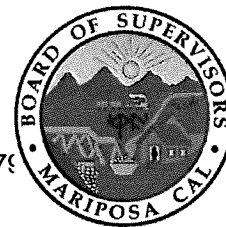


# MARIPOSA COUNTY

Human Resources/Risk Management • (209) 742-1379



## **RESOLUTION - ACTION REQUESTED 2015-365**

MEETING: July 21, 2015

TO: The Board of Supervisors

FROM: Steve Johnson, Human Resources Director - Risk Manager

RE: Update County Employer-Employee Relations Policy

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### **RECOMMENDATION AND JUSTIFICATION:**

Amend Resolution number 90-299 updating the County's Employer-Employee Relations Policy, effective with the date of this approval.

California's Meyers-Milias-Brown Act ("MMBA") is unique among California's public sector collective bargaining statutes in that the MMBA established a system of collective bargaining for employees of local agencies like Mariposa County, but left to local agencies a variety of core responsibilities, including the determination of how and to what extent collective bargaining would be implemented at the local level.

The County's Employer-Employee Relations Policy ("EERP"), which was approved in 1990 by the Board of Supervisors, defines these core responsibilities and promotes the improvement of personnel management and employer-employee relations within the County government by providing a uniform basis for recognizing the right of County employees to join employee organizations of their own choice and to be represented by such organizations in their employment relationships with the County.

Since the passage of the County's EERP in 1990, material changes have occurred to State laws and regulations governing provisions in the County's EERP. In order to stay compliant with these laws and regulations, the Human Resources/Risk Management Department staff consulted with Attorneys in the labor law firm of Liebert, Cassidy and Whitmore to review the County's EERP, and make suggested changes. Staff then circulated an updated version of the EERP to County employee bargaining organizations for review and comment.

The resulting updated and proposed EERP contains the following enhancements, among others:

- An updated definition of what constitutes Impasse;
- A new section that defines Proof of Employee Support;
- Clarification on what constitutes a Recognized Employee Organization;

- Clarification on what constitutes County Management Rights;
- Clarification on the Filing of a Recognition Petition by an Employee Organization;
- Clarification of Recognized Employee Organization Rights;
- The method for granting Recognition without an Election, and
- Clarification on the Fact Finding process.

The attached updated EERP is presented for the Board of Supervisor's review and approval.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Mariposa County Board of Supervisors established an Employee Relations Policy through the passage of Resolution number 70-62 on August 19, 1970. Subsequently, the Mariposa County Board of Supervisors approved Resolution number 90-299 that repealed and superseded Resolution number 70-62 in its entirety.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

The County's continued reliance on its current EERP, which is out of compliance with State laws and regulations, could put the County at risk if incorrect decisions are made without the appropriate legal and regulatory foundation.

**FINANCIAL IMPACT:**

**There is no financial impact to the County in adopting this updated EERP.**

**ATTACHMENTS:**

**Employer-Employee Relations Policy July 2015 (DOCX)**

**CAO RECOMMENDATION**

Requested Action Recommended



Mary Hoatson, CAO

7/14/2015

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Marshall Long, District III Supervisor

**SECONDER:** Kevin Cann, District IV Supervisor

**AYES:** Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann

**EXCUSED:** John Carrier