



**COUNTY OF SAN LUIS OBISPO  
BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Human Resources	(2) MEETING DATE 1/14/2020	(3) CONTACT/PHONE Tami Douglas-Schatz, Human Resources Director (805) 781-5959	
(4) SUBJECT Submittal of a resolution approving the July 1, 2019 through June 30, 2022 Memoranda of Understanding between the County of San Luis Obispo and the San Luis Obispo County Employees' Association, Bargaining Unit 01 – Public Services Unit, Bargaining Unit 05 – Supervisory Unit, and Bargaining Unit 13 – Clerical Unit. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board of Supervisors adopt a resolution approving the July 1, 2019 through June 30, 2022 Memoranda of Understanding between the County of San Luis Obispo and the San Luis Obispo County Employees' Association, Bargaining Unit 01 – Public Services Unit, Bargaining Unit 05 – Supervisory Unit, and Bargaining Unit 13 – Clerical Unit.			
(6) FUNDING SOURCE(S) Departmental savings and/or unanticipated revenue.	(7) CURRENT YEAR FINANCIAL IMPACT \$3,198,336.00	(8) ANNUAL FINANCIAL IMPACT \$11,925,510.00	(9) BUDGETED? No
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW  Zachary A. Lute			
(18) SUPERVISOR DISTRICT(S) All Districts			



## COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Human Resources / Tami Douglas-Schatz, Human Resources Director  
(805) 781-5959

DATE: 1/14/2020

SUBJECT: Submittal of a resolution approving the July 1, 2019 through June 30, 2022 Memoranda of Understanding between the County of San Luis Obispo and the San Luis Obispo County Employees' Association, Bargaining Unit 01 – Public Services Unit, Bargaining Unit 05 – Supervisory Unit, and Bargaining Unit 13 – Clerical Unit. All Districts.

### **RECOMMENDATION**

It is recommended that the Board of Supervisors adopt a resolution approving the July 1, 2019 through June 30, 2022 Memoranda of Understanding between the County of San Luis Obispo and the San Luis Obispo County Employees' Association, Bargaining Unit 01 – Public Services Unit, Bargaining Unit 05 – Supervisory Unit, and Bargaining Unit 13 – Clerical Unit.

### **DISCUSSION**

The San Luis Obispo County Employees' Association (SLOCEA) has exclusive representation of County employees in classifications in Bargaining Unit (BU) 01 – Public Services Unit, BU05 – Supervisory Unit, and BU13 – Clerical Unit. There are currently 1,545 County employees represented by SLOCEA in these units, as follows:

- BU01 – Public Services Unit: 967 employees
- BU05 – Supervisory Unit: 208 employees
- BU13 – Clerical Unit: 370 employees

There is one Memorandum of Understanding ("MOU", also referred to as an agreement or contract) for each of these units, and the term of the current MOUs is from July 1, 2016 through June 30, 2018. SLOCEA represented employees have been without a contract since July 1, 2018.

SLOCEA and the County commenced negotiations for successor agreements on December 1, 2017 pursuant to the terms of the 2016-2018 MOUs. After several negotiation sessions the parties were unable to reach agreement for successor MOUs and proceeded to mediation and then to factfinding pursuant to the terms specified in those MOUs. After factfinding, the parties were able to reach a tentative agreement for successor MOUs, but the ratification vote on the tentative agreement failed and the agreement was not approved by the membership. After

the failed ratification vote further negotiations were not requested by SLOCEA, and impasse procedures were exhausted.

Pursuant to Government Code 3505.7, the County then imposed its last, best, and final offer on October 16, 2018. For more detailed information on the negotiations that commenced on December 1, 2017 and the imposition by the County, please refer to the October 16, 2018 Board of Supervisors' agenda item number 29<sup>1</sup>.

The County and SLOCEA resumed negotiations for successor MOUs on April 9, 2019. Throughout fifteen negotiation sessions, nearly half of the articles in the MOUs were under discussion. Discussions covered not only items related to employee compensation and the items related to what was imposed by the County in 2018, but also key issues around management and union rights specified in the MOUs. After approximately eight months of negotiations, the County and SLOCEA reached a new tentative agreement for successor MOUs on December 4, 2019. SLOCEA notified the County that the membership successfully ratified the agreement on January 2, 2020.

The new MOU for employees in the Public Services Unit is attached hereto as Attachment A, the new MOU for employees in the Supervisory Unit is attached hereto as Attachment B, and the new MOU for employees in the Clerical Unit is attached hereto as Attachment C. The key changes associated with the new MOUs are summarized below.

### **Term**

The term of the MOUs is for three years, from July 1, 2019 through June 30, 2022.

### **Wages**

Wage increases for Fiscal Year 2019-20:

- Effective the start of the pay period following Board of Supervisors approval of the agreements, all SLOCEA represented employees shall receive a 3.00% wage increase
- Effective the start of the pay period following Board of Supervisors approval of the agreements, certain classifications identified to be below market in base wages or with significant internal wage alignment issues shall receive equity increases in addition to the 3.00% wage increase above. The list of classifications receiving an equity increase and the amount of the equity increase are included in Appendix A of each attached MOU
- Effective the pay period following Board of Supervisors approval of the agreements, all SLOCEA represented employees shall receive a one-time payment of \$500

Wage increases for Fiscal Year 2020-21:

- Effective the pay period including July 1, 2020, all SLOCEA represented employees shall receive a 2.00% wage increase

Wage increases for Fiscal Year 2021-22:

- Effective the pay period including July 1, 2021, all SLOCEA represented employees shall receive a 2.00% wage increase

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<sup>1</sup> More information about the impasse procedures approved on October 16, 2018 can be found here: <https://agenda.slocounty.ca.gov/IIIP/sanluisobispo/agendaitem/details/9257>.

## **Pension**

Employees and the County will continue to split pension increases 50/50, except that for the term of the agreements only the employees' share of increases shall not exceed a total of 3%.

## **Healthcare**

Cafeteria contribution increases for employees with employee only medical coverage:

- Effective the first paycheck of January 2022 employees shall receive a \$15.00/mo. increase. This is an increase from \$750.58/mo. to \$765.58/mo.

Cafeteria contribution increases for employees with employee plus one dependent medical coverage:

- Effective the start of the pay period following Board of Supervisors approval of the agreements employees shall receive a \$25/mo. increase. This is an increase from \$1,025/mo. to \$1,050/mo.
- Effective the first paycheck of January 2021 employees shall receive an additional \$25/mo. This is an increase from \$1,050/mo. to \$1,075/mo.
- Effective the first paycheck of January 2022 employees shall receive an additional \$25/mo. This is an increase from \$1,075/mo. to \$1,100/mo.

Cafeteria contribution increases for employees with employee plus two or more dependent medical coverage:

- Effective the start of the pay period following Board of Supervisors approval of the agreements employees shall receive a \$30/mo. increase. This is an increase from \$1,250/mo. to \$1,280/mo.
- Effective the first paycheck of January 2021 employees shall receive an additional \$30/mo. This is an increase from \$1,280/mo. to \$1,310/mo.
- Effective the first paycheck of January 2022 employees shall receive an additional \$30/mo. This is an increase from \$1,310/mo. to \$1,340/mo.

For employees enrolled in the High Deductible Health Plan:

- Effective the first paycheck of January 2022 the County will provide a Health Savings Account match of \$750 per employee per year

## **Standby Duty**

The standby rate for employees assigned to the Suspected Abuse Response Team (SART) shall be increased from \$3.35/hr. to \$3.75/hr. effective the start of the pay period following Board of Supervisors' approval of the agreements.

## **Consultation Standby**

The rate for employees placed on consultation standby shall be increased from \$25/mo. to \$100/mo. effective the start of the pay period following Board of Supervisors' approval of the agreements. Employees who are on consultation standby will also be paid their regular rate of pay for any calls that they receive while on consultation standby. If an employee is called more than twenty-six times over a three-month period, the employee will be removed from consultation standby and placed on regular standby. The MOU language is also revised to provide clarity on the proper use of consultation standby.

### **Call Back/Call In**

Employees who are called back to work by management after their work shift ends, and who report for duty on site shall be paid or earn compensating time off at the rate of time and one-half with a minimum of two hours paid time for each occurrence. Employees who are called upon by management after their work shift ends to provide service by telephone or computer between the hours of 7:00 a.m. and 9:59 p.m. shall be paid or earn compensating time off at the rate of time and one half in thirty-minute increments. Employees who are called upon to provide service by telephone or computer between the hours of 10:00 p.m. and 6:59 a.m. shall be paid or earn compensating time off at the rate of time and one half with a minimum of two hours paid time.

### **Bilingual Pay**

Employees who are required to use bilingual skills on frequent but intermittent basis shall receive a differential of \$100/mo. This is an increase from the current \$60/mo. Employees who are required to use bilingual skills every day as a regular and routine part of the job shall receive a differential of \$150/mo. This is an increase from the current \$100/mo. These increases will be effective the start of the pay period following Board of Supervisors' approval of the agreements.

### **Health Agency Special Allowances**

Health Agency staff who are designated by management to be in temporary supervision of the Mental Health Inpatient Unit or Juvenile Services Center are currently eligible to receive a \$1.00/hr. differential while acting as a supervisor. Effective the start of the pay period following Board of Supervisors' approval of the agreements, this differential shall increase to \$3.00/hr.

Currently, Nurse Practitioner/Physician's Assistants working at the County Jail or Juvenile Services Center receive a \$4.00/hr. differential for hours worked in those locations, all other clinical staff at the Health Agency receive a \$2.00/hr. differential for hours worked in those locations, and all Health Agency staff working at the Mental Health Inpatient Unit receive a \$1.50/hr. differential for hours worked in that location. Effective the start of the pay period following Board of Supervisors' approval of the agreements, all Health Agency staff, not just clinical staff, working at the County Jail or Juvenile Services Center will receive a \$2.00/hr. differential for all hours worked in those locations, and the differential for employees working at the Mental Health Inpatient Unit will be increased to \$2.00/hr. Nurse Practitioner/Physician's Assistants will continue to receive the \$4.00/hr. differential for hours worked at the County Jail or Juvenile Services Center.

Health Agency Staff assigned to the Behavioral Health Community Action Team (BHCAT) for community outreach to individuals with mental health or substance use disorders shall receive a 5% differential for all hours worked providing services to the community or clients while in the field or at the County Jail, Juvenile Services, or Mental Health Inpatient Unit<sup>2</sup>. Employees are not eligible to receive this differential in addition to the \$2.00/hr. differential specified above. This differential shall be effective the start of the pay period following Board of Supervisors' approval of the agreements.

### **Uniform and Boot Allowance**

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<sup>2</sup> For more information on the Behavioral Health Community Action Team, see the May 15, 2019 article from the County Health Agency: <https://www.slocounty.ca.gov/Departments/Health-Agency/Behavioral-Health/Behavioral-Health-Department-News/Behavioral-Health-Department-Introduces-New-Grant.aspx>.

Employees in the classification of Airports Operations Specialist will receive a \$145/yr. uniform allowance and a \$200/yr. boot allowance. These allowances will be paid starting the first pay period of the fiscal year following Board of Supervisors' approval of the agreements.

### **Cannabis Enforcement**

The County will provide Resource Protection Specialists who are required to conduct field compliance checks for Cannabis Activities with the appropriate equipment, training, and resources, and will develop appropriate safety protocols as determined necessary by the County Sheriff or Director of Planning and Building for the safe completion of compliance checks. Employees will also receive a 4% differential for all hours worked in the field conducting compliance checks effective the start of the pay period following Board of Supervisors' approval of the agreements.

### **Clarification and Cleanup Language**

The new agreements also provide various minor clarifications and updates:

- Renegotiation – revises the start date and requirements for commencing successor negotiations
- Market wage survey – deletes this language from the MOUs. SLOCEA and the County retain the ability to conduct a wage survey in preparation for or as part of negotiations. SLOCEA and the County have historically not come to full agreement on all the elements of the wage surveys, and the existing language allows for a process in the event the parties to not reach agreement. This procedural language in the MOUs is unnecessary since both SLOCEA and the County have the right to conduct their own wage surveys, therefore this language is being deleted
- Shift differential eligibility – clarifies that employees who, with department head approval, flex their schedules for personal reasons that result in working into designated paid shift differential hours will not be eligible for shift differential
- Annual leave program – clarifies the pro-ration of the annual leave benefits for part-time employees
- Mileage reimbursements for travel to a temporary work location – clarifies that mileage reimbursement and compensation for temporary work location changes, use of personal vehicles on County business, or travel on County business will be in accordance with the County Travel Policy
- Use of personal cell phones for work – clarifies that employees are not required to use their personal cellphones for County business except for exigent circumstances, and that if employees do use their personal cell phone for County business they will be reimbursed according to the County Use Policy for Cellular Telephone and Tablet Devices (Mobile devices)
- Housing Agreement – updates for current rental rates and to clarify the provisions
- Legislative compliance updates and other minor updates to the MOU language

### **OTHER AGENCY INVOLVEMENT/IMPACT**

The Labor Committee (consisting of representatives from the Administrative Office, Auditor-Controller, County Counsel, Health Agency, Human Resources, and Library) participated in the development of these agreements. Representatives from all County departments and the Pension Trust provided operational input related to the changes negotiated in the new agreements. County Counsel has reviewed and approved the resolution for form and legal effect. The Auditor's Office and Human Resources will process the system changes needed to implement these agreements.

### **FINANCIAL CONSIDERATIONS**

The increased costs associated with the provisions of the new MOUs as compared to current year expenses are shown in the table below.

Item	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Annual Ongoing
Wages	\$3,029,010	\$8,211,055	\$11,066,810	\$11,066,810
Healthcare	\$57,846	\$208,080	\$447,330	\$590,220
Standby and Consultation Standby	\$1,739	\$4,171	\$4,171	\$4,171
Call Back/Call In	\$14,682	\$35,913	\$36,631	\$36,631
Bilingual Pay	\$70,406	\$168,840	\$168,840	\$168,840
Health Agency Special Allowances	\$20,240	\$48,697	\$48,861	\$48,861
Uniform and Boot Allowance	\$690	\$690	\$690	\$690
Cannabis Enforcement	\$3,723	\$9,106	\$9,288	\$9,288
Total Increases to Current Costs	\$3,198,336	\$8,686,551	\$11,782,620	\$11,925,510

In June 2019, the Board of Supervisors approved pension increases for Fiscal Year 2019-20. Those increases are already included in the FY 2019-20 budget. The costs associated with any pension contribution increases scheduled for subsequent years will be presented to the Board for approval prior to the implementation of those increases.

Departmental savings and/or unanticipated revenue will be the primary source of funding for unbudgeted expenditures associated with the compensation increases. To the extent departmental savings are not available to cover the amount, staff will recommend that your Board authorize a transfer of the deficit amount out of the General Fund Contingencies to the departments' operating budgets, as needed, as part of the third quarter report. Third quarter is when many such year-end adjustments are made.

**RESULTS**

Approval of this resolution will establish new MOUs with SLOCEA BU01 – Public Services Unit, BU05 – Supervisory Unit, and BU13 – Clerical Unit, effective from July 1, 2019 through June 30, 2022. The terms and conditions outlined in these MOUs are consistent with the Board's direction to stabilize the County's overall budget and share in pension rate increases. Approval of this resolution ensures the County is in compliance with Government Code 3500, which mandates good faith collective bargaining to reach agreements, and contributes to a results-oriented, well-governed community. Employee compensation adjustments are negotiated with the intent to balance what the County can afford with providing competitive salary and benefits to attract and maintain a high-performing workforce.

**ATTACHMENTS**

- 1 Resolution
- 2 Attachment A - SLOCEA Public Services Unit (BU01) MOU 2019-2022
- 3 Attachment B - SLOCEA Supervisory Unit (BU05) MOU 2019-2022
- 4 Attachment C - SLOCEA Clerical Unit (BU13) MOU 2019-2022