



MARIPOSA COUNTY

Human Resources · (209) 742-1379



RESOLUTION - ACTION REQUESTED 2019-694

MEETING: December 10, 2019
TO: The Board of Supervisors
FROM: Kimberly Williams, Human Resources Director
RE: Approve SEIU MOU Effective November 1, 2019

RECOMMENDATION AND JUSTIFICATION:

Approve a four-year Memorandum of Understanding (MOU) with the Service Employees International Union Local 521 (SEIU) effective November 1, 2019; authorize the Board of Supervisors Chair to sign the MOU; and authorize the Auditor to increase appropriations to each affected budget unit in order to implement the provisions of the MOU. The term of the MOU is from November 1, 2019 through October 31, 2023. Pursuant to Article 20 "Duration" of the previous MOU, the Parties have met and conferred and have agreed to enter into this MOU.

Recent labor negotiations resulted in a Tentative Agreement between the County and SEIU. The SEIU membership has voted and ratified the Tentative Agreement.

Changes to the proposed MOU, which is attached, are indicated in red and blue. These changes include the following agreed-upon economic increases:

- A cost-of-living adjustment (COLA) of 3.25% retroactive to November 1, 2019; a COLA of 3.50% effective November 1, 2020; a COLA of at least 2.75% and not more than 4.25% effective November 1, 2021 and November 1, 2022, respectively, which will be determined by an agreed-to formula involving calculations from the San Francisco Area Annual Consumer Price Index and the County's General Purpose Revenue (section 6.1.1); and
- An equity adjustment retroactive to November 1, 2019 for five classifications in the SEIU bargaining unit that were found to be at 10% or more below the market as a result of the comprehensive compensation study conducted earlier this year. In order to avoid compaction issues, salary adjustments are also included for those classifications within the series of Alcohol and Drug Specialist II (section 6.1.2); and
- Shift differential hourly increases (section 6.3.2); and

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- An increase to the flexible benefit allowance for plan participants of 5% each year effective December 1 of each year during the term of the MOU (section 6.4.1.6); and
- An increase of \$100 to the flat dollar amounts for longevity with an addition of \$1,500 for 25 years of continuous service, to be paid on a monthly basis, effective January 1, 2020 (section 6.4.5.2).

Other agreed-upon issues are as follows:

- Amended language to eliminate agency shop and to clarify deductions for Union membership dues, fees and membership benefit programs sponsored by the Union (section 5.3); and
- Added the option of compensatory time off for call-back pay at employee's election (section 6.3.4)
- Included Environmental Health and Ag Commissioner employees required to work outdoors in inclement weather to be provided with foul weather gear (section 6.3.9); and
- Amended language for calculating overtime pursuant to the requirements of the Fair Labor Standards Act (FLSA) (section 8.1); and
- Added irrevocable election language to address constructive receipt for cash outs, effective November 2, 2020 (section 8.3.2.2); and
- Amended language in Articles 13 and 14 to allow Union stewards to accompany employees to meetings that could lead to disciplinary actions or regarding grievances.

There were also clean-up items incorporated into the MOU, such as the New Employee Orientation language, which was originally agreed to by a Side Letter of Agreement in 2018 and amending the language to remove the outline and to instead provide it in advance of the meeting (section 5.4), removing non-relevant dates, clarifying that the flexible benefit allowance is a monthly amount, and updating the Appendices.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

During negotiations the Board of Supervisors received information and provided direction to its representative.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If not approved, it will be necessary to reopen negotiations and this could result in a charge of unfair labor practices.

FINANCIAL IMPACT:

Funding will be appropriated into each affected budget unit.

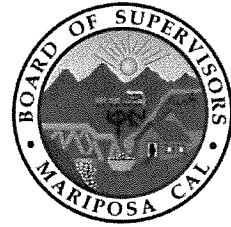
ATTACHMENTS:

SEIU MOU 2019-2023 draft (PDF)



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RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey