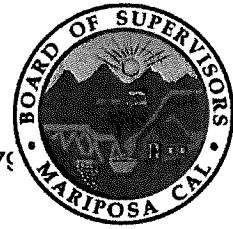




MARIPOSA COUNTY

Human Resources/Risk Management • (209) 742-1375



RESOLUTION - ACTION REQUESTED 2016-80

MEETING: February 16, 2016

TO: The Board of Supervisors

FROM: Steve Johnson, Human Resources Director - Risk Manager

RE: Approve a Side Letter of Agreement with SMA - Deputy Fire Chief Classification

RECOMMENDATION AND JUSTIFICATION:

Approve a Side Letter of Agreement with the Sheriffs' Management Association (SMA) which recognizes this unit as the recognized employee organization for the Deputy Fire Chief classification effective October 1, 2015 and authorize the Board of Supervisors Chair to sign the Side Letter of Agreement. The Deputy Fire Chief classification had been represented by the Mariposa County Managerial and Confidential Organization (MCMCO) until September 30, 2015.

Under the authority of the County's Employer/Employee Relations Policy (EERP), the County Administrative Officer made a determination that the SMA was the appropriate employee organization for the Deputy Fire Chief classification for bargaining unit representation because it is solely composed of peace officers. The Deputy Fire Chief classification is considered a peace officer classification. After informing the MCMCO and SMA representatives of her intention to modify the SMA employee organization by moving the Deputy Fire Chief classification into this unit, both organizations agreed to the modification and there was no appeal of her determination. This Side Letter of Agreement will formalize the SMA unit modification.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

From time to time, the Board of Supervisors enters into Side Letters with the bargaining units for various purposes.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The parties have already agreed to the modification under the authority of the EERP and this action is to formalize that agreement.

FINANCIAL IMPACT:

None on this action.

ATTACHMENTS:

SMA Side Letter of Agreement-Deputy Fire Chief (DOC)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodson
Mary Hodson, CAO 2/9/2016

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier

**Side Letter of Agreement between
Mariposa County and the Sheriffs' Management Association**

This Side Letter of Agreement is made a part of and incorporated into the Memorandum of Understanding dated October 1, 2015 through December 31, 2018 by and between the County of Mariposa (County) and the Sheriffs' Management Association (SMA).

Whereas, the Deputy Fire Chief classification had been represented by the Mariposa County Managerial and Confidential Organization (MCMCO), a non-peace officer employee organization, until September 30, 2015, and

Whereas, the County Administrative Officer made a determination pursuant to the authority of the Employer/Employee Relations Policy (EERP), specifically section 10.1 entitled "Policy and Standard for Determination of Appropriate Units," that the Deputy Fire Chief classification should be included in an employee organization composed solely of peace officers, explicitly, the SMA, and

Whereas, the County Administrative Officer informed the representatives of the MCMCO and SMA employee organizations of her intention to modify the MCMCO unit by moving the Deputy Fire Chief classification to the SMA unit and that the modification would be effective October 1, 2015, and

Whereas, there was no appeal of the unit modification within the applicable timeframe of the County Administrative Officer's determination;

Now, Therefore, the parties agree to the following:

1. Effective October 1, 2015, the County recognizes the SMA as the recognized employee organization for the regular, full-time classification of Deputy Fire Chief.
2. The three percent (3%) negotiated salary increase, effective October 1, 2015, applies to the Deputy Fire Chief classification. In addition, the Deputy Fire Chief classification is subject to all other benefits identified in the above-mentioned MOU, as applicable.
3. The incumbent Deputy Fire Chief is considered a "new member" within the meaning of the Public Employees' Pension Reform Act (PEPRA) and as such shall be subject to the defined benefit formula of 2.7% at 57 with a five year vesting period, final compensation based on three consecutive years, and shall pay 50% of the total normal cost of the member contribution as determined by CalPERS.

For the County:



John Carrier, Chair
Board of Supervisors

Date: 2/17/16



Richard C. Bolanos, County Negotiator

For the Sheriffs' Management Association:



Sgt. Chris Ramirez
President

Date: 2/16/16



Paul Konsdorf, Goyette and Associates

Approved as to Form:



Steven W. Dahlem, County Counsel