

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

DEPT: Chief Executive Office

BOARD AGENDA # *B-13

Urgent

Routine

AGENDA DATE October 21, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Agreement with the Stanislaus County Deputy Probation Officers' Association Regarding the Implementation of a New Canine Program

STAFF RECOMMENDATIONS:

Approve the agreement with the Stanislaus County Deputy Probation Officers' Association to provide additional compensation for employees assigned as Canine Handlers in the Probation Department.

FISCAL IMPACT:

Cost for additional employee compensation is estimated to be \$6,000 to \$7,000 annually, depending on the assigned employee, and will be covered within the existing Probation Field Services budget. Appropriations of \$15,000 to acquire the canine have been previously encumbered by the department, and \$4,000 has been expended to retrofit a vehicle with an appropriate cage for field work. Additional costs for food, medical care and training are estimated to not exceed \$5,000 annually and are included in the Fiscal Year 2008-2009 budget for Probation Field Services.

BOARD ACTION AS FOLLOWS:

No. 2008-730

On motion of Supervisor DeMartini, Seconded by Supervisor Grover
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice-Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION: THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR AND PLACED ON NON-CONSENT FOR DISCUSSION AND CONSIDERATION

ATTEST:


ELIZABETH A. KING, Assistant Clerk

File No.

DISCUSSION:

The Stanislaus County Probation Department is planning to implement a canine program to assist in narcotics detection during probation searches. The new program will begin with the purchase of a trained drug detection canine in Fiscal Year 2008-2009. The canine will be used to assist Deputy Probation Officers in residential and vehicle searches, anti-gang narcotic search operations and public education presentations. The implementation of this program requires the Probation Department to assign one Deputy Probation Officer as a Canine Handler to maintain responsibility for the canine during normal working hours and off duty hours. Canine Handlers are required to attend additional training and are responsible for the canine's care and upkeep.

The Stanislaus County Sheriff's Department is the only other County department currently utilizing a similar canine program. The County has previously negotiated an agreement with Deputy Sheriffs assigned as Canine Handlers to provide additional compensation in the amount of 2.5% of base pay in recognition of this increased responsibility. Canine Handlers are also provided an additional 18 minutes of paid time per day to care for their assigned canines during off duty hours. This additional compensation is provided to maintain compliance with the Fair Labor Standards Act and other court decisions requiring appropriate compensation for off-duty care.

This agenda item recommends providing the same level of compensation to Deputy Probation Officers assigned as Canine Handlers as is currently provided to Deputy Sheriffs. The recommended agreement (Attachment I) also includes language that will automatically adjust the level of compensation for Deputy Probation Officers if the compensation for Deputy Sheriffs is also adjusted. Approval of the recommended agreement will ensure that all public safety employees in Stanislaus County assigned as Canine Handlers will receive equal compensation for this increased responsibility. The Stanislaus County Deputy Probation Officers' Association has expressed their support for the terms of the recommended agreement.

POLICY ISSUE:

Approval of this agreement will allow the Probation Department to proceed with the implementation of a new canine program in support of the Board's stated priority of A Safe Community.

STAFFING IMPACT:

There is no staffing impact associated with this item.

BOARD OF SUPERVISORS

2009 OCT 08 A 10:20

ATTACHMENT I
AGREEMENT
BETWEEN COUNTY OF STANISLAUS
AND
STANISLAUS COUNTY DEPUTY PROBATION OFFICERS' ASSOCIATION

RE: IMPLEMENTATION OF CANINE SPECIAL ASSIGNMENT

Pursuant to this agreement between the County of Stanislaus (County), and the Stanislaus County Deputy Probation Officers' Association (DPOA), the parties agree as follows:

Whereas, the Stanislaus County Probation Department intends to implement a new canine program which will require one Deputy Probation Officer to be assigned as a Canine Handler; and

Whereas, the County recognizes the duties of a Canine Handler as a special assignment with other County bargaining units but does not recognize this special assignment in the current Memorandum of Understanding between the County and DPOA.

Now therefore, the parties agree to recognize the assignment of Canine Handler as a special assignment under the same conditions as provided to Deputy Sheriff Canine Handlers, including the following:


1. Additional compensation in the amount of two and one-half percent (2.5%) of base pay shall be paid for the Canine Handler assignment.
2. The parties agree that pursuant to the terms and conditions set forth in a prior Settlement Agreement Relating to Canine Handlers ("Canine Agreement"), each represented employee who is assigned as a canine handler and has a dog assigned to his or her care, training, and upkeep, shall be paid eighteen (18) minutes per day at the regular rate of pay for care, grooming and transportation. This work when performed over and above the designated work period, shall be compensated at time and one half of the canine handler's regular rate of pay. All other terms and conditions set forth in the Canine Agreement remain in full force and effect.

The parties further agree that should the amount of daily time provided for care, training and upkeep change for Canine Handlers under the Deputy Sheriffs'


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agreement, this same change will apply to employees under the DPOA
agreement with the same effective date.

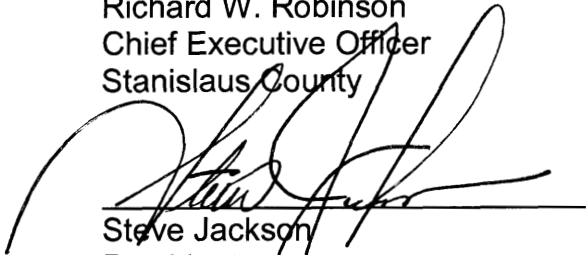
Agreed to this 27th day of October, 2008



Richard W. Robinson
Chief Executive Officer
Stanislaus County



Jerry Powers
Chief Probation Officer
Stanislaus County



Steve Jackson
President
Deputy Probation Officers' Association

Approved as to Form:



Edward Burroughs
Assistant County Counsel