



Legislation Text

File #: 22-0244, **Version:** 1

Human Resources Department recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **026-2022** approving the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the El Dorado County Criminal Attorneys' Association (Association), representing employees in the Criminal Attorney bargaining unit;
- 2) Authorize the Chair to sign said MOU, noting the MOU will be effective the first full pay period following Association ratification and Board of Supervisors adoption of the MOU; and
- 3) Direct the Human Resources Department and the Auditor-Controller's Office to administer and implement the MOU provisions.

FUNDING: Various funds.

DISCUSSION / BACKGROUND

The term of the current Memorandum of Understanding (MOU) between the County of El Dorado and the El Dorado County Criminal Attorneys' Association (Association), representing employees in the Criminal Attorney (CA) bargaining unit, ended on June 30, 2021.

Pursuant to the Meyers-Milias-Brown Act (Government Code sections 3500 et seq.), representatives of the Union and the County have met and conferred in good faith regarding wages, hours, and other terms and conditions of employment of employees in the CA bargaining unit. The County and Association jointly prepared a successor MOU, for the term of July 1, 2021 through June 30, 2024, reflecting agreed revisions to certain terms and conditions. Subject to the provisions in the MOU, those revised terms and conditions with a County cost impact are summarized below, along with the estimated annual cost.

1. Effective the first full pay period following MOU adoption, the County will increase base wages of the benchmark classifications and internally tied non-benchmark classifications in the Association by approximately 7.31% which will bring the total compensation for those positions in this bargaining unit to the median of the County's approved benchmark organizations. Estimated annual cost of \$393,200.
2. Effective the first full pay period of January 2023, all represented employees in the Association shall receive an increase of two percent (2.0%) to their base rate of pay. Estimated annual cost of \$115,450.
3. Effective the first full pay period of January 2024, all represented employees in the Association shall receive an increase of two percent (2.0%) to their base rate of pay. Estimated annual cost of \$117,750.
4. Addition of new Geographic differential, up to \$400 per month, for qualified employees who reside in the Tahoe Basin (defined as the Tahoe Regional Planning Agency jurisdiction boundary around

Lake Tahoe). Estimated annual cost of \$14,400.

Other Terms and Conditions which are recommended for update, and which have little or unknown direct cost impact include, but are not limited to:

- Modification of existing language pertaining to salary step increases in order to clarify the timing of movement from Step 1 to Step 2 of the salary range.
- Modification of existing language pertaining to holidays in order to:
 - 1) clarify the calculation for part-time employee holiday hours proration for county-wide consistency,
 - 2) prescribe prorated floating holiday hours for new employees hired after the pay period in which hours are otherwise credited for the year, and
 - 3) remove language that otherwise restricted limited-term employees from holiday pay eligibility.
- Removal of adjustment to maximum vacation accrual cap and associated leave payout as a moot provision.
- Removal of Management Leave as a moot provision.
- Modification of existing language pertaining to bilingual differential for County-wide consistency.
- Modification of existing language pertaining to Medical, Dental & Vision Plan contributions to clarify eligibility for County contributions to premiums.

Additional “house-keeping” language changes are included in the recommended MOU.

This MOU cancels all other previous agreements and shall otherwise supersede any policies, practices, or ordinance provisions, with which it may be in conflict. The MOU shall become of full force and effect upon approval and adoption by the Board of Supervisors and shall remain in effect through June 30, 2024. Nothing contained in the MOU shall be applied on a retroactive basis unless specifically stated.

County Counsel Classifications

The Salary and Benefits Resolution 016-2022 for Unrepresented Employees, Part 601, Salaries - Unrepresented Employees, in applicable part, specifies that the base salary wage scale of the Deputy County Counsel classification shall be set and maintained so that it is equal to the base salary wage scale of the Deputy District Attorney IV classification, and that the Associate Deputy County Counsel and Sr. Deputy County Counsel classifications shall also receive base wage adjustments at the same time as any given to the Deputy County Counsel and Deputy District Attorney IV in equivalent percentage adjustments.

Therefore, upon adoption of the CA MOU, the Associate Deputy County Counsel, Deputy County Counsel, and Sr. Deputy County Counsel classifications will receive the same base wage increases described in items 1-3 above, at a combined additional estimated annual cost of \$237,850 by January 2024.

ALTERNATIVES

The County negotiated this MOU in good faith with the Union under authority and direction of the Board, thus there are no recommended alternatives.

PRIOR BOARD ACTION

This successor MOU succeeds and replaces the MOU adopted by the Board of Supervisors on September 11, 2018 with Resolution 190-2018, Legistar item 18-1363.

The Salary and Benefits Resolution 016-2022 for Unrepresented Employees was adopted by the Board of Supervisors on January 25, 2022, Legistar item 22-0062.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

El Dorado County Criminal Attorneys' Association

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

The combined fiscal impact of the new MOU changes is estimated at \$878,650. The impacted classifications are approximately 73% General Fund, so the estimated combined fiscal impact to the General Fund is \$641,415. The approximate impact to the remainder of Fiscal Year (FY) 2021-22 is \$214,650. Staff will review the impacts of compensation changes with the Mid-Year Budget Report in February. This analysis will include estimated savings that may cover compensation changes. Some departments might not be able to cover all increases and will return to the Board with a budget transfer. These compensation changes will be included in the preparation of the Fiscal Year 2022-23 Budget.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk will obtain the signature of the Chair on the Resolution; and,
- 2) Human Resources will provide the Clerk with three (3) original MOUs for the Chair to sign upon ratification by the Union; and
- 3) The Clerk will return one (1) copy of each executed resolution and two (2) original MOUs to Misty Garcia in Human Resources once fully executed by the Chair, and retain one (1) fully executed MOU for the Board.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

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