

BOARD ACTION SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA:5.B.13
AGENDA DATE: October 9, 2018

SUBJECT:

Approval of the Labor Agreement Between the County of Stanislaus and the Stanislaus County District Attorney Investigators Association

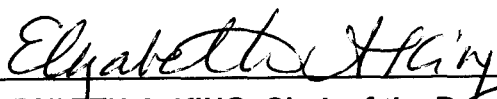
BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0508

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow
and approved by the following vote,
Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:



ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:5.B.13
AGENDA DATE: October 9, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of the Labor Agreement Between the County of Stanislaus and the Stanislaus County District Attorney Investigators Association

STAFF RECOMMENDATION:

1. Approve the provisions contained within the tentative agreement reached between the County and the Stanislaus County District Attorney Investigators Association bargaining unit.
2. Amend the "Salary and Position Allocation Resolution" to reflect the changes included in the tentative agreement.
3. Authorize the Chairman of the Board of Supervisors and all parties to sign the agreement.

DISCUSSION:

The prior agreement between the County and the Stanislaus County District Attorney Investigators Association (SCDAIA) representing the County's Criminal Investigators bargaining unit expired on June 30, 2018. SCDAIA represents approximately 15 Criminal Investigators assigned to the District Attorney's Office.

Negotiations between the County and SCDAIA began on February 27, 2018 and included many important issues for employees and management. The parties worked together to reach tentative agreement on most issues but were unable to reach an agreement for two key issues: salary increases and vacation accruals. On June 18, 2018 the parties declared impasse; the County's Employee Relations Officer/Chief Executive Officer heard the matter on July 18, 2018. The parties met with a mediator from the State of California Public Employment Relations Board (PERB), State Mediation and Conciliation Service on October 2, 2018. While the mediation session did not result in a tentative agreement, the parties continued to discuss proposals throughout the week. On October 4, 2018 SCDAIA notified the County that an agreement had been reached for a successor Memorandum of Understanding (MOU) through June 30, 2021.

The agreement with SCDAIA provides a total of a nine percent (9%) base wage increase over approximately three (3) years. Three percent (3%) base salary increases

are effective the full pay period following Board of Supervisors' adoption of the successor MOU, the first full pay period following March 1, 2019, and the first full pay period following July 1, 2020. Additionally, the tentative agreement includes increasing Christmas Eve from a four-hour holiday to an eight-hour holiday contingent upon the holiday falling on an employee's regular work day. The parties also reached agreement to increase call-back pay from three hours to four hours when an employee is called in from off duty to duty and included provisions to compensate Criminal Investigators when called to answer calls from home similar to many other County agreements.

Other language clean-up provisions or deletion of outdated language include various sections of the Memorandum of Understanding such as deleting outdated Special Accrued Leave Time (SALT) language and clarifying how unpaid leaves of absence affect vacation accrual rates. The tentative agreement summary is attached to this agenda item. Unless specifically stated, all negotiated agreements are effective upon approval of the Board of Supervisors.

POLICY ISSUE:

The Board of Supervisors should consider the effect of this labor agreement on the fiscal and policy direction and priorities of the organization.

FISCAL IMPACT:

The new agreement between the County and SCDAIA covers approximately thirty-three (33) months and is effective upon Board of Supervisors approval through June 30, 2021. The total estimated cost of the agreement is \$391,738. Cost increases per year include \$66,523 in Fiscal Year 2018-2019, \$129,156 in Fiscal Year 2019-2020 and \$196,059 in Fiscal Year 2020-2021. Approximately 86.6% of the estimated costs are attributed to the General Fund. If necessary, the District Attorney's Office will make any required budget adjustments during the 2018-2019/2019-2020 Budget reporting process.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this agreement supports the Board's priority Delivering Efficient Public Services by enhancing the County's ability to recruit and retain staff in the majority of County departments.

STAFFING IMPACT:

There is no impact on staffing resulting from the terms of this agreement.

CONTACT PERSON:

Tamara Thomas, Human Resources Director, 209-525-6333.

ATTACHMENT(S):

1. SCDAIA Agreement Chart

**Stanislaus County District Attorney Investigators Association (SCDAIA) Negotiations
Tentative Agreement
October 5, 2018**

Term	Approximately 33-months – upon Board of Supervisors approval through June 30, 2021
Base Salary Increases	Effective the first full pay period following bargaining unit ratification and BOS approval on the regular agenda – 3% Effective the first full pay period following March 1, 2019 – 3% Effective the first full pay period following July 1, 2020 – 3%
Holiday Hours Increase	Section 8A Holidays-Extends Christmas Eve to 8 hours when the holiday falls on an employee’s regular work day effective December 24, 2018
Call-Back	Increased call-back from three hours to four hours when an employee is called in any official call-back situation. Added language to compensate Investigators who take calls and related work from home by minutes worked.
Language Clean Up	<ul style="list-style-type: none"> • Section 7A deleted outdated salary deduction language. • Section 7G deleted outdated POST Certificate language. • Section 8D clarified limited cash conversion payments including provisions for individuals with an irrevocable notice of retirement in the next 12 months. • Section 11 Leaves of Absence clarified job/benefit protected unpaid leaves of absence will not cause an employee’s eligibility for increased vacation accruals to be postponed.
Other Changes	The County and SCDAIA reviewed, formatted, and made applicable changes throughout the entire MOU.

The complete language for all tentative agreements is located in the Memorandum of Understanding (MOU) between the County and Stanislaus County District Attorney Investigators Unit (SCDAIA). This document is intended to summarize the changes in the MOU agreed to in the negotiations process. The language in the MOU represents the final binding terms of the agreement between the parties. All changes are effective the first full pay period after Union ratification and upon Board approval unless otherwise noted.