

RESOLUTION NO. 2012 - 15

RESOLUTION OF SAN BENITO COUNTY BOARD OF SUPERVISORS
REGARDING COMPENSATION AND BENEFITS FOR THE
UNREPRESENTED EMPLOYEE GROUPS

WHEREAS, the Appointed Department Heads, Confidential Management and Confidential Employees are defined as those classifications found in Attachment "A"; and

WHEREAS, the Employees listed in Attachment "A" are not represented by any employee organization or represented bargaining group under the Meyers-Milias Brown Act; and

WHEREAS, the San Benito County Board of Supervisors looks to these employees for leadership and example for other employees of the County; and

WHEREAS, the San Benito County Board of Supervisors strongly encourages other management employees and bargaining groups of the County to participate in the same or similar level of salary and benefit concessions and will continue to engage in good faith in the collective bargaining process with those units to address the County's budget concerns; and

WHEREAS, the San Benito County Board of Supervisors has historically been desirous of providing these employees with equitable compensation and benefits with regard to other county employees as County resources permit; and

WHEREAS, Federal, State and Local Governments have continued to be confronted with a dire economic environment for the past several fiscal years, resulting in the County's hardship to maintain basic County services to its residents; and

WHEREAS, the Board of Supervisors must seek and implement solutions to reduce costs, both short and long-term and reduce unfunded liabilities; and

WHEREAS, the San Benito County Board of Supervisors agrees to the changes intended to be effective at the beginning of the fiscal year 2012/2013.

NOW, THEREFORE BE IT RESOLVED, that the San Benito County Board of Supervisors hereby approves the compensation and benefit adjustments to the Unrepresented Employees outlined here in Attachment "B."

PASSED AND ADOPTED by the San Benito County Board of Supervisors, State of California, at the meeting of said Board held on the 3rd day of April 2012, by the following vote:

AYES: SUPERVISORS: DE LA CRUZ, BOTELHO, RIVAS, MUENZER, BARRIOS
NOES: SUPERVISORS: NONE
ABSENT: SUPERVISORS: NONE

BY: *Jaime De La Cruz*
JAIME DE LA CRUZ, CHAIR
San Benito County Board of Supervisors

ATTEST:

APPROVED AS TO LEGAL FORM:

By *Denise R. Thome* 4/3/12
Denise R. Thome DATE
Clerk of the Board

Barbara Thompson
Barbara Thompson DATE
Assistant County Counsel

ATTACHMENT "A"

APPOINTED DEPARTMENT HEAD CLASSIFICATIONS

Agricultural Commissioner/Sealer of Weights and Measures
Chief Probation Officer
County Administrative Officer
County Counsel
County Librarian
Director of Behavioral Health
Director of Health and Human Services Agency
Director of Integrated Waste Management
Director of Internal Services/Assistant CAO
Director of Planning and Building
Public Works Administrator

CONFIDENTIAL MANAGEMENT CLASSIFICATIONS

Accountant III (Auditor)
Accounting Manager
Assistant Auditor
Assistant County Administrative Officer
Assistant County Counsel
Clerk of the Board
Database Administrator
Deputy County Counsel I/II/III
Desktop Server Administrator
Human Resources Analyst
Information Systems Network Analyst
Information Technology Manager
Management Analyst I/II/III
Server Network Administrator

CONFIDENTIAL CLASSIFICATIONS

Accounting Clerical Supervisor (Auditor)
Assistant Clerk of the Board
Executive Secretary (CAO or County Counsel)
Executive Secretary/County Safety Program Coordinator
Human Resources Assistant I/II
Human Resources Technician
Information Technology Support Technician I/II/III
Legal Secretary (County Counsel)
Payroll Technician
Secretary I/II (County Counsel)
Secretary to the Board of Supervisors

ATTACHMENT "B"

VACATION ACCRUAL LIMITS

1. Employees' existing vacation balances and dollar values shall be "frozen" effective the last pay period in June 2012. Specifically, if any amount of leave is left in the "frozen" account at the time of separation, the employee will receive payment for the number of hours on the date of separation times the hourly rate on the "freeze" date in June 2012.
2. Starting with the first pay period in July 2012, employees shall accrue in a new and separate account vacation leave limited to two times the employee's annual accrual rate. The following is as also stated in the County's Personnel Rules and will apply to all employees in the Unrepresented Group: "However, the vacation accrual limit shall only be enforced as of December 31 of each year. The intent of this language is to allow employees to exceed their vacation accrual limit at other times during the year so long as they are within the accrual maximum at calendar year end. "
3. Vacation hours in both the frozen account and in the new accrual account shall be available for paid leave usage at the then current rate of pay at the employees' option, subject to Department Head approval of the time off.
4. Employees with balances in the "frozen" bank which exceed two times their annual accrual rates will make every effort to deplete their balance in that bank within two years. Employees will coordinate with their departments and other management in order to accomplish this goal while providing acceptable services to the public and proper supervisory coverage to other employees in the department. In the event that the "frozen" bank is not depleted to the target level of two times the employees' annual accrual rate by July 1, 2014, the County Administrative Officer will implement a mandatory usage schedule for those employees. The Board of Supervisors requires reporting of banked hours in frozen account no later than every six months beginning July 1, 2012.
5. All employees shall make every effort to use a minimum of 80 hours of vacation leave annually.

RETIREMENT CONTRIBUTIONS

Effective the first pay period in July 2012, Employees will contribute 4% of their pensionable income to their CalPERS retirement pension. Subsequently to the adoption of this resolution, the Board shall approve a separate resolution addressing said retirement contribution changes from the employer as required by the Public Employee Retirement Law (PERL).

FURLOUGHS

1. From July 1, 2012, through June 30, 2013, employees of all County departments will be subject to fifteen days of furlough (120 hours). Employees are responsible for ensuring that all days are taken within the fiscal year. There shall be no "rollover" of furlough days past July 1, 2013. These unpaid furlough days shall be considered "use it or lose it." Furloughs shall be implemented in conjunction with a "smoothing" effect on payroll.
2. Permanent and probationary employees subject to furloughs shall continue to accrue and maintain all employee benefits at the same rates and levels, subject to the Vacation Accrual Limits set forth above. Participation in the Employee Furlough Program shall not affect an employee's anniversary date.
3. The Board reserves the right to determine and approve which days will be observed as office closure days.

STEP FREEZE

Effective July 1, 2012 through June 30, 2013, there will be a moratorium on step increases. No employee will receive any regular or accelerated step advancement, nor shall employees be credited with time in towards step advancement during this period.

If any new employee (to the County) is hired during Fiscal Year 2012/2013, it is highly encouraged that all departments only hire at Step A of the salary range for the position.

EXISTING RIGHTS AND BENEFITS

All other rights and benefits afforded to unrepresented employee groups shall remain in full force and effect.

AGENDA ITEM TRANSMITTAL

Agenda Time Estimates:
10 Minutes or Consent

Leave Blank:

630

Date/Time Rec'd:

3/27/12 JP

TO: BOARD OF SUPERVISORS
FROM: Human Resources Division
Jacki Credico, Management Analyst

CONTACT FOR INFORMATION:
Name: Jacki Credico
Phone No: 636-4000

NUMBER OF CERTIFIED COPIES
REQUIRED:

MEETING DATE:
April 3, 2012

SUBJECT:
RESOLUTION REGARDING COMPENSATION AND BENEFITS FOR THE UNREPRESENTED EMPLOYEE GROUPS

(2) BACKGROUND INFORMATION (Attach additional pages if necessary):

County Appointed Department Heads, Confidential Management, and Confidential employees are not entitled to the same collective bargaining rights as union-organized employees. This group is referred to as the Unrepresented employees. Since Fiscal Year 2008/2009, all County employees who are funded by the general fund have either furloughed, had their salaries reduced, or had their salaries frozen (either by foregoing a step increase or delayed/deleted a scheduled salary increase). As the County's fiscal crisis continues and the Board is tasked with balancing the budget, the County Board of Supervisors has requested concessions by all employee groups. While it is not feasible to balance the budget by employee concessions alone, the County Board of Supervisors is desirous of attaining employee salary and/or benefits savings of approximately 10%. The Law Enforcement Management Group has tentatively agreed to a package of concessions saving approximately this percentage and this will be presented to the Board at a future date. The Board had previously directed the HR Management Analyst, Jacki Credico, to prepare and present a package with this level of savings for the Unrepresented Employees. After the Ad Hoc Budget Committee met with some of the employees in the Confidential/Confidential Management and Department Heads to hear their opinions and ideas, a Resolution that addressed all critical areas of concern and that achieved the savings desired by the Board was created. This resolution acknowledges that although these employees are not represented, they are the leaders of the County and the example-setters in a time of the county's financial need. This concession package includes a furlough of 15 days, which represents 5.77%, a vacation accrual limit, with a freeze on values as of July 1, 2012 and mandatory usage guidelines, a moratorium on step advancements (representing approximately 2.5%) and a CalPERS retirement contribution of 4% of the Employees' salary. All of these provisions become effective on the first pay period in July 2012, or July 1, 2012 where permissible. This is an average of 12.27% concession package for these employees and also is designed to decrease the County's unfunded liability for vacation payouts. Since the expectation is that all County employees give the same level of concessions, the County's negotiating team will continue to attempt to attain savings for Fiscal Year 2012/2013 with the other bargaining groups. Total group savings of \$338,927

Appointed Department Head Savings -\$165,000 for FY 2012/2013

Confidential Management/Confidential Employee Savings- \$173,927 for FY 2012/2013

(4) SUPPORTIVE DOCUMENTS RELATIVE TO THIS ITEM:

- Contract
 Ordinance
 Resolution
 Other:

(5) PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM:

Furloughs for FY 2011/2012 (Attached)

(6) FUNDING SOURCE(S):

Federal State and Local

(7) CURRENT YEAR COST:

\$

(8) ANNUAL SAVINGS:

\$ 338,927

(9) BUDGETED:

YES NO

(10) WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL? YES NO IF YES, STATE NUMBER:

Permanent Limited Term

(11) RECOMMENDED ACTION(S):

ADOPT RESOLUTION OF SAN BENITO COUNTY BOARD OF SUPERVISORS REGARDING
COMPENSATION AND BENEFITS FOR THE UNREPRESENTED EMPLOYEE GROUPS

SIGNATURE OF AGENCY OR DEPARTMENT AUTHORIZED REPRESENTATIVE

March 27, 2012

DATE

CLERK'S USE ONLY

- APPROVED DENIED ADOPTED CONTINUED TO _____
 ACKNOWLEDGED ACCEPTED RESOLUTION NO. 2012-15 OTHER _____
 SET PUBLIC HEARING APPOINTED ORDINANCE NO. _____ NO ACTION TAKEN _____

BY: Connie N. Thome
Deputy Clerk of the Board

DATE: 4/3/12

w/changes to Attachment B
page 1, # 4 under vacation accrual
limit: remove "have the authority to"
add "the Board of Supervisors requires reporting
of banked hours in frozen account no later
than every six months beginning July 1, 2012"

COPY ROUTING: BOARD - ORIGINATING DEPT. - AUDITOR

REVISED: 9/14/11

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