

DEPARTMENT: Personnel

BY: Richard J. Benson

PHONE: 966-3222

**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: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Resolution
Source:		_____
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
( ) General ( ) Other		_____

**CLERK'S USE ONLY:**

Res. No.: 07-474 Ord. No. \_\_\_\_\_

Vote - Ayes: 4 Noes: \_\_\_\_\_

Absent: Albor n

RM Approved

( ) 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: [Signature]

**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

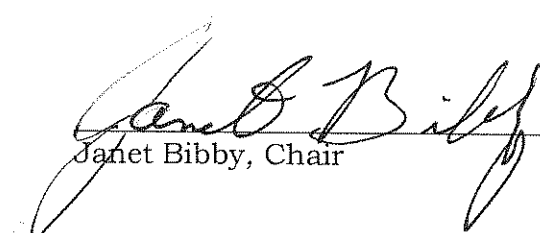
- h. Office Assistant (Receptionist) - Administration
- i. Secretary - Administration
- j. Payroll Specialist

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

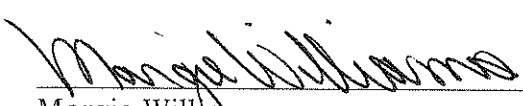
**PASSED AND ADOPTED** this 9<sup>th</sup> day of October 2007, by the Board of Supervisors of Mariposa County by the following vote:


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

  
\_\_\_\_\_  
Janet Bibby, Chair

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Margie Williams  
Clerk of the Board

  
\_\_\_\_\_  
Thomas P. Guarino  
County Counsel