



Contra Costa County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 12, 2016

Subject: Memorandum of Understanding with Teamsters, Local 856

RECOMMENDATION(S):

ADOPT Resolution No. 2016/436 approving the Memorandum of Understanding with Teamsters, Local 856, for the period of July 1, 2016 through June 30, 2019; and APPROVE modification to the agreement making the effective date of the first wage increase July 1, 2016.

FISCAL IMPACT:

The estimated cost of the negotiated wage increases are \$5.4 million for FY 2016/17 for the 4% wage increase; \$9.5 million for FY 2017/18 (\$5.4 million from the 4% wage increase in FY 2016/17 and \$4.06 million for the 3% wage increase in FY 2017/18); and \$13.5 million for FY 2018/19 (\$5.4 million from the FY 2016/17 wage increase and \$4.06 million each from the 3% wage increases in FY 2016/17 and 2017/18). The estimated cost of the healthcare proposal (dependent upon migration) is an annual cost of \$2.3 million and a one-time lump sum cost of \$1.1 million for FY 2016/17.

BACKGROUND:

The Teamsters, Local 856 (Teamsters) began bargaining with Contra Costa County in March of this year. A Tentative Agreement was reached between the County and Teamsters

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/12/2016** ☒ 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

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

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: July 12, 2016

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

By: June McHuen, Deputy

on June 14. The resulting Memorandum of Understanding (MOU) is attached. In summary, changes include:

- Scope of Agreement and Separability of Provisions - Section 55.4
 - The term of the agreement is July 1, 2016 through June 30, 2019.

BACKGROUND: (CONT'D)

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- Preamble/Definitions/Union Recognition – Section 1
 - Teamsters, Local 856 is the formally recognized employee organization for Attendant-LVN Aide Unit, General Services and Maintenance Unit, and Health Services Unit.
- Union Security – Section 2
 - Deletes language in Section 2.11 – Section 18 of 1977-79 MOU.
- Shop Stewards & Official Representatives – Section 4
 - Updates language in Section 4.2 – Union Sponsored Training Programs, referring to release time requests being submitted in writing to the Employee Relations Officer or designee.
 - Updates language in Section 4.3 – Union Representatives of the number of representatives to release from each Unit.
- 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 of pay for classifications represented by the Union will be increased by four percent (4%). Because ratification vote was completed on June 24, and the Board does not meet again before July 1, the Section is modified to an effective date of July 1, 2016.
 - Effective July 1, 2017, the base rate of pay for classifications represented by the Union will be increased by three percent (3%).
 - Effective July 1, 2018, the base rate of pay for classifications represented by the Union will be increased by three percent (3%).
- Overtime, Compensatory Time, and Straight Time - Section 7
 - Deletes “annually” from Section 7.2.A to clarify that employees do not need to re-elect comp time each year.
 - Updates language in Section 7.2.B to add that new employees (including those demoted/promoted, etc.) hired after May 31 of each year must wait until the next fiscal year to select comp time.
- Workforce Reduction/Layoff/Reassignment – Section 11
 - Reduces the amount of time employees remain on layoff list from four (4) years to two (2) years.
 - Replaces references to Human Resource Director with Employee Relations Officer or designee.
- Holidays – Section 12
 - Updates the Union name in Sections 1.21(D) and 12.1(E) to Teamsters, Local 856.

- Vacation Leave – Section 13

- Deletes the first paragraph in Section 13.3 – Vacation Accrual Rates.
- Moves vacation accruals from the individual Units into the main Vacation Leave section.

- Sick Leave - Section 14

- Updates Section 14.6 – Workers’ Compensation to reflect the current percentage (75%) of Workers’ Compensation pay to employees for accepted claims.

- State Disability Insurance – Section 16

- Updates the General Provisions with updated SDI language.

- Jury Duty and Witness Duty – Section 18

- Deletes first sentence of Section 18.2 – Witness Duty.

- Health, Life, & Dental Care - Section 19

- Provides employees access to more affordable health plans for the 2017 plan year, including the addition of the Teamsters Local 856 Trust Fund KP Health Plan;
- Cost sharing in 2017 and beyond (50/50 share of medical plan increases);
- Three tiered Employee, Employee +1 Dependent, Employee +2 or More Dependent plan structure;
- Mechanism to address medical plans that meet the criteria for a high cost employer-sponsored health plan that may be subject to an excise penalty (a.k.a. Cadillac Tax) under the federal Patient Protection and Affordable Care Act (“ACA”) (42 U.S.C. § 18081);
- Access to County health plans, for employees who are not otherwise eligible for health coverage by the County, who meet eligibility requirements to receive an offer of coverage from the County under the federal Patient Protection and Affordable Care Act (“ACA”) (42 U.S.C. § 18081) at employee expense;
- Participation in the Joint Labor/Management Benefit Committee to 1) select a replacement medical or dental plan in the event that a plan is no longer available; 2) design a wellness program; 3) discuss future medical, dental, or vision plan design; or 4) assess the future impact of any excise tax pursuant to the federal Patient Protection and Affordable Care Act (“ACA”) (42 U.S.C. § 18081) on any high cost medical plans offered by the County; and
- Lump sum of \$1000 for 2016 plan participation by permanent employees regularly scheduled for 20 hours or more per week.

- Probationary Period – Section 20

- Updates classifications represented by Teamsters and who have a probationary period in excess of nine (9) months.

- Transfer & Reassignment - Section 22

- Deletes Section 22.3 – Reassignment of Work Location and renumbers the

- remaining sections.
- Updates the language in Section 22.4 – Voluntary Reassignment (Bidding) Procedure and Section 22.5 – Involuntary Reassignment Procedure.
- Grievance Procedure - Section 25
 - Removes reference to “Human Resources Director” and replaces with “Employee Relations Officer or his/her designee.”
 - Increases timeline for issuance of Step 3 decision from 15 workdays to 20 workdays.
 - Updates Section 25.6 – Compensation Complaints.
 - Clarifies the time limit for discipline appeals is governed by Section 24.6 – Procedure on Dismissal, Suspension, Temporary Reduction in Pay, or Demotion.
- Bilingual Pay - Section 26
 - Updates with current amount for bilingual pay.
- Safety Shoes and Prescription Safety Eyeglasses – Section 29
 - Updates the maximum reimbursable limits for lenses and frames.
 - Defines “eligible”.
- Video Display Terminal (VDT) Users Eye Examination - Section 30
 - Deletes entire section – does not apply to GSM, HS, and LVN-Aide Units.
- Performance Evaluation Procedure - Section 31
 - Removes reference to HR Director and replace with Employee Relations Officer or his/her designee.
- Mileage – Section 32
 - Adds reference to Administrative Bulletin
 - Add new section 32.3 – Commuter Benefit Program
- Provisional Appointment - Section 35
 - Deletes entire section.
- Personnel Files – Section 36
 - Deletes the last paragraph, referencing obsolete language.
- Service Awards – Section 37
 - Updates the language by adding reference to Administrative Bulletin #204 and deletes old language.
- Compensation for Loss or Damage to Personal Property – Section 40
 - Deletes Section 40.A-I.
 - Adds reference to Administrative Bulletin #518.
- Length of Service Definition - Section 43
 - Deletes the word “provisional”.

- Permanent-Intermittent Employees Health Plan - Section 46
 - Deletes entire section.
- Provisional Employee Benefits - Section 47
 - Delete entire section.
- Hazard Pay - Section 48
 - Deletes Building Trades and Library Unit.
 - Adds language from January 20, 2015, Board Resolution 2015/27, to include the corrections.
- Health Examination - Section 51
 - Deletes paragraph 2.
- Classification Studies, Special Studies or Other Actions - Section 52
 - Deletes Sections 52.A and 52.B.
 - Updates Section 52.C to Teamsters, Local 856.
 - Deletes 52.D – refers to vacation scheduling in the Library.
- Temporary Employees - Section 53
 - Deletes and/or update 53.A based on units decertified.
 - Deletes 53.G & 53.H.
 - Incorporates Attachment N and deletes Attachment N from the back of the MOU.
- Safety in the Workplace - Section 57
 - Adds language with current practice of designated Safety Coordinator serving as liaison between Risk Management and the department to address any safety issues
- Unit Items - Section 58
 - Section 58.7.D - Adds corrections from approved BOS Resolution 2015/27, dated 1/20/15.
 - Section 58.8 - Adds corrections from approved BOS Resolution 2015/27, dated 1/20/15.
 - Section 58.2.D - Increases all Code Grey to 10%.
- DRIVE Program (Attachment to MOU)
 - Provides for payroll deductions for those members who voluntarily elect to participate in the Teamster DRIVE program (civic engagement for voter registration and political education).
- Health Services Assignment/Shift Process Reopener (Attachment to MOU)
 - Adds a Reopener for the purpose of exploring the feasibility of implementing a process for the Health Services Department to 1) offer permanent employees the opportunity to request a change in assignment and/or shift, and 2) consider a temporary employee's length of employment in the Department when using a

temporary employee to fill an assignment and/or shift.

- Clean-Up

- Deletes references to Local One, Coalition, and non-covered Local One unit, updates attachments, incorporates side letters, and renumbers MOU as necessary.

CONSEQUENCE OF NEGATIVE ACTION:

The County will be out of contract with Teamsters, Local 856 and may experience recruitment and retention difficulties.

ATTACHMENTS

Resolution No. 2016/436

Teamsters, Local 856 MOU 7/1/2016 - 6/30/2019