

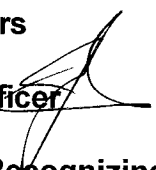
County of Del Norte County
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AGENDA DATE: April 12, 2016

TO: Del Norte County Board of Supervisors

FROM: Jay Sarina, County Administrative Officer 

SUBJECT: Approve and Adopt a Resolution Recognizing Unrepresented Mid-Management Classification.

RECOMMENDATION FOR BOARD ACTION:

Approve and adopt a Resolution recognizing the newly created Mid-Management Employee Bargaining Unit.

SUMMARY:

On March 24, 2016 the State of California Public Employee Relations Board State Mediation conducted the final election for the Mid-Managers Employee Association. The results of the election were favorable for the group of Mid-Management employees. There were a total of 33 affected employees that were invited to participate in the election. After ballots were sent, there were a total of 27 completed ballots returned. The total number voting in favor of the Del Norte Mid-Managers Employee Association was 26, with one vote for No Organization.

The results of said election are clear that said group wishes to be recognized as a separate bargaining unit.

We are therefore asking that the Board of Supervisors approve and adopt a Resolution recognizing this newly created Mid-Management Employee bargaining unit.

ALTERNATIVE:

Not approve and adopt the Resolution.

FINANCING:

No financial impact to the County.

CHILDREN'S IMPACT STATEMENT:

This section meets 0 of the following outcome measures for children in Del Norte County:

- Children ready for and succeeding in school.
- Children and youth are healthy and preparing for adulthood.
- Families are economically self-sufficient.
- Families are safe, stable and nurturing.
- Communities are safe and provide a high quality of life.
- No impact to Children as a result of this action.

OTHER AGENCY INVOLVEMENT:

SIGNATURE REQUIRED:

ADMINISTRATIVE SIGN-OFF:

- AUDITOR:
- COUNTY ADMINISTRATIVE OFFICER:
- ASSISTANT COUNTY ADMINISTRATIVE OFFICER:
- COUNTY COUNSEL:
- PERSONNEL:
- OTHER DEPARTMENT:

COUNTY OF DEL NORTE
STATE OF CALIFORNIA
BOARD OF SUPERVISORS

RESOLUTION NO.

A RESOLUTION ESTABLISHING BENEFITS FOR
UNREPRESENTED MID-MANAGERS CLASSIFICATIONS

WHEREAS, the benefits described herein are those assigned by the Del Norte County Board of Supervisors those mid-management classification allocated, on a permanent full time basis, to those positions that function as Mid-Managers. The mid-management classifications are limited to:

Accountant/Auditor
Administrative Assistant
Administrative Analyst
Assistant Road Superintendent
Building Official/Senior Inspector
Clinical Services Manager
Emergency Services Manager
Fiscal Manager
Health Services Program Manager
Program Manager
Road Superintendent
Staff Services Manager
Supervising Deputy Probation Officer

WHEREAS, the classification of the above listed positions is responsible for the day to day management and operation of functional units of the corresponding Departments and report directly to the appointed or elected department head or other assistants, and;

WHEREAS, such classifications are not included within any bargaining unit of county employees for purposes of establishing wages, hours, working conditions and benefits, and positions classified as mid-management are exempt from the overtime provisions of the State and Federal Fair Labor Standards Acts (FLSA). They are considered "salaried" as opposed to "hourly" employees and therefore, are not entitled to any additional compensation for hours worked in excess of eight (8) hours per day or forty (40) hours per week, and;

WHEREAS, it is expected that mid-management classified employees will generally work forty (40) hours (if not more) per week and be present at their office during regular business hours. Mid-Management employees are allowed to flex time within the pay period rather than the work week.

WHEREAS, it is necessary to establish such wages, hours and working conditions and benefits separate and apart from those created by memoranda of understanding for employees who are members of other recognized bargaining units, and;

WHEREAS, nothing in this assignment resolution is intended to restrict or enlarge any of the rights of the parties reserved to themselves in Resolution 76-176, or to restrict or enlarge any of the rights under Federal or State law,

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors of the County of Del Norte hereby establishes the following benefits for the classification of Mid-Managers in the following departments:

Auditor/Controller
Administration
Probation
Health and Human Services
Community Development

1. Base salaries for the classification of Mid-Manager are those which are established by the Board of Supervisors and are to be stated as bi-weekly amounts. These base salaries are subject to adjustment according to a merit plan as adopted by the Board of Supervisors from which, at the discretion of the Department Head, Mid-Managers shall become eligible for a 5% merit increase in compensation to step F, G or H as outlined in the most recent salary schedule. The department head may bestow Step I on a Mid-Manager that has achieved 25 years of continuous service as an employee of the County of Del Norte as reflected in the salary schedule and step J for an employee achieving 30 years of continuous service with the County of Del Norte as reflected in the salary schedule.
2. Salaries established for the classification of Mid-Managers, including any extra compensation provided for specific duties, shall be increased by the same cost of living increase which is granted to those employees who are members of the Del Norte County Employees Association/SEIU Local 1021 miscellaneous bargaining unit, and of which the Del Norte County Employees Association/SEIU Local 1021 is the bargaining agent.
3. The same health plan which is provided to the Del Norte County Employees miscellaneous bargaining unit shall be provided to Mid-Managers. The cost of such health plan for the classification of Mid-Managers shall be the same percentage as that charged to members of the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit. Dependents of Mid-Managers may be included in the plan at the option of the Mid-Manager. The cost of dependent health care coverage shall be on the same basis as that coverage provided to members of the Del Norte County Employee's Association/SEIU LOCAL 1021 miscellaneous bargaining unit.

Upon separation from the County at the minimum retirement age or older, the Mid-Manager shall have the ability to continue participation in the County Health Plan at the same rate set by the County for retired persons formerly represented by the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit. Mid-Managers with twenty five (25) years of total service to Del Norte County are entitled to participate in the County health insurance program at no cost upon retirement with Del Norte County until such time they are eligible for Medicare benefits at which time participation in the County health insurance program will be at the same rate as set from time to time by the County for other retired employees formerly represented by the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit. Inclusion of any dependents is at the option of the Mid-Manager at date of separation, and at the cost to Mid-Manager on the same basis as to members of the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit.

4. Each Mid-Manager shall be provided with group life insurance coverage equivalent to the same benefit as provided for all employees and include additional coverage equal to the amount of the then current annual salary payable to such classification. Life insurance coverage premiums shall be paid by the County.
5. Membership in the Public Employees Retirement System shall be as provided by law and contract. To the extent permitted by law and contract, retirement benefits for the classification of Mid-Managers shall be the same as those benefits provided to employees in their respective departments or offices. The County shall report the value of employer paid member contribution (EPMC) to PERS as special compensation pursuant to Government Code Section 20636(c)(4) for purposes of calculating retirement benefits.
6. The classification of Mid-Manager shall have the following vacation benefits:
 - Five (5) days (40 hours) during the first (1) year of continuous service with Del Norte County;
 - Ten (10) days (80 hours) per year for two (2) through five (5) years of continuous service;
 - Fifteen (15) days (120 hours) per year for six (6) through ten (10) years of continuous service;
 - Twenty (20) days (160) hours per year for eleven (11) through fifteen (15) years of continuous service;
 - Twenty-Five (25) days (200 hours) per year for sixteen (16) or more years of continuous service.

These positions are additionally entitled to five (5) days of vacation time (40 hours) annually as budgeted.

7. The classification of Mid-Managers shall receive holidays and "floating" holidays as provided to employees in the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit. Mid-Managers who work on holidays shall not receive any additional compensation for such work.
8. Sick leave accrual shall be the same as that provided to employees in the Del

- Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit. Sick leave may be accrued without limit. The classification of Mid-Manager shall be entitled to pay-off or retirement credit of sick leave the same as provided to employees in the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit.
9. The classification of Mid-Manager shall be entitled to family bereavement leaves of absence to the same extent as employees in the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit.
 10. The classification of Mid-Manager shall receive the same transportation and travel reimbursement as employees in the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit.
 11. The classification of Mid-Manager may receive up to twenty four (24) hours of administrative leave per fiscal year. Administrative days must be used within the fiscal year in which they are received and use is at the discretion of the Department Head.
 12. Benefits which are provided to employees as required by law are also provided to the classification of Mid-Manager, unless specifically exempted from such benefit by applicable law or regulation.
 13. The Mid-Manager of Chapter President or designee shall also be granted up to twenty-four (24) hours paid release per month to conduct union business. At least twenty-four (24) hours' notice shall be provided. Additionally, up to eight (8) hours of paid release time for the Chapter President or designee to attend meetings whenever something on the agenda affects the group or its members. This release time shall be without loss of compensation and shall not be accumulated. Also upon written request, with not less than ten (10) days advance notice, the County will release any employee without loss of pay to attend Mid-Manager Group related functions or activities for a period not to exceed five (5) business days. The Mid-Manager Group is entitled to use County facilities including computers, networks, email, phones and interoffice mail for official communications. This use shall be limited in scope and time to actual release or break time and shall not include any long distance phone charges. The Mid-Manager Group is also entitled to paid release time for any scheduled bargaining sessions, independently of any release time discussed above and additional time as needed for meetings of the Mid-Manager Bargaining Team, not to exceed two (2) hours per scheduled bargaining session.
 14. Benefits which are provided to the classification of Mid-Manager through this resolution and which are also provided to employees pursuant to memoranda of understanding shall be subject to the same procedural rules applicable to such employee benefits,
 15. The classification of Mid-Manager shall be subject to the Evaluation Procedures, Layoff and Re-employment, Grievance Procedure, and Disciplinary Procedure as provided to employees in the Del Norte County Employees Association/SEIU LOCAL 1021 miscellaneous bargaining unit. The classification of Mid-Manager is not an at will classification.
 16. Except where the context otherwise determines or otherwise provides, the provisions of this resolution shall apply from March 24, 2016 and will thereafter

continue in effect until the Board of Supervisors takes action to modify or rescind this resolution.

17. The Mid-Manager Bargaining Group reserves the right to meet annually with the County to negotiate the contents of this resolution in a fair and equitable manner. The Mid-Manager Bargaining Group will pursue negotiation with the County in a manner similar to, and generally during the negotiation period of that of the Employees Association/SEIU Local 1021 miscellaneous bargaining unit. Any negotiations shall be initiated by written or oral contact between the Mid-Manager Group and the County.

BE IT FURTHER RESOLVED that this resolution replaces and supercedes all prior resolutions and policies on the subject of benefits for the unrepresented classifications allocated to the departments specifically listed above.

BE IT FURTHER RESOLVED that the Del Norte County Board of Supervisors does hereby assign the benefits described herein to the unrepresented classifications allocated to the departments specifically listed in this resolution, and

BE IT FURTHER RESOLVED, that this resolution can and may be revisited on an annual basis and may be replaced with new resolutions from time to time,

PASSED AND ADOPTED, this 26th day of April, 2016, by the following polled vote of the Board of Supervisors of the County of Del Norte.

AYES:

NOES:

ABSENT:

Gerry Hemmingsen, Chair
Del Norte County Board of Supervisors

ATTEST:

Kylie Heriford, Clerk
Del Norte County Board of Supervisors