



Contra Costa County

To: Board of Supervisors
From: David Twa, County Administrator
Date: June 21, 2016

Subject: Memorandum of Understanding with Professional & Technical Engineers Local 21, AFL-CIO

RECOMMENDATION(S):

ADOPT Resolution No. 2016/415 approving the Memorandum of Understanding with Professional & Technical Engineers, Local 21, for the period of July 1, 2016 through June 30, 2019.

FISCAL IMPACT:

The estimated cost of the negotiated contract is \$5.0 million for FY 2016/17 for the 4% wage increase; \$8.8 million for FY 2017/18 (\$5 million from the 4% wage increase in FY 2016/17 and \$3.8 million for the 3% wage increase in FY 2017/18); and \$12.6 million for FY 2018/19 (\$5 million from the FY 2016/17 wage increase and \$3.8 million each from the 3% wage increases in FY 2016/17 and 2017/18). The agreement includes elimination of the long-term disability program. The agreement also includes an updated Nurse Manager Longevity differential list and an adjustment to specific classifications for compaction. The classes adjusted for compaction will not receive the general wage increases. The compaction cost adjustment is approximately the same as the savings associated with the elimination of long-term disability.

BACKGROUND:

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **06/21/2016** ☒ 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
Federal D. Glover, District V Supervisor

ABSENT: John Gioia, District I
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: June 21, 2016

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 Professional & Technical Engineers, Local 21, AFL-CIO (Local 21) began bargaining with Contra Costa County in March of this year. A Tentative Agreement was reached between the County and Local 21 on June 7. The resulting Memorandum of Understanding (MOU) is attached. In summary, changes include:

- Duration of Agreement - Section 36.3

- The term of the agreement is July 1, 2016 through June 30, 2019.

BACKGROUND: (CONT'D)

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- Organization Recognition – Section 1
 - IFPTE, Local 21 is the formally recognized employee organization for Unit C employees.
- Union Security – Section 2
 - Deletes language in Section 2.2.C – Agency Shop, referring to Election and Two-thirds membership language.
 - Updates Section 2.9 – Written Statement for New Employees, to allow the Union additional time for new employee orientations if request is made to the Department Head or his/her designee for approval.
- General Wages - Section 5.1
 - Effective July 1, 2016, or the first of the month following Board of Supervisors approval, whichever is later, the base rate for classifications represented by the Union will be increased by four percent (4%).
 - Effective July 1, 2017, the base rate of pay for all classifications represented by the Union will be increased by three percent (3%).
 - Effective July 1, 2018, the base rate of pay for all classifications represented by the Union will be increased by three percent (3%).
 - Effective July 1, 2016, or the first day of the month following approval by the Board of Supervisors, whichever is later, the County will adjust specific classifications for compaction and those classes will not receive the general wage increases.
 - Clarifies that this section 5.1.B – Management Longevity Pay, does not apply to employees who are eligible to receive the Nurse Manager Longevity Differentials set forth in Section 42.15.
 - Deleted sections 5.1.B.1.b and 5.1.B.2.b.
 - New Section 5.1.C – Conversion of Performance Pay Steps to Merit Steps converts performance pay to merit steps for classifications with performance pay steps.
 - Section 5.4 – Increments Within Range combines language from Section 5.4 and 5.15 as it relates to merit steps; deletes Section 5.15 and renumbers remaining section.
- Vacation Request - Section 8.8
 - Updates language to reflect that the supervisor will give a written response of approval or denial within ten (10) working days.
- Leave of Absence – Section 10.8(c)
 - Amends section to discontinue Long Term Disability. Claims filed prior to July 1, 2016 will be processed until closed.
- Probationary Period – Section 13
 - Adds classifications to the list and deleted Senior Emergency Planning Coordinator – Project (9GW1).
- Certification Rule – Section 16

- Updates language to reflect that the County Administrator or designee may determine a different order of certification priority for a specific classification.
- Deletes Section 16.2 – Number of Names to be Certified for Management Classes.
- Grievance Procedure - Section 20
 - Replaces references to Human Resource Director with Employee Relations Officer or designee in Steps 2 and 3.
 - Retitles Step 3 to Labor Relations.
 - Clarifies the time frame for discipline appeals is governed by section 19.6
 - Updates language to reflect issuing a Step 3 decision for contract interpretation grievances and attempt to resolve disciplinary grievances.
 - Replaces Step 4 - Board of Adjustment with Mediation.
 - Updates Compensation Complaints retroactivity period from two (2) years to one (1) year.
- Retirement – Section 21
 - Deletes language in Section 21.2.E.
- Pay Warrant Errors – Section 25
 - Revises retroactivity period from two (2) years to one (1) year.
 - Overpayment notices will include a provision informing the employee of their right to union representation.
 - Repayment schedule will be made by mutual agreement between the County and the employee; otherwise, the County will notify the employee in writing of the intent to implement a default repayment schedule which will include deducting ten percent (10%) of the total overpayment on a monthly basis until the overpayment is paid in full.
- Notice of Hires and Separations – Section 27
 - Updates language to reflect providing a monthly report instead of a quarterly report to the Union of any new hires or separation of employees.
- Other Benefits (Section 41)
 - Updates language to authorize the Department Head to determine eligibility for Personal Protective Equipment reimbursement in Section 41.1.
 - Clarifies that employees rehired on and after October 1, 2011 are ineligible for vacation buy back.
 - Updates Video Display Terminal (VDT) to Computer Vision Care (CVC) in Section 41.13.
 - Amends Section 41.14 – Long Term Disability to discontinue for new claims as of 7/1/16.
 - Adds Commuter Benefit Program effective July 1, 2017.
- Special Benefits for Management Employees by Department or Class – Section 42
 - Incorporates Appraiser side letter into Section 42.6, by adding Auditor-Appraiser I (DRWB), Auditor-Appraiser II (DRVA), and Senior Auditor-Appraiser (DRTA) to receive the Assessor Education Differential.
 - Adds Supervising ARB Engineer (V4HE) to receive the Engineer Continuing Education Allowance in Section 42.9
 - Updates list of eligible classes to receive Nurse Manager Longevity

Differentials.

- Incorporates Unit C side letter changes in Section 42.21 – Real Property Agent Advanced Certificate Differential, Section 42.27 – Fire Recall and Standby Differential (new section), Section 42.29 – Hazardous Material Certification Allowance (new section), and deletion of Section 42.27 – Compaction.
- State Disability Insurance (SDI) – New Section 43
 - Eligible employees will be enrolled in State Disability Insurance.
- Various Side Letters and MOU attachments/appendices previously approved by the Board are also incorporated into the new MOU.

CONSEQUENCE OF NEGATIVE ACTION:

The County will be out of contract with Professional & Technical Engineers Local 21, AFL-CIO and may experience recruitment and retention difficulties.

ATTACHMENTS

Resolution No. 2016/415

IFPTE Local 21 MOU 7/1/2016 - 6/30/2019