

MARIPOSA COUNTY EMPLOYER - EMPLOYEE RELATION POLICY

ADOPTED BY RESOLUTION NO. 70-62

SECTION I
PURPOSE

This policy is designed to promote, coordinate and maintain channels of communication and set forth reasonable rules and procedures between management of Mariposa County, its employees, and recognized employee organizations regarding employer-employee matters. Equal responsibility is assumed by management and its employees for preventing work stoppages or other practices which result in failure to fulfill assigned duties. Mariposa County recognized that it has a responsibility to see that County employees and their representatives are fairly treated, fairly heard and responded to in a timely and thoughtful manner. As a result, the County desires to continue its practice of encouraging a relationship of mutual trust, confidence and understanding between its employees and management under management policies and practices that are fair and uniform to all employees. Therefore, in furtherance of these goals, this Employer-Employee Relations Policy is hereby established.

SECTION II
RIGHTS OF EMPLOYEES

Except as otherwise provided by state and Federal law, employees of Mariposa County shall have the right to form, join and participate in activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. County employees also have the right to refuse to join or participate in the activities of employee organizations, and shall have the right to represent themselves, or be represented individually in their employment relations with the County.

SECTION III
RECOGNITION OF EMPLOYEE ORGANIZATIONS

Initially and at such times as there may be a change in organization, affiliation, and/or a need for verification of membership, each organization claiming to represent employees of the County of Mariposa shall file with the Supervisors the following information:

A. Name and mailing address of the organization, its local officers and/or representatives.

B. The names and mailing addresses of each area, state, national association and other organizations with which it is directly affiliated.

C. Certified and complete copies of the Articles of Incorporation or Constitution, the By-Laws and any other written rules or regulations governing the organization, along with all amendments thereto.

D. A designation of those persons, not exceeding two in number, and their addresses, to whom notices, sent by regular United States mail will be deemed sufficient notice to the organization for any purpose.

E. A statement that the organization has no restriction on membership based on race, religion, creed, national origin, age, sex, or marital status.

F. A membership list of Mariposa County employees.

G. Any list of members of any organization, either in form of an application for recognition or on file with the County, is confidential and shall not be open to public inspection.

All statements and accompanying documents shall be signed and certified by the President and Secretary of the organization. Until all data is received by the County of Mariposa, recognition shall not be granted to the particular employee organization.

In order to become a recognized employee organization, an organization shall be composed of at least ^{Fifty-one} ~~twenty-five~~ per cent ^{51%} ~~(25%)~~ of the authorized classified positions of Mariposa County as verified.

After all information for recognition has been filed the recognition shall be made by formal resolution of the Board of Supervisors. Any documents filed with County pursuant to this section shall be confidential unless released by formal order of the Board of Supervisors.

SECTION IV RIGHTS AND PRIVILEGES OF RECOGNIZED EMPLOYEE ORGANIZATIONS

Recognized employee organizations shall have the following rights and privileges:

A. The right to represent its members before the Board of Supervisors or any appropriate management representative in matters regarding employment conditions or employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment, as provided in Government Code Section 3509. 3505.

B. The right to reasonable notice and appropriate information in advance of matters affecting its membership as set forth in Paragraph A above. However, in emergencies, the Board of Supervisors may take action on a particular item without such advance notice provided that such notice shall be furnished as soon as practicable.

C. The right to be heard prior to the resolution of any matter set forth in Paragraph A above.

D. The right to a reasonable amount of time during regular working hours or at such other times as the Board may direct, to represent its members before the Board of Supervisors, appropriate management representatives, on matters set forth in Paragraph A above; such time allowance during regular working hours to be limited to a maximum of three (3) employee members of the organization except that:

The Board of Supervisors may direct by Board Order that additional employees be allowed to attend specific meeting on County time.

~~E. Collection of membership dues and insurance premiums through payroll deduction with prior approval of the Board of Supervisors. Deduction request forms shall be provided by the employee organization. Payroll deduction may not start until the organization has met the conditions of recognition of Section III. An equitable monthly service charge to cover the cost of such deductions will be retained by the county.~~

E. The right to the reasonable use of existing bulletin board space in each building or department at a location agreed upon by the organization and the department, under the following conditions:

- (1) Material shall be posted on space as designated.
- (2) Posted material shall bear the identity of the organization.
- (3) Posted material shall not be misleading, contain any deliberate misstatements or violate any Federal, State or County laws.
- (4) Material shall be neatly displayed and shall be removed when no longer timely.

F. The privilege of using County facilities for meeting purposes only provided that appropriate advance arrangements are made. A charge at the prevailing County rates may be made to offset the cost of such use.

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H. The right to have an authorized representative contact members of his organization in County facilities and leave literature and material for distribution, provided he has first made arrangements with the department head, or his representative, to provide for a time which does not disrupt County business.

H. Employee organizations may adopt reasonable restrictions regarding who may join and make reasonable provisions for the dismissal of individuals from membership.

SECTION V SCOPE OF REPRESENTATION

Recognized employee organizations shall have the right to represent their members in all matters relating to employment conditions and employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment as provided in Government Code Section 3504.

The enactment of this resolution shall not be construed as making the provisions of Labor Code, Section 923 as applicable to Mariposa County employees.

SECTION VI REVOCATION OF RECOGNITION

The Board of Supervisors may revoke its recognition of any employee organization which violates any Federal, State, or County law, or any rules adopted herein for orderly and responsible employer-employee relations. At any time the authorized dues deduction drops ^{fifty-one} below ~~twenty-five~~ ^{51%} per cent ~~(25%)~~ of the authorized classified positions for three consecutive pay periods, the Auditor shall immediately notify the Board of Supervisors who may require a verification of membership.

SECTION VII RIGHTS OF EMPLOYER

In order to maintain the efficiency of County operations, the County of Mariposa, through its management representatives, shall retain the right, in accordance with applicable laws and regulations to manage and supervise its employees as follows:

To hire, promote, transfer, assign, classify positions, retain employees, and to suspend, demote discharge or take other disciplinary action against employees.

To lay off or demote employees from duties because of lack of

work, lack of funds, in the interest of economy, or other legitimate reasons.

To determine the policies, standards, procedures, methods, means and personnel by which County operations are to be conducted.

To take whatever actions may be necessary to carry out the mission of the County in situations of emergency.

Nothing in this policy shall be construed to interfere with the County's right to manage its operations in the most economical and efficient manner consistent with the best interests of all the citizens, taxpayers, and employees of Mariposa County.

SECTION VIII MANAGEMENT REPRESENTATIVES

The Board of Supervisors has the right to appoint a management representative. The management representative shall not grant or concede rights or privileges which are in conflict with this policy to an employee or employee organizations without prior written approval of the Board of Supervisors. Each department may formulate reasonable rules and regulations, consistent with County ordinances to implement the principles of this policy. Each department head may designate an assistant department head and/or other supervisory or administrative employees as management representatives for those matters which relate exclusively to the administration of each department.

SECTION IX GENERAL PRINCIPLES

In their dealings with each other, management and employee organizations shall be prohibited from the following practices:

A. Management:

- (1) Intefering with, restraining or coercing any employee in the exercise of the rights assured by the Government Code or the Mariposa County Employer-Employee Relations Policy.
- (2) Encouraging or discouraging membership in any employee organization by discrimination in regard to hiring, tenure, promotions or other conditions of employment.
- (3) Dominating or interfering with the administration, policies and programs of an employee organization or its members' participation therein.

- (4) Disciplining or otherwise discriminating against any employee because he has filed a complaint or given testimony under the provisions of this Employer-Employee Relations Policy.
- (5) Refusing to accord appropriate recognition to an employee organization qualified for such recognition.
- (6) Refusing to hear, consult, or meet and confer in good faith with a recognized employee organization as required by Government Code Section 3505.

B. Employee Organizations

- (1) Interfering with, restraining, or coercing any employee in the exercise of rights assured by the Government Code, or the Mariposa County Employer-Employee Relations Policy.
- (2) Attempting to induce department heads to coerce any employee in the enjoyment of his rights under the Mariposa County Employer-Employee Relations Policy and/or the Government Code.
- (3) Coercing, attempting to coerce, or disciplining any member of an organization which results in hindering or impeding the performance of his duties.
- (4) Discriminating against any employee with regard to the terms or conditions of membership because of race, color, creed, sex, or national origin.
- (5) Disruptive activities which are detrimental to the conduct of the County's affairs.
- (6) Unauthorized use of County facilities.
- (7) No organization shall engage in organization activities or distribute pamphlets or brochures or similar literature the major purpose of which is organizational in nature on County time.
- (8) Refusing to consult, or meet and confer in good faith with management representatives of Mariposa County as required by Government Code Section 3505.

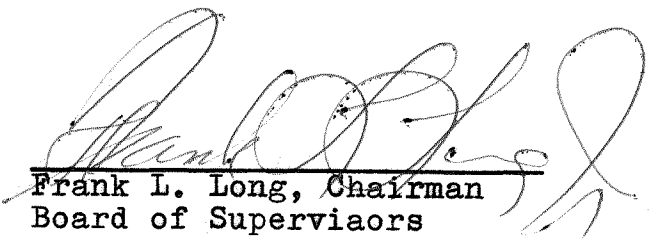
PASSED AND ADOPTED by the Board of Supervisors, County
of Mariposa, State of California, this 18th day of August,
1970 by the following vote:

AYES: Davis, Hurlbert, Long, Moffitt, Richardson.


NOES: None

Not Voting: None

ABSENT: None


Frank L. Long, Chairman
Board of Supervisors

ATTEST:


Gabrielle Wilson, County Clerk
and ex-officio Clerk of the
Board of Supervisors