



## Legislation Text

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**File #:** 19-0875, **Version:** 1

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Human Resources Department recommending the Board adopt and authorize the Chair to sign the negotiated Letter of Agreement to the Memorandum of Understanding between the County of El Dorado and El Dorado County Law Enforcement Management Association representing the Law Enforcement Sworn Management bargaining unit, addressing impacts of Reductions in Force related to the closure of the Placerville Juvenile Hall.

**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), effective June 30, 2019.

El Dorado County Law Enforcement Management Association (EDCLEMA) represents approximately one (1) employee who was demoted due to displacement as a result of the RIF.

The current Memorandum of Understanding (MOU) between the County of El Dorado (County) and EDCLEMA 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 MOU 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 EDCLEMA have reached agreement to amend the MOU accordingly. Subject to the terms of the Letter of Agreement (LOA), the LOA includes 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 (3) months following layoff.

The LOA terms are the same as the County offered to, and were accepted by, other represented labor organizations who represented employees laid off or displaced due to the RIF caused by the closure of the facility.

The LOA 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 LOA, in which case the existing provisions of the MOU would remain in full force and effect. However, in this case, the restoration list for laid off or displaced 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 or displaced 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 then it would if it could restore those previously laid off.

### **PRIOR BOARD ACTION**

The LOA amends the MOU adopted by the Board of Supervisors on September 18, 2018, Resolution 196-2018, Legistar item 18-1364; amended January 8, 2019, Legistar item 19-0007.

The Board of Supervisors adopted LOAs with El Dorado County Employees’ Association, Local No. 1, and El Dorado County Probation Officers Association, inclusive of the terms identified in this LOA with EDCLEMA on June 25, 2019, Legistar item 19-0874.

The RIF 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 Law Enforcement Management Association

### **CAO RECOMMENDATION / COMMENTS**

It is recommended the Board approves this item.

### **FINANCIAL IMPACT**

The closure of the Juvenile Hall and the related RIF was previously estimated to reduce the Probation Department’s general fund costs for juvenile detention services by approximately \$2.5 million 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, over time, which could then be applied toward the construction cost of the new facility (see Legistar item 19-0170). Due to changes in assumptions regarding estimated RIF numbers and other modifications to agreements, the estimated annual savings will be less than originally estimated. However, savings will continue to accrue over time.

It is not anticipated that any employees represented by EDCLEMA will be separated from employment as a result of the RIF; therefore, there is no anticipated additional cost to the County for adoption of this LOA, as the health/dental/vision coverage contribution coverage language would not go into functional affect. However, if the County is ultimately able to restore the one (1) employee who was demoted due to displacement caused by the RIF, the County would achieve unknown savings resulting from not needing to recruit, hire, and train a replacement. These savings would be offset by the potential need to recruit, hire, and train a replacement for the lower-level classification the employee held at the time of displacement.

### **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 EDCLEMA; and
- 2) The Clerk will return two (2) original LOAs 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**

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