RESOLUTION - ACTION REQUESTED 2020-35

MEETING: January 21, 2020

TO: The Board of Supervisors

FROM: Kimberly Williams, Human Resources Director

RE: DSA Side Letter of Agreement-2019 Christmas Eve Holiday

RECOMMENDATION AND JUSTIFICATION:
Approve a Side Letter of Agreement with the Deputy Sheriffs' Association (DSA) to provide an additional eight-hour holiday that represents the 2019 Christmas Eve holiday that was declared; and authorize the Board of Supervisors Chair to sign the agreement.

The President signed an Executive Order to close all public offices on Tuesday, December 24, 2019 (Christmas Eve) and Mariposa County followed suit and declared Christmas Eve 2019 as a County holiday for all County employees. The duty schedule for employees in the DSA unit, specifically employees in the classifications of Custodial Deputy, Sheriff’s Deputy, and Sheriff’s Detective, had already been prepared at the time Christmas Eve was declared a County holiday. The employees in these classifications should also receive the benefit of an additional holiday.

It is recommended that the employees in the above-mentioned classifications receive eight hours of holiday credit that represents the 2019 Christmas Eve holiday. The additional eight hours of holiday time will be required to be taken during the 2020 calendar year only. The Side Letter of Agreement will be attached to the current DSA Memorandum of Understanding and incorporated therein.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board of Supervisors has previously approved similar Side Letters of Agreement in the past.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
A negative action would result in certain employees in the DSA bargaining unit not receiving the additional holiday benefit.

FINANCIAL IMPACT:
N/A.

ATTACHMENTS:
DSA Side Letter of Agreement re add'l holiday 2019  (PDF)
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
SIDE LETTER OF AGREEMENT BETWEEN THE COUNTY OF MARIPOSA
AND THE DEPUTY SHERIFFS’ ASSOCIATION

This Side Letter of Agreement is made a part of and incorporated into the Memorandum of Understanding dated January 1, 2019 through December 31, 2021 by and between the County of Mariposa and the Deputy Sheriffs’ Association.

WHEREAS, the President signed an Executive Order to close all public offices on Tuesday, December 24, 2019 (Christmas Eve) and Mariposa County followed suit and declared Christmas Eve as a County holiday for all County employees, and

WHEREAS, section 9.1 of the Memorandum of Understanding (MOU) with the Deputy Sheriffs’ Association (DSA) provides thirteen (13) paid holidays per year to the classifications of Custodial Deputy, Sheriff’s Deputy, and Sheriff’s Detective and these thirteen (13) holidays are worked into the duty schedule and these holidays must be taken by the end of the calendar year, and

WHEREAS, the duty schedule that includes the date of Tuesday, December 24, 2019 was prepared far in advance of the County’s holiday declaration and thus, the additional holiday is not reflected in the schedule, and

WHEREAS, the parties recognize that employees in the aforementioned classifications were either scheduled to have a regular day off on December 24, 2019 or may have been required to work on this day and consideration shall be given to those employees so that they too receive the benefit of the additional holiday;

NOW, THEREFORE, the parties agree as follows:
1. For those employees in the classifications of Custodial Deputy, Sheriff’s Deputy, and Sheriff’s Detective who had a regular day off on December 24, 2019, they shall receive eight (8) hours of holiday credit that shall be taken during the 2020 calendar year.
2. For those employees in the aforementioned classifications who were required to work on December 24, 2019, they shall receive eight (8) hours of holiday credit that shall be taken during the 2020 calendar year.
3. Pursuant to section 9.1 of the MOU, any holiday time not used during the 2020 calendar year will not be carried over into the next calendar year and will be considered forfeited by the employee. There is no cash value to the additional holiday leave identified above.
4. This agreement is not applicable to the classifications of District Attorney Investigator, Deputy Probation Officers I/II/III, and Probation Corrections Officer as these classifications are subject to the holiday schedule outlined in section 9.1.1 of the DSA MOU.

FOR THE COUNTY:

[Signature]
Kevin Cann, Chair
Mariposa County Board of Supervisors
Date: January 21, 2020

FOR THE UNION

[Signature]
Justin Sturm, President
Deputy Sheriffs’ Association
Date: 1/7/2020

APPROVED AS TO FORM:

[Signature]
Steven W. Dahlem, County Counsel