RECOMMENDED ACTION AND JUSTIFICATION:

Amend Resolution No. 07-315 by designating the Office Assistant (Receptionist) classification in Administration as a Confidential position effective October 1, 2007. “Confidential Employee” means any employee who, in the regular course of his/her duties, has access to or possesses information related to the County’s employer-employee relations (labor negotiations). Recently, the County has been negotiating with the four bargaining groups (SEIU, MCMCO, Deputy Sheriffs’ Association, and Sheriffs’ Management Association) and the incumbent in the Office Assistant (Receptionist) classification has been privy to the County’s labor negotiations. It is important to change this position to a Confidential designation as it is presently a Union represented position and it is not appropriate for the incumbent to be Union represented as well as be privy to the County’s side of labor negotiations.

As a Confidential designated class, this position will be tied to MCMCO for salary and benefits. The position is currently tied to SEIU for salary and benefits.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board periodically amends this Resolution from time to time.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

A negative action would result in a Union-represented position having the ability to be privy to the County’s side of labor negotiations.

Financial Impact? ( ) Yes (X) No Current FY Cost: $
Budgeted in Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $
Additional Funding Needed: $
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency
( ) General ( ) Other

Annual Recurring Cost: $
List Attachments, number pages consecutively
Resolution

CLERK’S USE ONLY:
Res. No.: 07-474 Ord. No. ______
Vote - Ayes: ______ Nos: ______
( ) Absent
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: ______
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: ______
Deputy

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended
No Opinion
Comments:
Resolution.

CAO: ______

Revised Dec. 2002
MARIPOSA COUNTY RESOLUTION NO. 07-474

A RESOLUTION AMENDING RESOLUTION 07-315
RELATIVE TO THE CONFIDENTIAL DESIGNATION
OF THE OFFICE ASSISTANT CLASSIFICATION IN ADMINISTRATION

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, 01-29, 02-18, 02-369, 04-92, and 07-315 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 Board of Supervisors desires to amend Resolution No. 07-315
by adding the Office Assistant (Receptionist) classification in Administration and
designating it as Confidential, and

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 the 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
   Deputy County Administrative Officer and the Administrative Analyst-
   Administration, which are overtime exempt as an administrative employee
   pursuant to the Fair Labor Standards Act and shall receive Administrative
   Leave.

   a. Accountant I/II – Auditor (applies to 1 position only—benefits coordinator)
   b. Administrative Analyst – Administration
   c. Administrative Technician
   d. Assistant Auditor
   e. Deputy Clerk to the Board
   f. Deputy County Administrative Officer
   g. Executive Assistant – County Counsel
h. Office Assistant (Receptionist) - Administration
i. Secretary - Administration
j. Payroll Specialist

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.
   Clerk to the Board of Supervisors

**PASSED AND ADOPTED** this 9th day of October 2007, by the Board of Supervisors of Mariposa County by the following vote:

**AYES:** TURPIN, BIBBY, FRITZ, PICKARD
**NOES:** NONE
**ABSENT:** ABORN
**ABSTAINED:** NONE

[Signature]
Janet Bibby, Chair

**ATTEST:**

[Signature]
Margie Williams
Clerk of the Board

[Signature]
Thomas P. Guarino
County Counsel