longevity Pay language to eliminate longevity for employees who enter the Unit on or after adoption of this MOU.
- Modification of existing management leave language to eliminate the ability to receive payment for unused leave hours. Any management leave unused during the period allotted shall be forfeited.
- Clarification of existing management leave language to provide for management leave hours credited for employees newly hired after pay period 01, but before July 1. This is a no-cost clarification consistent with existing practice.
- Addition of language to provide that post-probationary employees shall automatically advance to the next higher step in the salary range after completion of twenty six (26) pay periods satisfactory service, until the top of the range is reached, unless otherwise denied by the appointing authority within the provisions of the MOU.
- Clarification that vacation and sick leave accruals cannot be used in the pay period in which the hours are earned.
- Addition of language to provide that employees on a nonstandard work schedule shall observe holiday on next scheduled work day, and clarification of language related to holiday pay.
- Continue and incorporate language from an existing side letter to specify that employees may participate in County-sponsored retiree health plan at their own cost, provided they meet criteria.

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, 2019. Nothing contained in the MOU shall be applied on a retroactive basis unless specifically stated.

## **ALTERNATIVES**

N/A

## **PRIOR BOARD ACTION**

This MOU succeeds the MOU adopted by the Board of Supervisors on June 24, 2014, Resolution 083-2014, Legistar item 14-0876.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

El Dorado County Deputy County Counsel Association

## **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

## **FINANCIAL IMPACT**

The combined annual fiscal impact of the new MOU is estimated at \$119,678. The positions covered by this MOU are within a department that is primarily funded through the General Fund. Due to anticipated department budget savings, no budget amendment is recommended at this time.

## **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 EDCDCCA; and
- 3) The Clerk will return two (2) copies of the signed Resolution and two (2) signed original MOUs to Misty Garcia in Human Resources once fully executed by the Chair, and retain one (1) fully executed agreement for the Board.

## **STRATEGIC PLAN COMPONENT**

Good Governance

## **CONTACT**

Tameka Usher, Director of Human Resources