



## Legislation Text

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**File #:** 19-1855, **Version:** 1

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Human Resources Department recommending the Board approve retroactive agreement (Fenix 4485) with Kenneth Cater for the term November 26, 2019 through December 25, 2019 in the amount of \$300 for layoff arbitration panel services.

**FUNDING:** General Fund.

### **DISCUSSION / BACKGROUND**

On November 5, 2019, the Board approved a reduction in force for the Elections Department. The incumbent in the position appealed this decision and per the Local 1 MOU, Article 12 Reduction in Force, Section (F)(4), a Layoff Arbitration Panel had to be convened within fifteen working days of the filing of the appeal. This section further describes that a representative of the panel be designated by the County Director of Human Resources, a representative of the panel be designated by Local 1 and the last panel representative be a neutral member. The Director of Human Resources and the Local 1 business representative agreed that, per the MOU, a member of the Civil Service Commission would serve as the third neutral party and chair the panel. This member was Kenneth Cater.

Given the extremely short time frame to coordinate schedules and secure panel members, it was essentially impossible to get a contract in place for the Civil Service Commission member, Kenneth Cater, so that payment could be made for both his time and reimbursement of applicable expenses. As such, we are requesting the Board approve this retroactive contract.

Lastly, to mitigate future retroactive contracts of this nature, Human Resources will bring forth to the Board in 2020 a Board item requesting approval for payment of time and reimbursement of applicable expenses without needing to go through the contract process.

### **ALTERNATIVES**

N/A

### **PRIOR BOARD ACTION**

Legistar Item #12-1497 January 24, 2017

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

Human Resources; CAO, Procurement and Contracts

### **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

Funding for the agreement is included in the Human Resources budget for Fiscal Year 2019-20.

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

None.

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

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