

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: CHIEF EXECUTIVE OFFICE

BOARD AGENDA # B-7

Urgent _____ Routine X

AGENDA DATE August 7, 2001

CEO Concurs with Recommendation YES pk NO _____
(Information Attached)

4/5 Vote Required YES _____ NO X

SUBJECT: APPROVAL OF BARGAINING UNIT DESIGNATION FOR THE FAMILY SERVICES SPECIALIST I-IV AND FAMILY SERVICES SUPERVISOR CLASSIFICATIONS.

STAFF RECOMMENDATIONS:

1. UPHOLD THE FINDINGS OF THE EMPLOYEE RELATIONS OFFICER TO ASSIGN THE FAMILY SERVICES I-IV CLASSIFICATIONS TO BARGAINING UNIT B; AND
2. UPHOLD THE FINDINGS OF THE EMPLOYEE RELATIONS OFFICER TO ASSIGN THE FAMILY SERVICES SUPERVISOR CLASSIFICATION TO BARGAINING UNIT 5.

FISCAL IMPACT: There is no fiscal impact associated with this recommendation.

BOARD ACTION AS FOLLOWS:

No. 2001-592

On motion of Supervisor Blom, Seconded by Supervisor Simon

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Pauli

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) _____ Approved as recommended
- 2) _____ Denied
- 3) X Approved as amended

MOTION:

Based on the staff report and testimony provided, the Board upheld the findings and decision of the Employee Relations Officer to assign the Family Services Specialist I-IV classifications to Bargaining Unit B, and to assign the Family Services Supervisor classification to Bargaining Unit 5; amended the item to add that the Board specifically finds that in applying applicable rules, that the recognition of AFSCME is proper in that AFSCME represents significantly more employees (approximately 380 as opposed to 135) and that it is logical and practical to designate AFSCME as the appropriate bargaining unit along with the other reasons set forth in the staff report and stated by the CEO, Reagan Wilson; and, the Board finds that all applicable code sections, both local and State, have been complied with and that the Board's action does not violate any provision of law regarding employer-employee relations.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

Christine Ferraro
By: Deputy

File No.

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DISCUSSION: On July 10, 2001 your Board approved the comprehensive classification plan affecting the Community Services Agency and the Department of Employment and Training. The plan eliminated 11 job classifications including:

Eligibility Worker I, II, III and Supervisor
Employment and Training Specialist I, II, III
Employment Coordinator I, II, III and Supervisor

These were replaced by 5 new job classifications including; Family Services Specialist I, II, III, IV and Supervisor

The Departments worked in partnership with the two affected unions SCEA/AFSCME Local 10 and SEIU Local 535. Both unions spoke to your Board during the consideration of this item on July 10, 2001 and expressed their desire to represent these newly formed classifications.

The Stanislaus County Employer/Employee Relations Ordinance (ERO) provides that "bargaining units shall be determined, with positions and classes included, to meet the following objectives:

1. To prevent a proliferation of representation unit which may interfere with efficient governmental operations and administration of employer-employee relations in the county;
2. To recognize position commonality in terms of salary relationship; similarities in duties, skills and training required; working conditions and rules or regulations governing scope and method of work.

The Ordinance also stipulates that the Employee Relations Officer shall designate appropriate units in the county service in accordance with the foregoing objectives. Finally, the Ordinance provides that the Employee Relations Officer may, after notice to and consultation with affected employee organizations, allocate new classification or positions, reallocate classifications or positions, or delete classifications in accordance with the provisions of this article.

The Employee Relations Officer, Reagan Wilson, determined that one bargaining unit was appropriate for this new Family Services Specialist series. In the past the County had 3 bargaining units and 2 employee organizations representing employees performing similar work in the same departments. By having multiple representatives the County was forced to duplicate work in employer-employee relations with each separate employee organization. In addition if agreements were reached with one union and not the other there was an automatic conflict and inconsistency. This is clearly inefficient and does not fulfill the requirements of the County's Employee Relations Ordinance.

Secondly the Employee Relations Officer determined this group of employees perform the same tasks using the same methods. The rules and regulations

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governing how this work is performed is also identical. The salaries are set in succession based on each level. Finally, the training required for the series is successive. To divide the representation of this series would promulgate different MOU provision, standards and language interpretation. This would cause internal conflict among a classification series and disrupt the flow of work in the departments.

Based on the foregoing, the Employee Relations Officer determined that the new job classifications of Family Services Specialist I, II, III, and IV be assigned to bargaining unit B and the Family Services Supervisor classification would be assigned to bargaining unit 5. Both of these bargaining units are represented by SCEA

In accordance with Stanislaus County Code 3.68.230 Mr. Wilson notified both unions of this decision. Additionally, Mr. Wilson met with representatives from SEIU Local 535 to discuss this decision. Pursuant to Stanislaus County Code 3.68.260, SEIU Local 535 appealed this decision. The Ordinance provides that any appeal of bargaining units must be heard by your Board.

POLICY
ISSUE:

The Board of Supervisors should consider the effect of this bargaining unit designation and appeal on the policy direction and priorities for the organization.

STAFFING
IMPACT:

There is no impact on staffing resulting from this designation.