



Legislation Text

File #: 20-0103, **Version:** 1

Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution **027-2020** approving compensation, including reimbursement of applicable expenses, consistent with the El Dorado County Ordinance Section 2.16.040(B), for any member of the Civil Service Commission member who serves on a Layoff Arbitration Panel.

FUNDING: General Fund.

DISCUSSION / BACKGROUND

Should an employee be laid off from County employment, they have the right to appeal. As such, most Memoranda of Understanding between the County of El Dorado and unions require a third neutral member to serve on a Layoff Arbitration Panel in which a member of the Civil Service Commission may be selected. One Memorandum of Understanding specifically states that the Civil Service Commission will hear the appeal. And another Memorandum of Understanding is vague in who would serve as the neutral third party; however, a member of the Civil Service Commission could be called upon.

While a Layoff Arbitration Panel rarely occurs, in December 2019, a Layoff Arbitration Panel was convened in which a member of the Civil Service Commission served as the neutral third party and Chairperson of the Layoff Arbitration Panel. Since the County does not have a Resolution or any other regulation that would compensate the member of the Civil Service Commission for their services, and given the short time frames outlined in the Memorandum of Understanding, Human Resource brought forth to the Board, and the Board approved, a retroactive contract.

To mitigate future retroactive contracts of this nature, Human Resources is requesting approval for compensation, including reimbursement of applicable expenses, when a member of the Civil Service Commission serves on a Layoff Arbitration Panel. The compensation and reimbursement of applicable expenses being requested is consistent with El Dorado County Ordinance, Section 2.16.040(B) for Civil Service Commission members who attend meetings, which reads:

Members of the Commission shall receive the sum of \$100.00 per meeting attended in person, and \$25.00 for meetings attended by telephone. Members shall also be provided lunch for meetings that are scheduled over the normal lunch period. Members shall also be reimbursed for reasonable traveling expenses from their place of residence to the place of meeting of the Commission and return, upon submission of such documentation as may be reasonably required by the County Auditor's office.

Note: Telephone meetings would not be acceptable for a Layoff Arbitration Panel.

ALTERNATIVES

The Board could deny this request and 1) require that the member of the Civil Service Commission serve on the Layoff Arbitration Panel on a volunteer basis; or 2) require that the member of the Civil Service Commission go through the contract and procurement process for payment of services

rendered, including reimbursement of applicable expenses (which would result in additional retroactive contracts due to the time frames of the process); or 3) direct Human Resources on another course of action.

PRIOR BOARD ACTION

Legistar #: 19-1855 (Ken Cater Contract); January 14, 2020

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION

Approve as Recommended.

FINANCIAL IMPACT

As the need for a Layoff Arbitration Panel is unforeseen, Human Resources is unable to predict a set dollar amount in the way of a financial impact.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Upon Board adoption and approval, please provide a fully executed Resolution to Katie Lee in Human Resources and Tim Moore in the Auditor/Controller's Office.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Tameka Usher, Director of Human Resources