



Contra Costa County

To: Board of Supervisors
From: David Twa, County Administrator
Date: March 31, 2015

Subject: Resolution No. 2015/117 Local 21 Side Letters - Modifications to Section 42 and Appendix E

RECOMMENDATION(S):

CONSIDER adopting Resolution No. 2015/117, approving the two side letters between Contra Costa County and Professional & Technical Engineers, Local 21 to 1) modify Section 42 of the parties' Memorandum of Understanding (MOU) to add Hazardous Material Certification Allowance for the Assistant Director of Hazardous Material Program (VLFA), and 2) modify Appendix E to include four additional classifications. (David Twa, County Administrator).

FISCAL IMPACT:

Employees in the classification of Assistant Director of Hazardous Material Program (VLFA) may be eligible to receive a flat differential of \$163.50, and salary differentials of five percent (5%) and two and a half percent (2.5%) of monthly base salary. The total annual cost is estimated to be \$30,636, \$13,812 of which is pension cost. The cost of adding classes to On-Call and Call-Back eligibility will vary by use and will be borne 100% by Enterprise Fund I.

BACKGROUND:

A new Memorandum of Understanding (MOU) between Contra Costa County (County) and

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **03/31/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor

ABSENT: John Gioia, District I Supervisor
Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 31, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Lisa Driscoll, County Finance
Director (925) 335-1023

By: Chris Heck, Deputy

the Professional & Technical Engineers, Local 21 (Local 21) for the period of July 1, 2012 through June 30, 2016, was approved by the Board of Supervisors on April 22, 2014 (Resolution No. 2014/132). Recently, agreement has been reached with the union to make modifications to Section 42 and Appendix E, effective April 1, 2015.

BACKGROUND: (CONT'D)

Section 42 - Special Benefits for Management Employees By Department or Class.

Currently, the Local 21 MOU does not allow for employees in the classification of Assistant Director of Hazardous Material Program (VLFA), who are promoted from Hazardous Material Specialist II (Local One represented), to receive the Hazardous Material Certification Allowance. The result is that employees who promote actually receive less wages than the employees they supervise. This situation makes it difficult to recruit for supervisory positions. This side letter will amend Section 42 - Special Benefits for Management Employees By Department or Class of the Local 21 MOU to include the following monthly differentials:

- A differential of one hundred sixty three dollars and fifty cents (\$163.50) per month while participating on the Incident Response Team.
- Certifications Differential: A differential in the amount of five percent (5%) of base monthly salary for the possession and maintenance of all three (3) of the following certifications:
 - State required certifications (current and future) to perform Unified Program Inspections
 - Hazardous Waste Operations and Emergency response Standards as defined in Section 5192 (e) of Title 8 of the California Code of Regulations
 - California Specialized Training Institute (CSTI) Hazardous Materials Specialist certifications

In addition, employees in the classification of Assistant Director of Hazardous Material Program (VLFA), are also eligible to receive:

- Continuing Education Allowance: Two and one half percent (2.5%) of base monthly salary for any fiscal year in which the employee completes at least sixty (60) hours of pre-approved education or training, other than the training that is required by law for Hazardous Materials Specialist or required by the minimum qualifications for the classifications of Hazardous Materials Specialist I and Hazardous Materials Specialist II set forth in the respective job descriptions, or at least three (3) semester units of pre-approved college credit, or a pre-approved combination thereof, subject to the following conditions:
 - An application must be submitted to the Hazardous Materials Division Director prior to beginning the education or training.
 - The education or training must be directly related to the technical duties of the employee's job.
 - The course must be approved, in advance, by the Hazardous Materials Division Director or his/her designee.
 - The employee must provide evidence of completion of the course with a passing grade, when applicable.

The attached Side Letter modification to the MOU is required in order for the Assistant

Director of Hazardous Material Program (VLFA) to receive the Hazardous Material Certification Allowance.

Appendix E - Eligibility list for Shift Differential Pay, On-Call Duty Pay, or Call-Back Time Pay.

The County and the Union have reached agreement to reflect the addition of On-Call and Call-Back pay for the Facilities Manager (VCDC), Infection Prevention and Control Manager (VWSF), and Communicable Disease Program Chief (V7DA); and On-Call pay for the Deputy Director Behavioral Health (VQFB). The additions are required to support system critical, 24/7 operations at the Contra Costa Regional Medical Center and all Health Centers. The attached Side Letter modification to the MOU is required to add the above listed classifications to Appendix E.

CONSEQUENCE OF NEGATIVE ACTION:

If the side letter is not approved, 1) employees in the classification of Assistant Director of Hazardous Material Program (VLFA) will earn less than the employees they are supervising, making it very difficult to recruit, and 2) Health Services will have a difficult time responding to after-hour emergencies.

ATTACHMENTS

Resolution No. 2015/117

Local 21 Side Letter Haz Mat

Appendix E - Side Letter