RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes __ No __)

Adopt a Resolution designating that Confidential Employees be tied to the Mariposa County Managerial and Confidential Organization for benefits and salaries.

Please see attached staff report.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Prior Board actions have made designations of Management and Confidential employees. This Resolution will supersede Resolution No. 01-29.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the Resolution designating Confidential Employees as tied to the Mariposa County Managerial and Confidential Organization. Confidential Employees will remain tied to the Mariposa County Managerial and Confidential Organization for benefits and to the Mariposa County Public Employee Association for salaries.
MARIPOSA COUNTY RESOLUTION NO. 02-18

A RESOLUTION AMENDING RESOLUTION 01-29
BY DESIGNATING CONFIDENTIAL EMPLOYEES
AS A MANAGEMENT AND CONFIDENTIAL EMPLOYEE FOR
BOTH SALARY AND BENEFITS

WHEREAS, California Government Code Section 3507.5, empowers a public agency to designate Management and Confidential Employees pursuant to rules and regulations adopted therefore, and

WHEREAS, Mariposa County Resolution Nos. 88-479, 91-510, 98-362, 99-347, 00-243, and 01-29, establishes rules and regulations providing for designation of Management and Confidential Employees, and

WHEREAS, the Board of Supervisors desires to designate certain employee positions as Management and Confidential Employees, and

WHEREAS, the Mariposa County Managerial and Confidential Organization and the Mariposa County Public Employees Association have been notified regarding the designation of management and confidential positions;

NOW THEREFORE BE IT RESOLVED by the Mariposa County Board of Supervisors a political subdivision of the State of California, as follows:

1. Management positions shall be defined by the Memorandum of Understanding currently in effect with Mariposa County and the Mariposa County Managerial and Confidential Organization.

2. The following are designated as Confidential Employees:

“Confidential Employee” means any employee who, in the regular course of his/her duties, has access to or possesses information related to his/her employer’s employer-employee relations. The following positions are tied to the Mariposa County Managerial and Confidential Organization for benefits and salaries, and are not dues-paying members of either unit. Benefits do not include Administrative Leave, and these employees are subject to overtime compensation under the Fair Labor Standards Act, with the exception of the Staff Analyst position which is overtime exempt as an administrative employee pursuant to the Fair Labor Standards Act and shall receive Administrative Leave.

h. Accountant I/II – Auditor
i. Accounting Technician III/Payroll – Auditor
j. Executive Secretary – Administration
k. Executive Secretary – County Counsel
l. Personnel/Risk Management Technician – Personnel
m. Secretary – Board of Supervisors
n. Staff Analyst – Administration
3. The following position is tied to the Mariposa County Managerial and Confidential Organization for benefits and is not a dues-paying member. Benefits do not include Administrative Leave, and this employee is subject to overtime compensation under the Fair Labor Standards Act. Salary is set by the Board of Supervisors.

   a. Clerk of the Board of Supervisors

4. The following position is tied to the Mariposa County Managerial and Confidential Organization for benefits and salary, and is not a dues-paying member. This employee is overtime exempt under the Fair Labor Standards Act and shall receive Administrative Leave. This designation will remain in effect until the Superior Court has signed a Memorandum of Understanding with the Mariposa County Managerial and Confidential Organization.

   a. Court Executive Officer

PASSED AND ADOPTED this 15th day of January, 2002, by the Board of Supervisors of Mariposa County by the following vote:

   AYES: Parker, Reilly, Stewart, Pickard, Balmain
   NOES: None
   ABSENT: None
   ABSTAINED: None

ROBERT C. STEWART, Chairman
Mariposa County Board of Supervisors

ATTEST:                  APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

MARGIE WILLIAMS          JEFFREY G. GREEN
Clerk of the Board        County Counsel