



**Contra
Costa
County**

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: March 29, 2022

Subject: Side Letter to amend MOU with WCE, Section 5.15 - Deferred Compensation Plan

RECOMMENDATION(S):

ADOPT Resolution No. 2022/98 approving the Side Letter between Contra Costa County and Western Council of Engineers (WCE), amending the current Memoranda of Understanding by providing for an additional County contribution to employee deferred compensation accounts.

FISCAL IMPACT:

Pursuant to the funds agreed to in the Non-Healthcare/Non-General Wage Re-Opener section of each Unit's Memorandum of Understanding, the total annual cost is approximately \$10,000. The cost will be absorbed by the applicable departments.

BACKGROUND:

The Side Letter amends the Memorandum of Understanding between the County and Western Council of Engineers (July 1, 2013 - June 30, 2022) to revise Section 5.15 – Deferred Compensation Plan. This revision provides for a County contribution towards active employees' deferred compensation accounts pursuant to the funds referenced in Section 49 – Non-Healthcare/Non-General Wage Re-Opener.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **03/29/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, 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: March 29, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Alvan Mangalindan,
(925) 655-2072

By: June McHuen, Deputy

BACKGROUND: (CONT'D)

Pursuant to this side letter, the County shall provide a monthly deferred compensation contribution to eligible employees in WCE who are enrolled in the County's deferred compensation program. Only permanent full-time or permanent part-time employees in a position designated at a minimum of twenty (20) hours per week who have been employed by the County for at least ninety (90) calendar days, will be eligible for the contribution. An employee will be considered enrolled in the County's deferred compensation program as long as they maintain a balance in such an account. Any newly hired employee who satisfies these requirements will also be eligible to receive this contribution on a go-forward monthly basis provided they open a deferred compensation account during the applicable year.

The initial 2022 contribution will be applied on a fiscal year basis through June 30, 2022. The pro-rata amount for each employee will be determined by dividing \$10,000 by the number of eligible employees enrolled in the County's deferred compensation program on April 10, 2022. This contribution amount will be distributed proportionately on a monthly basis, starting with the May 10, 2022 pay date through the following July 10, 2022 pay date. For the second half of the 2022 calendar year contribution only, due to the overlap of the above FY 2021-2022 contribution, the pro-rata amount for each employee will be determined by dividing \$5,000 by the number of eligible employees enrolled in the County's deferred compensation program on July 1, 2022. Individual contributions are to be distributed on a monthly basis among all eligible employees starting with the following August 10, 2022 pay date through the following January 10, 2023 pay date.

For all subsequent contributions, the contribution will be applied on a calendar year basis. After the 2022 calendar year contributions, the pro-rata amount for each employee will be determined for the applicable calendar year by dividing \$10,000 by the number of eligible employees enrolled in the County's deferred compensation program on January 1. Individual contributions are to be distributed on a monthly basis among all eligible employees starting with the following February 10 pay date through the following January 10 pay date. The parties acknowledge that the amount of each employee's pro-rata share is subject to change from year to year as the amount will be wholly dependent on the number of employees enrolled in the deferred compensation program at the time.

The terms of this Side Letter are effective March 29, 2022 and will be incorporated into the next MOU between the County and WCE. The Parties agree that this Side Letter resolves all re-opener negotiations related to Section 49 – Non-Healthcare/Non-General Wage Re-opener. Except as specifically amended or excluded by this Side Letter, all other terms and conditions of the MOU between Contra Costa County and WCE (July 1, 2013 - June 30, 2022) remain unchanged.

CONSEQUENCE OF NEGATIVE ACTION:

The Non-Healthcare/Non-General Wage Re-Opener section for WCE's MOU will remain open.

CLERK'S ADDENDUM

Speakers: No name given.

ATTACHMENTS

Resolution 2022/98

County and WCE Side Letter