RESOLUTION - ACTION REQUESTED 2014-73

MEETING: February 18, 2014

TO: The Board of Supervisors

FROM: Tessa Pritchard, Human Resources Director/Risk Manager

RE: Approve SEIU MOU Effective November 1, 2013

RECOMMENDATION AND JUSTIFICATION: Approve a one-year Memorandum of Understanding (MOU) with the Service Employees International Union, Local 521 (SEIU) effective November 1, 2013; authorize the Board of Supervisors Chair to sign the MOU; and authorize the Auditor to increase appropriations to each affected budget unit in order to implement the affected provisions of the MOU. The term of the MOU is from November 1, 2013 through October 31, 2014. Pursuant to Article 20 "Duration" of the previous MOU, the parties have met and conferred and have agreed to enter into this MOU. Revisions to the attached MOU are shown with strikethroughs for deletions and bold and italicized text for additions.

The issues that have been agreed to are as follows:

- Provides a 2% wage increase to all employees in this bargaining unit. (Section 6.1.1)
- Adds a work boot option for certain employees in the Public Works Department. Employees who are currently provided footwear in the Public Works Department will be allowed to have work boots available to them. (Section 6.3.9)
- Adds language to the MOU relative to the work boot voucher system that the Solid Waste Division of the Public Works Department has had in place for the last few years for its employees. (Section 6.3.10)
- Grants a longevity allowance for employees hired on or after July 1, 1996. (Section 6.4.5)
- Allows for a vacation cash out option for eligible employees. (Section 8.3.2)
- Changes the sick leave language to allow for a department head to request a doctor's note when an employee is absent for four or more successive days from work or if there is a pattern suggesting sick leave abuse. (Section 8.3.3)
- Adds language to the employee discipline provision that states an affected employee will be notified as soon as practical when that employee is subject to an investigation. (Article 13)

This MOU will also incorporate provisions that were previously agreed to in Side Letters of Agreement. Those agreed to provisions are:

- Amending the "Benefits" section which changes the County's contribution for medical insurance as well as the Flexible Benefit Allowance. (Section 6.4)
• Amends the term of MOU. The term of the previous MOU was for the period of November 1, 2010 through October 31, 2012. In a Side Letter of Agreement, the County and SEIU agreed to extend the term of the MOU to October 31, 2013. (Article 20)

The MOU also reflects changes to the "Retirement" section (Section 6.4.4) as follows:
• Corrects the effective date for the second retirement tier (2%@55). The MOU stated that the second tier was effective July 1, 2011, however it went into effect November 1, 2011. (Section 6.4.4)
• Implements the mandated California Public Employees' Pension Reform Act of 2013 (PEPRA). The PEPRA, in essence, added a third retirement tier. Language reflecting how this is being implemented was incorporated into the MOU.

Lastly, Appendix B which outlines various alternate work schedules was amended to include previously Board-approved alternate work schedules.

BACKGROUND AND HISTORY OF BOARD ACTIONS: During a recent closed session of the Board of Supervisors, the Board approved a Tentative Agreement with SEIU which contains the agreed-to revisions in the MOU.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: If not approved, it will be necessary to reopen negotiations and may result in a charge of unfair labor practices.

FINANCIAL IMPACT:
Compensation cost increase of approximately $182,300 for Fiscal Year 2013-14.

ATTACHMENTS:
SEIU MOU 2013-14 draft (PDF)

CAO RECOMMENDATION
Requested Action Recommended

RESULT: ADOPTED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: John Carrier, District V Supervisor
AYES: Stetson, Jones, Bibby, Cann, Carrier