



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4(4)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors DATE: March 4, 2011

FROM: Human Resources MEETING DATE: March 15, 2011

DEPARTMENT RESOURCE/CONTACT: Teresia Haase PHONE: 463-4261 Present On Call
 PHONE: _____

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ **AGENDA TITLE: Adoption of Resolution Approving Tentative Agreement Between the County of Mendocino and Teamsters Local 856 Representing the Mendocino County Probation Employees Association Effective Upon Board Approval, through June 30, 2012**

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** None

■ **SUMMARY OF REQUEST:** The Board of Supervisors' negotiating team has met in good faith with representatives from Teamsters Local 856 representing the Mendocino County Probation Employees Association (MCPEA), pursuant to Myers-Milius-Brown Act, and have reached a mediated tentative agreement regarding certain terms and conditions of employment upon BOS approval through June 30, 2012. Attached is Resolution approving the Tentative Agreement between the County of Mendocino and Teamsters Local 856 and the Tentative Agreement as Attachment A.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** N/A

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

| FISCAL IMPACT: | | | |
|-------------------|------------------|-----------------------|--|
| Source of Funding | Current F/Y Cost | Annual Recurring Cost | Budgeted in Current F/Y |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |

■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All ■ **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** It is recommended that the Mendocino County Board of Supervisors adopt the resolution and approve the Tentative Agreement between the County of Mendocino and Teamsters Local 856 representing the Mendocino County Probation Employees Association through June 30, 2012, and authorize Chair to sign same.

■ **ALTERNATIVES:**

■ **CEO REVIEW (NAME):** Carmel J. Angelo PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: 3/15/11): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: 11-027 Resolution: 11-034 Ordinance: _____ Other _____

Attachment A
COUNTY OF MENDOCINO
and
TEAMSTERS LOCAL 856
Tentative Agreement

Tentative agreements

- a. Article 7 - Hours and Overtime- The normal work day will be eight (8) hours. Probation Officers may work a 9/80 schedule or four (4) 10-hour days or other alternate work schedule, with supervisor approval (FLSA exemption to be used). During a holiday week, schedule reverts back to 8-hour days. No additional overtime to be incurred; supervisor can return employee to 8-hour schedule if necessary with five (5) calendar days notice. Juvenile Hall employees collectively, are eligible for an alternate work schedule upon approval of the Chief Probation Officer.

- b. Officer Safety Equipment - to be issued to all regularly assigned field Probation Officers upon appointment:
 - 1 fitted Black Basket-weave Belt
 - Belt Keeper
 - Handcuffs and Case
 - Magazine Pouch
 - Probation Windbreakers
 - Protective vests to be replaced in accordance with manufacturers recommended guidelines.

Corrections Counselors and Juvenile Hall Supervisors:

 - 1 fitted Black Basket-weave Belt
 - Belt Keeper
 - Handcuffs and Case

- c. After hours probation calls - Probation Officers who receive calls during non-work hours from a law enforcement agency will receive overtime in fifteen (15) minute increments to be credited as flex time to be taken during the applicable work period, or at the Chief Probation Officer's discretion CTO, to be documented on the departmental leave request form and time sheet.

- d. Working lunches - employees who are required to work through their lunch time may be allowed to flex their schedule to make up for the lost lunch period within the same day or during the applicable work period.

PACE employee has option of working a straight eight hour day with a bag lunch provided by Juvenile Hall or taking a 30 minute duty free unpaid lunch break and relief will be provided. The schedule must be agreed upon in advance and any changes will require at least seven calendar days notice to the Juvenile Division Manager.

- e. POBAR training - at Union's request will be provided by County Counsel.
- f. Article 20 - Grievance
 - 3. Standing to Initiate Grievance An individual employee, or the Union, who, in good faith, has an actual grievance with the County over a grievable matter as defined in Article 20.2 may file a grievance. If the Union and the Human Resources Director mutually agree the grievance may initially be filed at the Department Head level.)

At any step of the grievance procedure, the employee may represent themselves, or may be represented by an Association representative, who may be a County employee (excluding their supervisor or manager).
- g. Background checks – From the date of ratification, all newly appointed non-sworn Probation Department personnel, including volunteers, having access to Probation Department records will undergo a background check similar to sworn Probation Department personnel, excluding psychological examination and polygraph. No minors will have access to Probation Department records.
- h. Retirement badges - upon retirement Probation Officers and Corrections Counselors (or the Union on their behalf) may purchase a retirement badge from the Department.
- i. Labor Management Committees – 2 Committees (Probation Officers and Juvenile Hall) will be formed to discuss non meet and confer issues, including but not limited to workload distribution. Committees to meet no less frequently than once per quarter unless by mutual agreement. Committees will be formed within ninety (90) days of ratification of a new MOU between the parties.
- j. Clothing Issuance –
 - Juvenile Hall Corrections Counselors – Upon appointment, will receive five (5) shirts; thereafter, each fiscal year will receive five (5) shirts or \$125 worth of uniform items.
 - Probation Officers - Upon appointment, will receive one (1) jacket, two (2) shirts and one (1) hat; thereafter, each fiscal year will receive two (2) shirts.
- k. Specialized Training Pay - An employee approved and designated by the Department Head to conduct specialized training shall receive an additional 5% pay for necessary time spent preparing and presenting the training.
- l. New Classes: Should the County determine funding is available, the parties agree to meet and confer regarding the creation of 2 Lead Worker classifications, one in Probation and one in Juvenile Hall.
- m. Effective upon ratification of this agreement, the unit agrees to an on-going 12.5% reduction in pay beginning the first full pay period following approval of this Tentative Agreement by the Board of Supervisors.
- n. Term of agreement – upon approval of this Tentative Agreement by the Board of Supervisors through June 30, 2012.

The parties agree to work together to finalize a consolidated MOU.

FOR TEAMSTERS LOCAL 856:

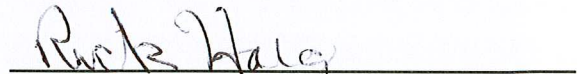

Matthew Finnegan, Teamsters Negotiator

Date 3/11/11


Katie F. Ford, MCFEA President

Date 3-11-11

FOR THE COUNTY OF MENDOCINO:


Rick Haeg, Negotiator

Date 3-15-2011

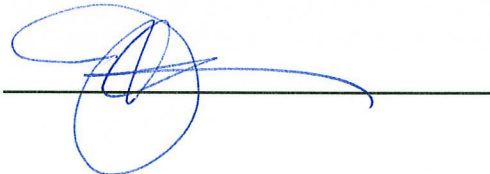

Teresa Haase, Human Resources Director

Date 3/14/11

ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy

APPROVED AS TO FORM:
JEANINE B. NADEL, County Counsel





MAR 15 2011

KENDALL SMITH, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board


Deputy

RESOLUTION NO. 11-034

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING TENTATIVE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND TEAMSTERS LOCAL 856, REPRESENTING THE MENDOCINO COUNTY PROBATION EMPLOYEES ASSOCIATION

WHEREAS, the Myers-Milias-Brown Act requires that units of local governments meet and confer with employee representatives for the purpose of developing wage and fringe benefit agreements; and

WHEREAS, representatives of the Board of Supervisors of the County of Mendocino have met and conferred with representatives of Teamsters Local 856 representing Mendocino County Probation Employees Association; and

WHEREAS, these representatives have met and conferred in good faith and have agreed upon salary and benefits and other terms and conditions of employment for the period beginning upon Board approval through June 30, 2012

WHEREAS, the agreement reached between the parties is reflected in the Tentative Agreement provided as Attachment "A"; and

WHEREAS, the salary and benefit decrease as agreed upon will not have a negative impact on the funding status of the Mendocino County Employees Retirement System as required by Government Code Section 23026; and

WHEREAS, the Board of Supervisors of Mendocino County finds this agreement to be proper and suitable.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors formally approves the Memorandum of Understanding, signed by representatives of the Board of Supervisors and by representatives of Teamsters Local 856.

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Brown, and carried this 15th day of March 2011, by the following vote:

AYES: Supervisors Brown, McCowen, Pinches, Smith, and Hamburg
NOES: None
ABSENT: None

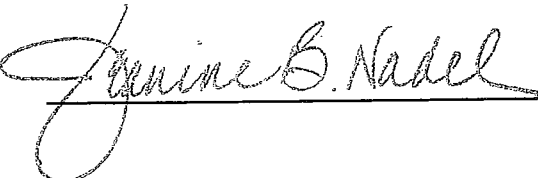
WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board



Deputy

APPROVED AS TO FORM:
JEANINE B. NADEL, County Counsel




Deputy



KENDALL SMITH, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board



Deputy