



Legislation Text

File #: 19-0874, **Version:** 1

Human Resources Department recommending the Board adopt and authorize the Chair to sign:

- 1) The negotiated Letter of Agreement to the Memorandum of Understanding between the County of El Dorado and El Dorado County Employees' Association, Local No. 1 representing the General, Professional, and Supervisory bargaining units; and
- 2) The negotiated Letter of Agreement to the Memorandum of Understanding between the County of El Dorado and El Dorado County Probation Officers Association representing the Probation bargaining unit.

FUNDING: General Fund.

DISCUSSION / BACKGROUND

On February 6, 2019, the Board of Supervisors (Board) authorized the construction of a new juvenile detention and treatment facility, and on April 30, 2019, the Board approved the closure of the current Juvenile Hall located in Placerville, and commensurate reduction in force (RIF), to be effective June 30, 2019.

El Dorado County Employees' Association, Local No. 1 (Local 1), represents approximately two (2) employees who may be separated from employment as a result of the RIF. El Dorado County Probation Officers Association (EDCPOA) represents approximately five (5) such employees.

The current Memorandum of Understanding (MOU)s between the County of El Dorado (County) and the respective labor organizations (Local 1 and EDCPOA) provides for the terms of a RIF, including how employees are restored from a RIF. Under those terms, an employee who is laid off may be restored to their current classification and department up to a period of two (2) years from the date of layoff.

Per Legistar item 19-0170, it is estimated that the period of design and construction for the new facility will take approximately two and one half (2.5) years. At such time the new facility opens, the County will need to have sufficient staffing as soon as possible to ensure necessary supervision and services for the juveniles in its care. Restoring those employees laid off would ensure the facility is staffed with knowledgeable employees, while mitigating costs associated with recruiting, hiring, and training replacement staff. It is therefore necessary to amend the MOUs to provide for a longer period of restoration eligibility, and to mitigate the impact on laid off employees as an enticement to return to County employment when such need arises.

County and the respective labor organizations have reached agreement to amend the Local 1 and EDCPOA MOUs accordingly. Subject to the terms of each Letter of Agreement (LOA), the LOAs include the following:

- Allowance for an employee who is involuntarily transferred to South Lake Tahoe as a result of the closure, and who subsequently resigns due to hardship caused by the geographical reassignment, to be placed on the restoration list.

- A restoration period of four (4) years for those on the restoration list to account for any potential delays in opening the new facility.
- Continuation of County contribution to the health and dental/vision premiums of a laid off employee, or employee separated due to displacement (i.e. seniority “bumping”) caused by layoff, for three months following layoff.

Presently, the EDCPOA MOU requires that all extra help be separated first. In order to meet necessary staffing (including shift and gender-specific assignment coverage in the residential detention facility) when juvenile detention is combined into a single operation out of the South Lake Tahoe facility, it is further necessary to amend the EDCPOA MOU in regards to order of layoffs. As such, the EDCPOA LOA amends the MOU by removing extra help from layoff consideration, but in turn adds a provision that any employee who is separated as a result of the layoff, and who is subsequently reemployed as an extra help in a EDCPOA represented classification while eligible for layoff restoration will have priority consideration for available work hours over other extra help, subject to the terms of the LOA.

The LOAs shall become of full force and effect upon approval and adoption by the Board of Supervisors and shall remain in effect until July 1, 2023.

ALTERNATIVES

The Board could chose to not adopt the LOAs, in which case the existing provisions of the MOUs would remain in full force and effect. However, in this case, the restoration list for laid off employees would only extend for a period of two (2) years; given the design and construction of the new facility is estimated to be two and one half (2.5) years, the laid off individuals would not be eligible for restoration at the time the new facility is opened for business, and the County would have to recruit, hire, and train a greater number of staff than it would if it could restore those previously laid off. In addition, if the EDCPOA LOA is not adopted, all current extra help would need to be separated prior to any regular employees being laid off, which could affect the department's ability to meet its staffing needs (i.e., shift and gender-specific assignments).

PRIOR BOARD ACTION

The Local 1 LOA amends the MOU adopted by the Board of Supervisors on December 19, 2017, Resolution 196-2017, Legistar item 17-1358; amended December 4, 2018, Resolution 245-2018, Legistar item 18-1877.

The EDCPOA LOA amends the MOU adopted by the Board of Supervisors on April, 3, 2018, Resolution 044-2018, Legistar item 18-0252; amended January 29, 2019, Legistar item 18-1970.

The reduction in force and closure of the Juvenile Hall located in Placerville, effective June 30, 2019, was approved by the Board on April 30, 2019, Resolution 064-2019, Legistar item 19-0622.

The Board of Supervisors authorized the construction of a new Placerville juvenile detention and treatment facility on February 6, 2019, Legistar item 19-0170.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

El Dorado County Employees' Association, Local No. 1
El Dorado County Probation Officers Association

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The closure of Juvenile Hall and Reduction in Force was previously estimated to reduce the Probation Department's General Fund costs for juvenile detention services by approximately \$2.5 Million Dollars beginning Fiscal Year 2019-20 (see Legistar item 19-0622). The construction of a new 20-bed facility was estimated to have a total not to exceed cost of \$15.5 million; it was further anticipated that the closure of the current facility and reduction in force would create an approximate \$6.25 million in General Fund Savings, which could then be applied toward the construction cost of the new facility (see Legistar item 19-0170).

It's anticipated that two (2) employees represented by Local 1, and five (5) employees represented by EDCPOA will be separated from employment as a result of the reduction in force; however, only three (3) of these total seven (7) participate in a County health/dental/vision plan (all of whom are in EDCPOA). Health/dental/vision benefits are paid the month prior to the month of coverage.

The County's cost to continue County contributions to the health/dental/vision premiums for the three (3) participating, affected EDCPOA employees will be \$2,999 in FY 2018-19 and \$11,994 in FY 2019-20. The combined total cost for the County to continue contributions towards health/dental/vision premiums for the three (3) participating employees would be \$14,993, which would offset the equivalent amount of salary savings that could be applied toward the construction cost of the new facility.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Human Resources will provide the Clerk with three (3) original LOAs for the Chair to sign upon ratification by Local 1; and
- 2) Human Resources will provide the Clerk with three (3) original LOAs for the Chair to sign upon ratification by EDCPOA; and
- 3) The Clerk will return two (2) original LOAs of each to Misty Garcia in Human Resources once fully executed by the Chair, and retain one (1) fully executed agreement of each for the Board.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

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