



## Legislation Details (With Text)

**File #:** 19-1564      **Version:** 2

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

**File created:** 10/14/2019      **In control:** Board of Supervisors

**On agenda:** 11/5/2019      **Final action:** 11/5/2019

**Title:** Elections Department and Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution 181-2019 to authorize Human Resources to initiate a layoff for an Elections Technician I/II incumbent, occupying position 2767, in the Elections Department in order to comply with the requirements of Personnel Rule 1108, Nepotism. (Cont. 10/22/2019, Item 6)

**FUNDING:** General Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Resolution, 2. Public Comment BOS Rcvd 11-4-19, 3. A - Resolution 10-22-19, 4. B - Approved Blue Route 10-22-19, 5. Public Comment Rcvd 10-21-19 BOS 10-22-19, 6. Executed Resolution 181-2019

Date	Ver.	Action By	Action	Result
11/5/2019	2	Board of Supervisors	Approved	Pass
10/22/2019	1	Board of Supervisors	Continued	Pass

Elections Department and Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution **181-2019** to authorize Human Resources to initiate a layoff for an Elections Technician I/II incumbent, occupying position 2767, in the Elections Department in order to comply with the requirements of Personnel Rule 1108, Nepotism. (Cont. 10/22/2019, Item 6)

**FUNDING:** General Fund.

**DISCUSSION / BACKGROUND**

Per Personnel Rule 1108, Nepotism, it is the policy of the County to regulate, restrict, or prohibit the employment of relatives or when two (2) existing employees enter into a relationship. Specifically, Rule 1108 prohibits the employment of relatives (as defined in the Rule) within the same supervisory unit. As such, in July 2019 an Elections Department employee was transferred out of the Elections Department to another County department in a different classification in order to comply with the requirements of Rule 1108. This transfer was completed to avoid the layoff/reduction in force process required by Personnel Rule 1108.2 (b) if a mutually acceptable transfer cannot be made. The employee was placed on probation in the new position and subsequently failed to successfully complete the new probationary period. Per Personnel Rule 1204, the only position to which the employee has return rights is the position in the Elections Department where the nepotism conflict exists. Because there is not a mutually acceptable position to which the employee can transfer, the employee is now subject to the layoff/reduction in force process defined in Personnel Rule 1406, Procedures for Layoffs.

As is the case with any layoff/reduction in force, the process will follow County approved policies and procedures as required by the respective Memorandum of Understanding between the County and

the affected labor organization, if any.

### **ALTERNATIVES**

In order to comply with Personnel Rule 1108, there is no other alternative action for the Board's consideration.

### **PRIOR BOARD ACTION**

On February 26, 2019 with Legistar item 19-0234, the Board of Supervisors approved the adoption of the Personnel Rules (Resolution 018-2019) which includes Personnel Rule 1108, Nepotism.

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

El Dorado County Employees' Association, Local 1

### **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

The position itself will remain as part of the Authorized Position Allocation (Resolution 105-2019). The financial impact to the Elections department is estimated to be approximately \$22,000 including sick, vacation and comp time payouts, which can be covered by savings in budgeted salary/benefits.

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

Upon Board adoption and approval, please provide a copy of the executed Resolution to Katie Lee in Human Resources.

### **STRATEGIC PLAN COMPONENT**

Good Governance

### **CONTACT**

Bill O'Neill, Registrar of Voters  
Tameka Usher, Director of Human Resources