

APPROVED
as amended
 JUL 28 2011



BY *Maria Chiu*, deputy
 CLERK OF THE BOARD

AGENDA SUBMITTAL TO SOLANO COUNTY BOARD OF SUPERVISORS

Sept 4, 2011

ITEM TITLE: Consider adopting a resolution implementing the terms of the County's Last, Best, and Final Offer made to the Solano County Teamsters Chauffeurs & Helpers in Sacramento and Public, Professional & Medical Employees Union , Local #150 on June 15, 2011 for Unit #1, Attorneys, to be effective August 7, 2011 or as otherwise specified; and Consider adopting a second resolution for employer paid member contributions to CalPERS for Bargaining Unit #1 effective August 7, 2011 <i>Sept. 4, 2011</i>		BOARD MEETING DATE July 26, 2011	AGENDA NUMBER 21
Dept: Contact: Extension:	Human Resources Georgia L. Cochran, Interim Director of Human Resources Ext. 3406	Supervisorial District Number All	
Published Notice Required?		Yes _____	No <u> X </u>
Public Hearing Required?		Yes _____	No <u> X </u>

DEPARTMENTAL RECOMMENDATION:

Staff recommends the Board of Supervisors:

1. Adopt a resolution implementing the terms of the County's Last, Best, and Final Offer made to the Solano County Teamsters Chauffeurs & Helpers in ~~Sacramento and Public, Professional & Medical Employees Union~~, Local #150 on June 15, 2011 for Unit #1, Attorneys to be effective ~~August 7, 2011~~ or as otherwise specified.
Sept. 4, 2011
2. Adopt a resolution authorizing paying and reporting the value of the employer paid member contribution (EPMC) to CalPERS for Bargaining Unit #1 effective ~~August 7, 2011~~.
Sept. 4, 2011

SUMMARY:

Teamsters, Chauffeurs & Helpers in Sacramento and Public, Professional & Medical Employees Union, Local #150, met and conferred in an attempt to reach agreement over terms of a successor MOU, but have reached a point of persistent impasse. Negotiations between the parties began on November 1, 2010. Since that date the parties met on fourteen (14) occasions, including three (3) times in the presence of a state mediator. Unfortunately the parties were unable to reach agreement during this time. At the conclusion of a third mediation session June 15, 2011, the County provided the Union negotiators with a "last, best, and final offer" which was rejected by the union membership.

Unit #1 covers approximately 90 employees in the job classes of Child Support Attorney, Deputy District Attorney, and Deputy Public Defender.

FINANCING:

The table below lists the itemized costs or savings and the total savings to the County from implementation of this Last, Best and Final Offer:

Description	County Cost or (Savings)	
	FY 2011/12	FY 2012/13
3% reduction to EPMC effective August 7, 2011	(\$297,623)	(\$324,680)
Reimbursement/Allowances	\$6,600	\$7,200
Estimated Savings through Health Plan Contribution Changes	(\$18,511)	(\$31,733)
Temporary 5% Differential to Attorney V in the Dept of Child Support	\$7,058	\$7,700
Total (Savings)*	(\$302,476)	(\$341,513)
Total General Fund (Savings)*	(\$219,336)	(\$247,644)

*Furlough savings are not included as they have not yet been implemented by the Board.

These amounts have been included in the operating budgets for each department.

DISCUSSION:

The Memorandum of Understanding (MOU) with Unit #1, Attorneys, expired on January 8, 2011. In accordance with Section 3500 et seq. of the California Government Code, representatives of the County and the Solano County Teamsters Chauffeurs & Helpers in Sacramento and Public, Professional & Medical Employees Union, Local #150, met and conferred in an attempt to reach agreement over terms of a successor MOU, but have reached a point of persistent impasse.

On April 20, 2011, County representatives provided the Association with a "last and final offer." That offer was subsequently rejected by the union negotiators. The parties subsequently met three times with a mediator from the State Mediation and Conciliation Service to further attempts to reach agreement.. At the conclusion of the third mediation session on June 15, 2011, the County presented the union with the County's Last, Best, and Final Offer. The terms of this offer were rejected by a vote of the bargaining unit.

Therefore, after negotiations which have continued since November 1, 2010 or more than eight (8) months, and having made a last, best, and final offer which has been rejected by the union membership, County negotiators are submitting the terms of the County's "Last, Best, and Final offer" with a recommendation for adoption by the Board of Supervisors.

Given the fact that the Association has rejected the terms of the "Last, Best, and Final offer" these terms lack an expiration date. As a result, and consistent with California case law, the parties could resume negotiations at any time based on the request of either party. The terms of the "Last, Best, and Final" offer include:

1. Changes to the Merit Step increases, to standardize the time frames for employees to receive merit increases to completion of 26 bi-weekly pay periods. This lengthens the time it takes to reach the highest salary step. Also included is revised language such that merit increases are subject to an employee remaining in good standing.

2. Changes to Holiday/Attorney Time Off, deleting two floating holidays effective December 31, 2012 and adding 16 hours of additional attorney time off. These terms also extend the time frame in which an employee may take the optional holiday to the end of the first full pay period in January of the new year. (Currently most employees must take this holiday between Christmas Eve and New Year's Eve).
3. A second retirement tier of 2% @ 60 using the highest 36 months compensation for future employees. This provision will become effective upon the agreement of all other employee organizations representing employees who participate in the current 2.7% @ 55 retirement formula or upon the imposition of any terms and conditions of employment for employee organizations representing employees who participate in the current 2.7% @ 55 retirement formula.
4. Reductions in the Employer Paid Member Contribution (EPMC). Employees in this unit will pay an additional 3% EPMC, thereby paying the full cost of the employee share of PERS contributions.
5. Changes to the Health & Welfare Insurance, reducing the County's contribution toward the employee's cafeteria plan from 80% of the Kaiser Family rate to 75% of Kaiser's Family rate effective January 1, 2012.
6. Changes to the current provisions for reimbursement/allowances, converting the current business and professional reimbursement language to an allowance of \$25.00 per pay period (\$650/year from \$570/year).
7. Facility Closure (Furlough), upon action by the Board of Supervisors, the County has the ability to furlough employees up to 12 days per fiscal year.
8. Providing a temporary 5% differential to the Department of Child Support, Attorney V. While receiving this differential, the Attorney V will be required to supervise and evaluate other attorneys in the department.

ALTERNATIVES:

The Board could choose not to approve the terms of the "Last, Best, and Final" offer as contained herein, however, staff does not recommend that alternative since the Association has already rejected the County's last, best, and final offer.


OTHER AGENCY INVOLVEMENT:

The County Administrator's Office concurs with the recommendation. Human Resources consulted with the respective operating departments during the course of the labor negotiations.

CAO RECOMMENDATION:

APPROVE DEPARTMENT
RECOMMENDATION

DEPARTMENT HEAD SIGNATURE:



Georgia L. Cochran
Interim Director of Human Resources

Attachment A– Resolution Adopting the Terms of the County's "Last, Best, and Final Offer" to the Solano County Teamsters Chauffeurs & Helpers in Sacramento and Public, Professional & Medical Employees Union, Local #150 – Unit 1, Page 5

Exhibit 1.A - Attachment to Resolution – Terms of Last, Best and Final Offer of June 15, 2011 – Unit #1, Page 6

Attachment B– Resolution of the Solano County Board of Supervisors for Employer Paid Member Contributions, Page 7

Attachment C– Imposed Terms and Conditions of Employment (on file with the Clerk of the Board)