

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

DEPT: Chief Executive Office

BOARD AGENDA # *B-6

Urgent

Routine

AGENDA DATE November 20, 2007

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Declaration of Impasse and Approval to Implement the Last, Best and Final Offer From the County to the Lieutenant and Custodial Lieutenant Bargaining Unit Represented by the Stanislaus County Sheriff's Management Association

STAFF RECOMMENDATIONS:

1. Declare impasse in the negotiations between the County and the Stanislaus County Sheriff Management Association in accordance with Employee Relations Ordinance 3.68.370.
2. Implement the salary provisions of the County's last, best and final offer for the period of March 1, 2007 through February 28, 2008, pursuant to Government Code section 3505.4.

FISCAL IMPACT:

The total fiscal impact of the recommended salary adjustment is approximately \$48,000 for the remainder of Fiscal Year 2007-2008. Budget adjustments as a result of this fiscal impact will be considered during the 2007-2008 Mid-Year Budget process.

BOARD ACTION AS FOLLOWS:

No. 2007-919

THIS ITEM WAS REMOVED FROM THE AGENDA

DISCUSSION:

The Stanislaus County Sheriff's Management Association (SCSMA) represents approximately 18 Lieutenant and Custodial Lieutenant employees in the Sheriff's Department. The County has been in negotiations with SCSMA to reach a new labor agreement since the expiration of the existing agreement on February 28, 2007. While the parties have conducted multiple negotiation sessions in good faith, both sides acknowledged on June 14, 2007 an impasse in negotiating unresolved union issues. Unresolved issues from the union include salary and wage compaction, professional development, retiree medical trust, management leave, uniform allowance, vacation leave conversion, sick leave conversion, deferred compensation, bilingual compensation, POST certification pay, assignment pay and merit pay system. The County has offered SCSMA a salary package consistent with all other recently negotiated agreements and salary increases approved for unrepresented employees. A summary of the County's last, best and final salary offer and the union's final salary proposal is provided in Attachment A.

The County and SCSMA agreed to attempt resolution of the impasse through a mediation session conducted on July 16, 2007. The mediation session and additional meetings and discussions with both parties were unsuccessful in resolving the negotiation impasse. County Ordinance 3.68.370 provides for this matter to now be referred to the County Board of Supervisors to "...take such action regarding the impasse as it in its discretion deems appropriate in the public interest."

Government Code section 3505.4 authorizes a public agency, after the exhaustion of impasse procedures, to implement its last, best and final offer. It is recommended that the Board declare a final impasse in negotiations with SCSMA and implement the salary provisions of the County's last, best and final offer delivered in negotiations. The final impasse in negotiations will be effective up to 12 months from the expiration of the prior agreement. The County will initiate new negotiations with SCSMA in February 2008. The County will be without a labor agreement with SCSMA during this time, however the existing terms and conditions of employment will continue in the absence of a new agreement. It is recommended that the Board provide the members of the bargaining unit a 3% salary adjustment effective the first full pay period following Board approval, consistent with the County's last, best and final offer for a 12 month agreement.

POLICY ISSUES:

Approval of this request supports the Board's priority of promoting efficient delivery of public services.

STAFFING IMPACT:

The approval of the recommendations will declare a final impasse in negotiations with SCSMA and will provide a 3% salary increase consistent with the County's last, best and final offer for a 12-month agreement.

Attachment A

**Stanislaus County/SCSMA Negotiations
Final Economic Proposals
November 2007**

| | County 12-month Option | County 24-month Option | County 36-month Option | County 48-month Option | Union Final Offer |
|-----------------------|---|--|---|--|---|
| Term | Twelve (12) months | Twenty Four (24) months | Thirty Six (36) months | Forty Eight (48) months | Thirty Six (36) months |
| Dates | March 1, 2007 - February 28, 2008 | March 1, 2007 - February 29, 2009 | March 1, 2007 - February 28, 2010 | March 1, 2007 - February 28, 2011 | March 1, 2007 - February 28, 2010 |
| Wage Increases | 3% - First full pay period following Board approval | 3% - First full pay period following Board approval 3% - First full pay period Jan 2008 | 4% - First full pay period following Board approval 3.5% - First full pay period Jan 2008 3% - First full pay period Jan 2009 | 4% - First full pay period following Board approval 3.5% - First full pay period Jan 2008 3% - First full pay period Jan 2009 3% - First full pay period Jan 2010 | 4% - First full pay period Dec 2007 6.5% - First full pay period Aug 2008 5% - First full pay period Jul 2009 |