



MARIPOSA COUNTY

Administration/Personnel · 209-966-3222



RESOLUTION - ACTION REQUESTED 2012-495

MEETING: October 2, 2012

MINUTE ORDER ATTACHED

TO: The Board of Supervisors

FROM: Rick Benson, County Administrative Officer

RE: Personnel Reorganization

RECOMMENDATION AND JUSTIFICATION: Approve a Reorganization of the Personnel Department; Approve the Job Description for the Human Resources/Risk Manager Position and Allocate This Position to the Personnel Budget, Set the Salary Range at \$57,480 - \$69,867, Designate the Position as Confidential; Authorize Recruitment of a Human Resources/Risk Manager Effective Immediately. If this recommendation is approved it will be necessary to give direction to the County Administrative Officer to explore and report possible options for the relocation of Human Resources staff.

Please see attached staff report for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On March 9, 2004, the Board adopted Resolution 04-92 approving a reorganization of the County Administration and Personnel departments.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

FINANCIAL IMPACT:

Estimated impact for FY 12-13 is approximately \$65,000.

ATTACHMENTS:

Reorganization Personnel Division (PDF)

Human Resources Manager (DOCX)

October 1, 2012, CAO Memo (PDF)

September 30, 2012, Administrative Analyst Memo (PDF)

CAO RECOMMENDATION

Requested Action Recommended

Resolution - Action Requested 2012-495


Rick Benson, County Administrator/Office

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICHARD J. BENSON, CAO

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: **Approve a Reorganization of the Personnel Department; Approve the Job Description for the Human Resources/Risk Manager Position and Allocate This Position to the Personnel Budget, Set the Salary Range at \$57,480 - \$69,867, Designate the Position as Confidential; Authorize Recruitment of a Human Resources/Risk Manager Effective Immediately**

RES. 12-495

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on October 2, 2012

ACTION AND VOTE:

2. Administration/Personnel RES-2012-495

Approve a Reorganization of the Personnel Department; Approve the Job Description for the Human Resources/Risk Manager Position and Allocate This Position to the Personnel Budget, Set the Salary Range at \$57,480 - \$69,867, Designate the Position as Confidential; Authorize Recruitment of a Human Resources/Risk Manager Effective Immediately

Rick Benson presented the staff report and discussion was held. Supervisor Bibby suggested that the job description be clarified to reflect the requirement of a Bachelor's degree. Supervisor Cann referred to the "experience" section of the job description and asked for clarification of the definition of "administrative capacity." Discussion was held relative to the recommended salary range and the recommendation that the position report to the County Administrative Officer versus department head/at-will status. Rick Benson referred to his October 1, 2012, memo to the Board on the Human Resources reorganization. Supervisor Turpin expressed concern with moving labor negotiations to the new position without the benefit of knowing the history of negotiations; and discussion was held. Supervisor Allen noted that he asked Sandi Laird/Administrative Analyst-Administration to be present for this discussion, and he advised that she could provide samples for the Board to review. He also advised of the suggestion for adding a paragraph of distinguishing characteristics. Sandi Laird provided input on her suggestions for changes, including making the position an at-will position reporting to the Board of

Supervisors. Steve Dahlem/County Counsel reviewed the changes the Board discussed on the job description: deletion of "under the supervision of the County Administrative Officer" to reflect an at-will/department head position in the Definition and the Supervision Received and Exercised sections; adding a paragraph on distinguishing characteristics as suggested by Supervisor Allen; replace "Confers" with "Counsels" under Examples of Essentials Functions section for providing professional assistance to members of the County departments on human resources and risk management matters; deletion of "or administrative" under Minimum Qualifications Experience section; and to clarify that a Bachelor's degree is required under Education requirements. Sandi Laird suggested that language be added under the Supervision Received and Exercised section to reflect that the position receives administrative direction from the Board of Supervisors and that the position is appointed by and serves at the pleasure of the Board of Supervisors versus including the paragraph on distinguishing characteristics. The Board concurred with the changes as reviewed by County Counsel, including the suggested change by Sandi Laird.

Discussion was held relative to the salary for the position.

Sandi Laird provided input relative to the recommended salary and comparisons with other positions such as the Deputy County Administrative Officer. The Board concurred with setting the salary at \$73,545 - equal to the top step of the Deputy County Administrative Officer and with deleting the designation of the position as Confidential.

Discussion was held relative to relocating the Human Resources function. Rick Benson stated he would like to relocate the function within another County facility and suggested Human Services if that can be coordinated. The Board concurred with the County Administrative Officer during further research and bringing a recommendation back to the Board.

Action was taken to approve the reorganization of the Personnel function as a separate department; approve the job description for the Human Resources/Risk Manager position as an at-will/department head position with the changes as agreed to; setting the salary at \$73,545; authorizing recruitment; and directing that the department be relocated.

Supervisor Bibby asked that staff look at the existing job descriptions that are affected by this function to see if modifications need to be made; and it was noted that this could be a project for the new position.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Cc: Sandi Laird, Personnel
File

MARIPOSA COUNTY

Richard J. Benson
County Administrative Officer



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October 1, 2012

TO: Board of Supervisors
FROM: Rick Benson, County Administrative Officer
SUBJECT: Human Resources Reorganization

As you know, I am recommending that the proposed Human Resource Manager report to the CAO. I want to make sure that you understand the reasons behind my recommendation.

First, I believe this is the best structure for the position. Personnel and risk management are part of the general administration of the County. As recognized in the first line of my job description, the CAO is responsible to "coordinate central county functions." Personnel and risk management are central county functions. This is very different from the way other departments function.

Personnel and risk management activities require significant coordination with the CAO. Staffing decisions always have budget effects and should be made in concert with administration. Labor negotiations should be driven by the CAO, under Board direction, as the results directly affect overall County functions.

In recognition of this need for coordination, a majority of counties are structured so that personnel and risk management are part of the Administrative Office. This is the structure already in place and previously approved by the Mariposa Board for the position.

Because of the way our personnel functions are handled, Mariposa has a need to contract with Merit Systems to oversee recruitments of several of our positions associated with federal funding. We are one of 30 counties that contract with Merit Systems and gives us a base of counties with similarities to ours. In reviewing how those counties handle personnel, two thirds of the Merit Systems counties are structured so that personnel reports to the CAO or CEO.

Merit System Counties reporting to
CAO or CEO

Alpine
Amador
Del Norte
El Dorado
Glenn
Imperial
Inyo
Mendocino
Merced
Modoc
Mono
Monterey
Napa
Nevada
Shasta
Siskiyou
Tehama
Trinity
Tuolumne

Merit System Counties reporting to
Board

Humboldt
Lake
Lassen
Madera
Plumas (also handles payroll)
San Benito (labor negotiations with CAO)
Sutter

Other

Calaveras (hybrid)
Colusa has no CAO
Sierra handled primarily by District Attorney

Summary

19 report to CAO or CEO
7 report to the Board
3 other

Counties with a CEO are italicized in blue

It should also be noted that there is not one definition for the functions associated with personnel. As you can see, in San Benito labor negotiations remain with the CAO. This may or may not be the case in some of the other counties listed. In some counties personnel may not have employee relations responsibilities. They simply handle the recruitments and little else. It is difficult to conclude we have an apples to apples comparison unless we have a detailed explanation of what is involved in each personnel department.

I believe that keeping the personnel and risk management functions under the CAO makes sense for other reasons. Having been in this position for six years I have been overseeing Personnel functions. I've attended numerous training sessions and have kept up to date with developments in the field. Despite what may have been said about my abilities, I have a successful track record. We have not suffered any major setbacks in Personnel, risk management or labor negotiations during my tenure. This includes having made decisions which have gone against staff recommendations but have met with Board approval.

Not coming from a Personnel background is an advantage, not a liability for me and my fellow CAOs who oversee personnel managers. We have the "big picture" in mind, while personnel staff often have a narrow focus. Department heads appreciate that perspective. Again, I contend I have a good record of working with departments and resolving issues without a need to come to the Board. In six years your Board has had to resolve five personnel issues, as I recall. On only two occasions have you not concurred with my recommendation. When personnel does not report to the CAO it is far too easy for an "us vs them" mentality to develop.


Over the past six years your Board has reviewed several reorganizations. With one exception, you have seen fit to approve them. The one you did not approve was not really a reorg but rather a request to increase pay for existing staff. Both publicly and privately you have

always expressed a desire to allow the department head to run the shop as they see fit. I'm requesting that same consideration be given to me with this proposal. This is a reorganization of central county functions. If the structure does not prove satisfactory, we can make a change later. However, if the structure includes a direct Board report, it will be much more difficult to make a change with an individual in place who was hired with that structure.

For all the reasons listed above, I hope you will support my proposal.


Memorandum

To: Board of Supervisors

From: Sandra Laird, Administrative Analyst 

Date: September 30, 2012

Re: Personnel Reorganization – Agenda item #1817

cc:  Steve Dahlem

The CAO has proposed a reorganization of the Personnel/Risk Management function and he is recommending that a Human Resources/Risk Manager position is added to his staff. The CAO desires to continue oversight over these two functions. Below is information that I am respectfully requesting that the Board of Supervisors consider before making a decision regarding this matter.

- As I recently informed the Board, the Personnel/Risk Management function, or Human Resources/Risk Management (HR/RM) function, can no longer be under this CAO's jurisdiction; this position should be a department head. If the Board agrees that this should be a stand-alone department with a department head overseeing these functions, then the following will need to be done:
 - 1) Re-title the position to Human Resources Director/Risk Manager and increase the salary to recognize its department head status.
 - 2) Amend the job description by removing the language that reflects that the CAO has oversight of the HR/RM function and instead, show that it is a department head working at the will of the Board.
 - 3) Direct the Administrative Analyst to further revise the job description as appropriate for a department head.
- If the Board is considering the CAO's recommendation, then the following issues need to be addressed relative to the job description and the salary :
 - 1) The CAO stated to me that he pegged the salary for the HR/RM at 5% less than the Deputy CAO, a position that reports to him. However, the responsibility level contained in the essential functions of the HR/RM job description that the CAO is proposing are greater in several areas than the Deputy CAO.
 - 2) The minimum qualifications are greater in the HR/RM job description than that of the Deputy CAO in that the CAO is requiring that the HR/RM have two years of supervisory experience. The Deputy CAO is not required to have supervisory experience.
 - 3) The CAO is proposing that the HR/RM be required to have a 4-year degree. The Deputy CAO position is not required to have a 4-year degree. The minimum qualifications contained in the Deputy CAO's job description provide for an alternative way to qualify for the position and that is that an individual can have additional years of experience to replace the 4-year college education. This is called a substitution clause. The CAO does not include a substitution clause for the HR/RM even though he is requiring the position, under his proposed job description, to work at the same level and sometimes at a greater level than the Deputy CAO position.

- 4) Relative to the salary, because of the aforementioned issues, the salary that the CAO is recommending is not appropriate for this position and, in fact, is inequitable and completely wrong. The CAO is recommending that this classification be required to work at a high level of responsibility yet he is not properly aligning the salary to reflect that responsibility. Because the CAO is requiring this position to work at the same level and sometimes at a greater level than the Deputy CAO, then the salary should be aligned at the least with the Deputy CAO's salary.

To summarize, approving the CAO's proposal as he is recommending is problematic.

Thank you.