



**Contra
Costa
County**

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: February 28, 2023

Subject: Resolution No. 2023/65 approving Memorandum of Understanding between the County and the Contra Costa County Defenders' Association

RECOMMENDATION(S):

ADOPT Resolution No. 2023/65 approving the agreement for a successor Memorandum of Understanding between Contra Costa County and the Contra Costa County Defenders' Association, implementing negotiated wage agreements and other economic terms and conditions of employment, for the period of July 1, 2022 through June 30, 2026.

FISCAL IMPACT:

The estimated increase in salary costs of the negotiated contract between the County and the Contra Costa County Defenders' Association is \$990,000 for Fiscal Year 2022-2023, \$1,039,500 for FY23-24, \$1,091,475 for FY24-25, and \$1,146,049 for FY25-26. Employees in the Deputy Public Defender series may exchange up to 1/3 of their annual vacation accruals for cash, at an estimated annual cost of \$200,000. The Juneteenth Holiday will have an approximate cost of \$1.3 million per year for all employee groups in the County. The Pandemic Service Relief Payment has an estimated one-time cost for the nine Coalition unions of approximately \$16.3 million and a County-wide one-time cost of \$22.8 million.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **02/28/2023** ☒ 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
Ken Carlson, 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: February 28, 2023

, County Administrator and Clerk of the Board of Supervisors

Contact: David Sanford, Chief of Labor Relations (925) 655-2070

By: June McHuen, Deputy

cc:

BACKGROUND:

The County began bargaining with the Union Coalition unions on April 18, 2022. A Tentative Agreement was reached between the County and the Defenders' Association on February 17, 2023. The Association ratified the Agreement on February 20, 2023. The resulting Memorandum of Understanding between the County and the Union, attached, includes modifications to wages, health care, and other benefit changes. In summary, those changes are:

BACKGROUND: (CONT'D)

In summary, those changes are:

- Duration of Agreement - Section 39.4
 - The term of the agreement is from July 1, 2022 through June 30, 2026.
- General Wages - Section 5.1
 - Effective February 1, 2023, the base rate of pay for all classifications represented by the Association will be increased by five percent (5.0%). Note that pay increases for the Deputy Public Defender series already went into effect on August 1, 2022.
 - Effective July 1, 2023, the base rate of pay for all classifications represented by the Association will be increased by five percent (5.0%).
 - Effective July 1, 2024, the base rate of pay for all classifications represented by the Association will be increased by five percent (5.0%).
 - Effective July 1, 2025, the base rate of pay for all classifications represented by the Association will be increased by five percent (5.0%).
 - COVID-19 Pandemic Service Relief Payment of up to \$2,500.
 - Compensation study language regarding a County-conducted study of the Public Defender Investigator II position.
- Medical, Life and Dental Care - Section 16
 - Amends dental plan design.
 - Increases the health savings account County contribution from \$625 to \$750 annually for participants in the Kaiser High Deductible Health Plan.
 - Medical Plan Cost Sharing for Active Employees reopener in 2024.
 - Amended language for the existing Joint Labor/Management Benefits Committee
- Leave of Absence - Section 14
 - Clarifies and amends references to FMLA and CFRA throughout.
 - Cleans up section to be consistent with the law.
- Sick Leave - Section 12
 - Amend language surrounding leave for pregnancy disability.
 - Clarify that Workers' Compensation reimbursement rate is 75% for all employees.
 - Various language clean up.
- Definition of Promotion and Transfer
 - Updates current definitions to help ensure identified personnel transactions are processed consistently.
- Vacation Buy-Back - Section 11.7
 - Provides for vacation buy-back for employees in the Deputy Public Defender series hired on and after January 1, 2012.
- Law School Student Loan Reimbursement Program - Section 25.3
 - Include the Deputy Public Defender III classification in the existing loan reimbursement program.
- Compensatory Time - Section 7.3

- Amend timeframe for selecting compensatory time.
- Incorporate or delete obsolete attachments, clean up language throughout.
- *Note that all financial benefits applied to the Deputy District Attorneys Association have already been applied to employees in the Deputy Public Defenders series as of August 1, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

Employees would be out of contract, which may cause labor issues.

ATTACHMENTS

MOU

Resolution 2023/65