



## Legislation Details (With Text)

**File #:** 21-1382      **Version:** 1

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

**File created:** 8/13/2021      **In control:** Board of Supervisors

**On agenda:** 9/21/2021      **Final action:** 9/21/2021

**Title:** Chief Administrative Officer and the Director of Human Resources recommending the Board:  
 1) Approve and authorize the Chair to sign the revised Salary and Benefits Resolution for Unrepresented Employees - Resolution 118-2021 effective the first pay period following adoption;  
 2) Approve and authorize the chair to sign Resolution 119-2021 revising the Salary Schedule for unrepresented classifications effective the first pay period after adoption;  
 3) Direct the Human Resources department and the Auditor-Controller's Office to administer and implement the Resolutions' provisions; and  
 4) Receive an update from staff and provide direction regarding deferred compensation for Unrepresented and Elected Department Heads.

**FUNDING:** Primarily General Fund with some positions being paid with State and Federal Funding.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Blue Route 9-21-21, 2. B - Resolution 9-21-21, 3. C - EL Total Comp Market Data 9-21-21, 4. D - UD Total Comp Market Data 9-21-21, 5. E - UM and CO Total Comp Market Data 9-21-21, 6. F - Approved Blue Route 9-21-21, 7. G - Salary and Benefits Reso Unrep Employees - 2021 Redline 9-21-21, 8. G - Revised Salary and Benefits Reso Unrep Employees - 2021 Redline 9-21-21 rev BOS Rcvd 9-17-21, 9. H - Salary and Benefits Reso Unrep Employees - 2021 FINAL 9-21-21, 10. H - Revised - Salary and Benefits Reso Unrep Employees - 2021 FINAL 9-21-21 rev BOS Rcvd 9-17-21, 11. Executed Resolution 119-2021, 12. Executed Resolution 118-2021

Date	Ver.	Action By	Action	Result
9/21/2021	1	Board of Supervisors	Approved	Pass

Chief Administrative Officer and the Director of Human Resources recommending the Board:  
 1) Approve and authorize the Chair to sign the revised Salary and Benefits Resolution for Unrepresented Employees - Resolution **118-2021** effective the first pay period following adoption;  
 2) Approve and authorize the chair to sign Resolution **119-2021** revising the Salary Schedule for unrepresented classifications effective the first pay period after adoption;  
 3) Direct the Human Resources department and the Auditor-Controller's Office to administer and implement the Resolutions' provisions; and  
 4) Receive an update from staff and provide direction regarding deferred compensation for Unrepresented and Elected Department Heads.

**FUNDING:** Primarily General Fund with some positions being paid with State and Federal Funding.

### **DISCUSSION / BACKGROUND**

#### **Revising the Salary and Benefits Resolution for Unrepresented Employees**

At the April 6, 2021 Board meeting, the Board:

- 1) Directed Human Resources to return with a new salary resolution stating the Sheriff's total compensation will remain 2.5% above the Undersheriff on an ongoing basis, as well as confirming

the District Attorney and Sheriff shall continue to receive the same base salary no later than June 30, 2021;

2) Directed Human Resources to return with a new salary resolution stating the Public Defender's base salary will be set at 15% below the District Attorney's base salary no later than September 30, 2021; and

3) Directed staff to continue compensating the Assessor and the Treasurer/Tax-Collector at the same amount.

To ensure this direction is enacted on an ongoing basis, Human Resources has prepared a revised Salary and Benefits Resolution for Unrepresented Employees to be approved by the Board. A summary of the changes are below; however, it should be noted that the majority of changes are formatting, reorganization of sections, and re-wording to eliminate inconsistency.

- Adds language specifying base salary linkages:
  - The base salary of the District Attorney shall be maintained so that it is equal to the base salary of the Sheriff/Coroner/Public Administrator.
  - The base salary for the Sheriff/Coroner/Public Administrator shall be set and maintained at two and one-half percent (2.5%) above the Undersheriff, calculated at step 5 of the Undersheriff base salary plus education and post pay.
  - The Treasurer-Tax Collector base salary shall be maintained so that it is equal to the base salary of the Assessor.
  - Step 5 of the base salary for the Public Defender shall be set fifteen percent (15.0%) below the District Attorney's base salary.
  - Step 1 of the base salary for the Alternate Public Defender shall be set five percent (5.0%) below step 1 of the Public Defender's base salary.
  - Associate Deputy County Counsel and Sr. Deputy County Counsel linked to the Deputy County Counsel classification (Deputy County Counsel maintains existing salary linkage to the Deputy District Attorney IV classification.)
- Adds 10% base salary Emergency Services differential for Communications and Outreach Manager classification during declared local or state-wide emergencies. This is a recommendation from the CAO to fairly compensate the Communications and Outreach Manager for working excess hours during emergencies since this position is exempt from overtime requirements pursuant to the Fair Labor Standards Act.
- Modifies salary step movement language to clarify effective date.
- Adds language to allow salary step movement for extra help employees. Currently only Snow

Removal Worker - Extra Help (Snow - EH) are eligible for salary step movement. This change will allow departments to recruit, retain and equitably compensate extra help whose demonstrated performance and abilities are outstanding.

- Incorporates and replace existing resolutions.
  - 010-2019: resolution clarified existing deferred compensation provisions for Elected Department Heads
  - 061-2000: resolution established that Snow - EH classification and base salary are intended to be equal to Highway Maintenance Worker II (HMW II). However, HMW II are automatically made Acting Highway Maintenance Worker IIIs (HMW III) during the snow removal season. Therefore, modified resolution language to set and maintain Snow - EH base salary to match HMW III.
- Modifies language for county-wide consistency:
  - Remove outdated language pertaining to retirees' conversion of Sick Leave to Health Insurance Premiums
  - Closure of County Buildings language
  - Grievance procedure
  - Special Leave and Supervisory Leave pro-ration language
  - Building Certification Compensation eligibility language
- Other Changes:
  - All direct references to specific section numbers of the Personnel Rules have been removed to avoid unnecessary alterations to this Resolution to match future Personnel Rules changes.
  - Additional "house-keeping" language changes are included in the recommended revisions.

### **Revising the Unrepresented Salary Schedule**

At the April 6, 2021 Board meeting, the Board:

1) Directed Human Resources to return with a new salary resolution stating the Sheriff's total compensation will remain 2.5% above the Undersheriff on an ongoing basis, as well as confirming the District Attorney and Sheriff shall continue to receive the same base salary no later than June 30, 2021;

2) Directed Human Resources to return with a new salary resolution stating the Public Defender's base salary will be set at 15% below the District Attorney's base salary no later than September 30,

2021;

3) Directed staff to continue compensating the Assessor and the Treasurer/Tax-Collector at the same amount; and

4) With the exception of the Sheriff, District Attorney, Public Defender, Treasurer/Collector and Deputy County Counsel classifications, the Board directed Human Resources to return with an updated salary resolution increasing the compensation paid to all other Unrepresented Department Heads, Unrepresented Management employees and Confidential employees totaling no less than 8% below the median of the comparator organizations no later than September 30, 2021.

In an effort to address the County's difficulty in recruiting and retaining qualified employees, salary compaction, and overall consistent labor negotiation strategy, the Chief Administrative Officer (CAO) and Human Resources recommend bringing unrepresented classifications to within 5% (+/-1%) of the market median, except as otherwise directed by the Board and as specified in the Resolution (see salary linkages specified in the summary of changes). The +/- 1% accounts for rounding all total compensation elements which is standard methodology for compensation analysis consistent with past practice. Per Board direction, the following classifications were exempt from the compensation analysis: Sheriff, District Attorney, Public Defender, Chief Probation Officer, and Deputy County Counsel. Likewise, the Undersheriff was also excluded from analysis due to previous salary increases pursuant to County Charter section 504.

The equity (market-based) salary increases will result in an approximate annual increase of \$462,000 in salary and benefit costs. The impact to the General Fund will likely be no more than \$332,000 annually.

### **Increasing Deferred Compensation**

At the April 6, 2021 Board meeting, the Board directed staff to conduct an analysis of the impacts of increasing the Deferred Compensation and other Non-CalPERS contributions from 2.5% to 4% of the base salary for all Unrepresented and Elected Department Heads. The intent was to consider providing a more competitive compensation package without increasing ongoing pension liability and return to the Board with the total fiscal impact and recommendations.

If the Board directs an increase to Deferred Compensation, an increase to deferred compensation for Unrepresented and Elected Department Heads to 4% base salary would cost approximately \$71,000 annually. Total General Fund increases would be no more than approximately \$54,000 a year. Given the increase to bring unrepresented employee salaries up to 5% (+/- 1%) below the median market, the recommendation is to not increase deferred compensation at this time.

### **ALTERNATIVES**

The Board could choose not to adopt the suggestions and direct staff to provide an alternative.

### **PRIOR BOARD ACTION**

April 6, 2021 Legistar # 21-0541- Direction to return with compensation changes.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

## **FINANCIAL IMPACT**

The approximate annual cost of increasing total compensation to 5% below the median for unrepresented employees is \$462,000 a year in salary and benefit costs. The impact to the General Fund will likely be no more than \$332,000 a year. It is anticipated that departments can absorb this cost within their current appropriations through vacancies and other salary savings, so a budget amendment is not being brought at this time. If an appropriation issue related to this increase is found during the mid-year budget report preparation, a budget amendment will be brought to the Board for approval.

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

Upon Board adoption and approval, please provide one copy each of the executed Resolutions to Lauren Montalvo and Jordan Meyer in Human Resources.

## **STRATEGIC PLAN COMPONENT**

Good Governance

## **CONTACT**

Don Ashton, Chief Administrative Officer

Joseph Carruesco, Director of Human Resources