



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: October 20, 2015

Subject: Memorandum of Understanding with the Deputy District Attorneys' Association

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**RECOMMENDATION(S):**

ADOPT Resolution No. 2015/406 approving the Memorandum of Understanding (MOU) between Contra Costa County and the Deputy District Attorneys' Association (DDAA) implementing negotiated wage agreements and other economic terms and conditions of employment, for the period of July 1, 2015 through June 30, 2018.

**FISCAL IMPACT:**

The estimated cost of the negotiated contract is \$698,000 for FY 2015/16 (\$608,000 from the 5% wage increase for nine months, \$143,000 of this is pension cost and \$90,000 for healthcare); \$1.7 million for FY 2016/17 (\$810,000 from the previous 5% wage increase, \$191,000 of this is pension cost, \$729,000 from the second increase of 4.5%, and \$180,000 for healthcare); and \$2.4 million for FY 2017/18 (\$1.5 million for the previous wage increases, \$729,000 for the third increase of 4.5%, and \$180,000 for healthcare). The estimated cost of the three year contract is \$4.9 million.

**BACKGROUND:**

The DDAA began bargaining with Contra Costa County on or about May 14, 2015. A Tentative Agreement was reached between the County and the DDAA on October 8, 2015.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **10/20/2015** ☒ APPROVED AS RECOMMENDED ☒ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II  
Supervisor  
Mary N. Piepho, District III Supervisor  
Karen Mitchoff, District IV 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: October 20, 2015

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

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

By: June McHuen, Deputy

The resulting Memorandum of Understanding is attached.

## BACKGROUND: (CONT'D)

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In summary, the significant changes are:

- Duration of Agreement – Section 32.4
  - The term of the agreement is from July 1, 2015, through June 30, 2018.
- General Wages – Section 5.1
  - Effective October 1, 2015, the salary of all classification represented by DDAA will be increased by 5%
  - Effective July 1, 2016, the salary of all classification represented by DDAA will be increased by 4.5%
  - Effective July 1, 2017, the salary of all classification represented by DDAA will be increased by 4.5%
- Definitions
  - Provide clarification that pays and benefits are not applicable to permanent intermittent employees unless otherwise indicated in the MOU.
  - Eliminate definition of “Temporary Employment” from section.
- Days and Hours of Work/Holidays – Section 9
  - Reorder section to separate “Days and Hours” provisions from provisions relevant to “Holidays.”
- Health, Life and Dental Care – Section 13
  - Inclusion of High Deductible Health Provider and Plan selected by the County.
  - Limit access to CCHP Plan B, Kaiser Permanente Plan A, Health Net HMO Plan A, and Health Net PPO to employees hired before January 1, 2016. These plans are to be eliminated for all employees beginning January 1, 2018.
  - The County will make available to employees represented by the Association any new medical or dental plans selected by the County to replace current plans not renewed. Notice will be provided regarding the effective date of any new medical or dental plans.
  - The County will adjust its monthly premium subsidies to cover all increases for the 2016 plan year.
  - Beginning January 1, 2017, any future increases in monthly premiums or plan premium penalties imposed by the medical plan, are to be shared evenly by the County and the Association.
  - Provide employees eligible to receive an offer of coverage from the County under the Affordable Care Act, with access to County medical plans at the full premium amount.
- Retirement – Section 16.3.C
  - The Association is to support legislation amending the County Employees Retirement Law of 1937 to clarify that the current Tier III disability provisions apply to employees who under PEPR, become new members of CCCERA.
- Professional Expenses – Section 17.1 -17.2
  - The County will issue payment for California State Bar Dues and criminal specialization fees director to the State Bar rather than as a reimbursement on

- an individual attorney basis.
- Deferred Compensation Incentive – Section 21.A & 21.E
    - Increase the County’s deferred compensation monthly contribution from sixty dollars (\$60) to eighty-five dollars (\$85).
    - Incorporate prior side letter that established a Deferred Compensation Plan Loan Program on June 26, 2012.
  - Computer Vision Care – Section 25
    - Replace references to “Video Display Terminal (VDT)” with “Computer Vision Care (CVC).”
    - Increase the dollar value of CVC basic eye wear (single, bifocal, or trifocal frame) from ten dollars (\$10) to fifty dollars (\$50).
  - Attorney Fixed Term Class – Section 27.A
    - Clarify that Fixed-Term attorney class is not eligible for management life insurance and management long-term disability.
  - Law School Student Loan Reimbursement Program – Section 28.B
    - Clarify that a Deputy District Attorney-Fixed Term employee is eligible for certain student loan reimbursement if he or she transitions to Deputy District Attorney-Basic Level during or on completion of his/her third consecutive year of employment.
  - Scope of Agreement – Section 32.1
    - The County and the Association agree that any past side letters or any other agreements not already incorporated into or attached to the MOU are deemed no longer effective.

#### CONSEQUENCE OF NEGATIVE ACTION:

The County could be detrimentally impacted by the potential loss of highly-trained legal personnel.

#### ATTACHMENTS

Resolution No. 2015/406

MOU DDAA