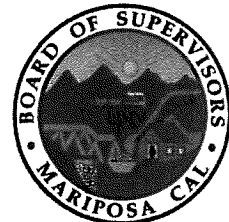




MARIPOSA COUNTY

Human Resources · (209) 742-1379



RESOLUTION - ACTION REQUESTED 2019-718

MEETING: December 17, 2019
TO: The Board of Supervisors
FROM: Kimberly Williams, Human Resources Director
RE: Side Letter of Agreement with SEIU-Out-Of-Class Pay and Promotion

RECOMMENDATION AND JUSTIFICATION:

Approve a Side Letter of Agreement with the Service Employees International Union Local 521 (SEIU) by agreeing to out-of-class pay for an Agricultural and Standards Inspector II employee and promoting the employee to the next higher class of Senior Agricultural and Standards Inspector; and authorize the Board of Supervisors Chair to sign the Side Letter of Agreement.

Agricultural and Standards Inspector II employee Monica Nielsen filed a grievance for out-of-class pay as she alleged that she was working on an ongoing basis in a higher level classification since the departure of the incumbent Deputy Agricultural Commissioner; the Deputy Ag Commissioner separated on October 10, 2017. Employee Nielsen also alleged that she was working in a supervisory capacity since July 16, 2018 and that she should be promoted to the next higher classification, which is the Senior Agricultural and Standards Inspector.

The County and SEIU have a mutual interest in promoting harmonious labor relations and have agreed to resolve the grievance by:

- 1) Providing out-of-class pay to employee Nielsen at the Senior Agricultural and Standards Inspector level beginning the day after the departure of the incumbent Deputy Ag Commissioner until the day before the Merced County Ag Commissioner assumed oversight of the Mariposa County Ag Commissioner's office, i.e., from October 11, 2017 through June 30, 2018; and
- 2) Promoting employee Nielsen to a Senior Agricultural and Standards Inspector effective August 1, 2019.

It is recommended that the Board of Supervisors approve this Side Letter of Agreement and once approved, SEIU will withdraw their grievance with prejudice and employee Monica Nielsen will then receive the agreed upon out-of-class pay in the first regularly scheduled pay check after the approval of this Side Letter (employee Nielsen's promotion is already in effect).

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None on this action. From time to time, the Board of Supervisors approves Side Letters of Agreement with bargaining units.

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ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve this action as recommended; amend this action as the Board desires and approve.

FINANCIAL IMPACT:

Not applicable on this action.

ATTACHMENTS:

SEIU-Monica Nielsen Grievance Side Letter (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey