



Legislation Text

File #: 20-0158, **Version:** 1

Human Resources Department recommending the Board

- 1) Accept the approval from the California Department of Human Resources (CalHR) to convert from an Interagency Merit System county to an Approved Local Merit System county effective March 1, 2020, allowing the County to administer and manage all County personnel functions currently administered and managed by the California Department of Human Resources via a contract with CPS HR Consulting; and
- 2) Authorize the Chief Administrative Officer to sign the Assurances and Certification section of the ALMS Approval Letter (Attachment A).

DISCUSSION / BACKGROUND

An Interagency Merit System (IMS) county, pursuant to California Code of Regulations, Title 2, Division 5, §17400 in accordance with the provisions of Government Code §19803, is mandated to utilize a (CalHR) third party administrator, CPS HR Consulting (CPS HR), through the Merit System Services (MSS) program, to process personnel functions for certain positions in the Health & Human Services Agency (HHSA) and all positions within the Department of Child Support Services (CSS). As such, IMS counties are required to run two separate personnel systems concurrently for several functional areas.

On August 27, 2019, the Board approved item 19-1159, which:

- 1) Conceptually approved the conversion from an IMS county to an ALMS county, allowing the County to administer and manage all County personnel functions currently administered and managed by the CalHR via a contract with CPS HR; and
- 2) Authorized the Director of Human Resources to initiate the request with CalHR on behalf of the Board of Supervisors asking for a review of the County's personnel system.

As such, on September 4, 2019, the Director of Human Resources submitted a formal request to CalHR requesting a review of the County's personnel system so the County could initiate the process to transition to an ALMS County. In considering the request, CalHR requested information from the County to demonstrate compliance with the six Federal Merit Principles (Code of Federal Regulations, Title 5, Volume 2) Subpart F, §900.603). The six Federal Merit Principles are as follows:

- 1) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.
- 2) Providing equitable and adequate compensation.
- 3) Training employees, as needed, to assure high quality performance.
- 4) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected.
- 5) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, age or

handicap and with proper regard for their privacy and constitutional rights as citizens. This "fair treatment" principle includes compliance with the Federal equal employment opportunity and nondiscrimination laws.

- 6) Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

Human Resources provided the requested information to CalHR and on January 23, 2020, the County was formally approved to be an ALMS County effective March 1, 2020.

Transition and Impacts

There are four (4) major areas that will be subject to significant changes with the approval of this transition:

- 1) **Accrued Seniority.** Under the Local Agency Personnel Standards (IMS regulations applicable to IMS counties), affected HHSA and CSS employees hired and continuously employed in their classification as of July 1, 2016, will have their seniority score calculated by CPS HR. Any affected HHSA or CSS promoted or hired after June 30, 2016, will have their subsequent seniority calculated based on the County formula as stated in the appropriate Memorandum of Understanding and, if applicable, added to their CPS HR calculated seniority score.
 - a. CPS HR provided the County with a seniority list for CSS and the affected HHSA employees effective July 1, 2016. As noted above, in the event of a County Reduction in Force, employees hired and continuously employed in their MSS classification as of July 1, 2016, will retain their accrued seniority.
- 2) **Appeal Process.** The IMS process requires affected HHSA and CSS employees to submit their discipline appeal directly to CalHR. As an ALMS county, all employees would be afforded the same exact appeal process (which includes appeal to the Civil Service Commission) for discipline as specified in the County Personnel Rules, Section 1506.
- 3) **Classification Specification Analysis.** Currently, there are approximately 13 classifications in CSS that are IMS classifications, and HHSA has approximately 30. One of the most labor intensive aspects of the transition will be the classification specification analysis, in which all IMS classification specifications will eventually be deleted and replaced by County classifications. For example, some IMS classifications have a comparable County classification, e.g., Office Assistant III and Sr. Office Assistant. Despite the classification title, these two classifications are identical in terms of the scope of work and pay. However, upon approval of this item, it's an unnecessary duplication to maintain both classifications. Therefore, the Human Resources Department will bring a separate item for the deletion and reclassification of some positions. A mitigating factor in this process may be to utilize most of the current IMS classification specifications developed by CPS HR as a template for the new County classification specifications, rather than creating them all from scratch.
- 4) **Recruitments.** This will also be a labor intensive function. Between July 1, 2017 and December 30, 2019, there have been approximately 88 recruitments posted for IMS-covered positions between HHSA and CSS. The additional work associated with running additional

recruitments may require increased staffing levels in order to meet the service levels that are expected. In addition to costs associated with the overall selection process (e.g., advertising, renting written exams, etc.), which was previously covered via the MSS contract.

Despite some anticipated increases in workload, at this point in time, the Director of Human Resources is not requesting additional allocations. Instead, given some efficiencies implemented, an increase in staffing, and the transition of Personnel Actions from Human Resources to the Auditor Controller's Office, the Director of Human Resources would like time to absorb the additional workload and to collect and analyze data regarding any additional workload. At such time, the Director of Human Resources will present any necessary recommendations to the CAO and Board for consideration.

Next Steps

The Human Resource Department will work with representatives from CalHR, CPS HR, CSS, and HHSA on an effective transition plan prior to March 1, 2020.

ALTERNATIVES

The Board may choose not to accept CalHR's approval. However, this is not recommended as CalHR has approved the County to be an ALMS county effective March 1, 2020. Since the MSS contract is being transitioned from CPS HR back to the State of California (CalHR) after 30+ years of providing services to the County, if the Board doesn't accept the approval, MSS services for CSS and part of HHSA will be provided by CalHR.

PRIOR BOARD ACTION

Legistar #: 14-1400 - The Board approved the transition of Merit System Services (MSS) classifications (i.e., IMS) in the Administration and Finance Division of HHSA (Division 45) to County classifications (i.e., ALMS) in order to create consistency and equity for the HHSA Division 45 employees.

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OTHER DEPARTMENT / AGENCY INVOLVEMENT

The recommendation has been reviewed and approved by the Director of Child Support Services; the Director, Health and Human Services; and labor representatives from El Dorado County Employees' Association, Local 1 as well as El Dorado County Managers' Association.

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

It is unknown at this time what the immediate financial impact will be to the County. As noted above, Human Resources will not be asking for additional allocations at this time; however, there will be cost implications related to the recruitment and selection process such as posting advertisements, renting written exams, etc. that will be charged back to the departments. Additionally, as there would most likely be an increase in Civil Service Commission activity related to discipline appeals no longer being directed to CalHR, there could be increases in the Human Resources budget in terms of payment for

time and applicable expenses for Civil Service Commission members.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

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