

DEPARTMENT: Personnel By: Jeffrey G. Green PHONE: 209/966-3222

RECOMMENDED ACTION AND JUSTIFICATION: Policy Item: Yes ( ) No(X)

Resolution designating the Personnel/Risk Management Technician as a Management and Confidential position. "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. This position will be tied to the Mariposa County Managerial and Confidential Organization for benefits and to the Mariposa County Public Employees Association for salary and is not a dues-paying member of either unit.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Prior Board actions have made necessary designations of Management and Confidential employees. If approved, this Resolution will supersede Resolution 98-362.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Approve the recommended action as proposed.
- Revise the recommended action as the Board desires and approve.

**COSTS:** (X) Not Applicable

A. Budgeted current FY \$ \_\_\_\_\_

B. Total anticipated costs \$ \_\_\_\_\_

C. Required additional funding \$ \_\_\_\_\_

D. Internal transfers \$ \_\_\_\_\_

**SOURCE:** ( ) 4/5ths Vote Required

A. Unanticipated revenues \$ \_\_\_\_\_

B. Reserve for contingencies \$ \_\_\_\_\_

C. Source description: \_\_\_\_\_

Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

**SPECIAL INSTRUCTIONS:**  
List the attachments and number the pages consecutively:

Resolution.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CLERK'S USE ONLY:**

Res. No.: 98-367 Ord. No. \_\_\_\_\_

Vote - Ayes: 5 Noes: \_\_\_\_\_

Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

Approved \_\_\_\_\_ ( ) Denied \_\_\_\_\_

( ) 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

**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**  
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: \_\_\_\_\_

\_\_\_\_\_

A.O. Initials: [Signature]

**MARIPOSA COUNTY RESOLUTION NO. 99-347**

**A RESOLUTION AMENDING RESOLUTION NO. 98-362  
BY DESIGNATING THE PERSONNEL/RISK MANAGEMENT TECHNICIAN  
AS A MANAGEMENT AND CONFIDENTIAL EMPLOYEE**

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 Resolutions 88-479, 91-510, and 98-362 establishes rules and regulations providing for designation of Management and Confidential Employees, and

WHEREAS, the Board of Supervisors desires to designate certain employee's positions as Management and Confidential Employees, and

WHEREAS, the Board of Supervisors desires to designate which positions are eligible for payroll deduction for the purpose of paying bargaining unit dues, and

WHEREAS, the Mariposa County Managerial/Confidential Organization and Mariposa County Employees Association have been notified regarding the designation of management and confidential positions;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE MARIPOSA COUNTY BOARD OF SUPERVISORS, a political subdivision of the State of California, as follows:

2. Management positions shall be defined by the Memorandum of Understanding currently in effect with Mariposa County and the Mariposa County Managerial and Confidential Organization.
3. 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 to the Mariposa County Public Employees Association for salaries and are not dues-paying members of either unit. Benefits do not include administrative leave, and these employees are subject to overtime compensation under the Fair Labor Standards Act.

- a. Accountant I/II – Auditor
- b. Accounting Technician III/Payroll - Auditor
- c. Executive Secretary – Administration
- d. Executive Secretary – County Counsel
- e. Personnel/Risk Management Technician – Personnel
- f. Secretary – Board of Supervisors

4. 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 Federal Labor and Standards Act. Salary is set by the Board of Supervisors.

a. Clerk of the Board of Supervisors


PASSED AND ADOPTED this 7th day of December, 1999, by the Board of Supervisors of Mariposa County by the following vote:

AYES: Reilly, Balmain, Stewart, Parker, Pickard

NOES: none


ABSENT: none

ABSTAINED: none

  
\_\_\_\_\_  
BOB PICKARD, Chair  
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
MARGIE WILLIAMS  
Clerk of the Board

  
\_\_\_\_\_  
JEFFREY G. GREEN  
County Counsel