

**Before the Board of Supervisors  
County of Placer, State of California**

**In the matter of: AN ORDINANCE AMENDING** Ord. No.: \_\_\_\_\_

AN UNCODIFIED ORDINANCE RELATING TO SALARIES,  
COMPENSATION AND BENEFITS OF BARGAINING UNITS  
REPRESENTED BY THE DEPUTY SHERIFF'S ASSOCIATION

FIRST READING: 9-8-09

SECOND READING: \_\_\_\_\_

The following **Ordinance** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held \_\_\_\_\_, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_  
Chairman, Board of Supervisors

Attest:  
Clerk of said Board

\_\_\_\_\_  
Ann Holman

**THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA,  
DOES HEREBY ORDAIN AS FOLLOWS:**

The Board of Supervisors of the County of Placer, State of California, hereby ordains as follows:

That the uncodified Ordinance relating to salaries, compensation and benefits of the Deputy Sheriff's Association Bargaining Unit, are hereby set out in Attachment A effective immediately upon final adoption. This ordinance shall not be codified.

## ATTACHMENT A

### GENERAL WAGE INCREASES:

#### Deputy Unit

Salaries for the classifications of deputy sheriff trainee/I/II and sheriff's sergeant shall be governed by Measure F during the term of this Agreement.

#### Chief Deputy Coroner

Effective pay period 19, February 13, 2010, salaries for the classification of chief deputy coroner are to be set at a pay range seven and one half percent (7.5%) above the base pay of the classification of deputy sheriff II.

#### Investigators and Welfare-Fraud Investigators Unit

Effective pay period 19, February 13, 2010, salaries for the classification of investigator and investigator welfare-fraud are to be set at a pay range five percent (5%) above the base pay of the classification of sheriff's sergeant.

Effective pay period 19, February 13, 2010, salaries for the classification of investigator welfare-fraud supervising are to be set at a pay range seven and one half percent (7.5%) above the base pay of the classification of investigator welfare-fraud.

### MEDICAL INSURANCE:

Effective pay period 12, November 7, 2009 for the 2010 benefit year all Deputy Sheriff Association represented employees, including Tahoe employees, will pay 20% of the premium for any plan (excluding PERSCare which will be frozen at the monthly employer contribution of \$457.70 for employee only; \$915.38 for employee plus one; and \$1,190.00 for employee plus family coverage).

Effective pay period 14, December 5, 2009, part-time prorated benefit tiers shall be changed to the proposed 3 tiers listed below. Placement in the tiers will be adjusted every thirteen pay periods based on the average number of paid regular hours completed. Changes will be prospective and effective pay period 1 and pay period 14 in each fiscal year. Part-time Prorated Benefit Tiers:

- (1) 50% benefit = 20 hours/week
- (2) 75% benefit = 21-31 hours/week
- (3) 100% benefit = 32 + hours/week

Employees who work less than 20 hours per week (40 hours per pay period) including pay for vacation, sick leave, compensatory time off, shall be charged for the full amount (employee and employer share) for all insurance premiums for each pay period they do not work the minimum number of hours in the previous 13 pay periods.

### VISION INSURANCE:

Effective with the 2009 Open Enrollment period for the 2010 benefit year, there will be a one-year lock in/lock out enrollment provision for adding and/or deleting dependents. Employees may add or delete dependents during the annual Open Enrollment period. Coverage changes will be effective January 1<sup>st</sup> of each year. Dependent Vision coverage will mirror the employee's eligibility for health plan enrollment. Employees enrolled in the Flexible Credit provision (formerly the In-lieu of Health) will cover all eligible dependents. Family status changes such as birth, death, marriage, divorce will still apply.

### PAYROLL PRACTICES:

Change or add the following definitions to read as follows:

- a. Base Rate – An employee's rate of pay expressed in terms of an hourly or monthly rate exclusive of any special forms of compensation or overtime premiums but inclusive of longevity pay.
- b. Regular Rate – An employee's base rate plus any special forms of compensation (i.e., Shift Differential, Out of Class, Longevity, Education Incentive, Stand-by Pay), that will be included when determining the appropriate rate of compensation for overtime worked, CTO pay-out and similar calculations.

2009 Intro  
Reso 2009 246-248



**MEMORANDUM**  
OFFICE OF THE  
**COUNTY EXECUTIVE**  
COUNTY OF PLACER

**TO:** Honorable Board of Supervisors  
**FROM:** Thomas M. Miller, County Executive Officer  
Nancy Nittler, Personnel Director  
**DATE:** September 8, 2009 (Continued from August 4, 2009)  
**SUBJECT:** Placer County Deputy Sheriff's Association (DSA) Compensation and Benefits Adjustments

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**ACTION REQUESTED**

It is recommended that your Board take the following actions to adjust Deputy Sheriff's Association (DSA) represented employee compensation and benefits.

1. Adopt the attached Resolution imposing the proposals contained within the County's "Last, Best and Final Offer for a New Memorandum of Understanding submitted July 1, 2009 by the County of Placer to the Deputy Sheriffs' Association".
2. Introduction of an ordinance adjusting the compensation and benefits of DSA represented employees.
3. Introduction of an uncodified ordinance adjusting the compensation and benefits of DSA represented employees.
4. Approve two resolutions to implement the CalPERS employee retirement contribution, one for DSA Safety members and one for DSA Miscellaneous members.

**BACKGROUND**

The Placer County Deputy Sheriff's Association represents approximately 226 employees including sheriff deputies, district attorney investigators and welfare fraud investigators. Active negotiations for a new contract were in progress from the fall of 2006 through most of 2008. After extensive meetings including a lengthy outside mediation process, the parties were unable to reach an agreement. These negotiations concluded with the intention to begin new negotiations at the beginning of 2009.

Since the DSA negotiations concluded, the national, state and local economies have deteriorated and in December 2008 the Board of Supervisors directed staff to open negotiations with the DSA to seek agreement on labor concessions comparable to the savings obtained through management and confidential employees' recommendations and labor concessions negotiated with the Placer

Public Employees Organization (PPEO). The DSA and County negotiating teams commenced negotiations in March to discuss the County's current budget status and the need for DSA labor concessions in conjunction with a new MOU.

In accordance with the County's Employer-Employee Relations Policy (EER Policy), on July 1, 2009 the DSA declared impasse and requested mediation under the EER Policy. On July 13, 2009 an Impasse Meeting was conducted by the County Executive Officer in the capacity of Employee Relations Officer. At that time the parties reviewed their final positions in an effort to reach agreement, and discussed the DSA request for non-binding mediation, which is an option stated in the EER Policy if both parties agree. After considering that request, the County Executive Officer subsequently advised the DSA negotiator that the County did not believe that mediation would be effective in resolving the impasse. The imposition of the County's Last, Best and Final Offer was schedule for Board consideration on August 4, 2009.

Prior to the Board consideration, the Chief Negotiator for the DSA contacted County Negotiators and requested a meeting to present and discuss a "last, best and final" proposal of the DSA as an alternative to imposition. The two negotiating teams met on Monday, August 3rd to discuss the new proposal that had been submitted by the DSA to the County the previous Friday. At that meeting the teams were able to reach tentative agreement on a new MOU and the DSA agreed to bring this agreement to their members for a vote. In support of this effort, on August 4<sup>th</sup> the Board of Supervisors agreed to continue the Board item that would have considered imposing the County's July 1, 2009 Last, Best and Final Offer to the DSA until their September 8<sup>th</sup> meeting.

The DSA conducted a vote of its members that concluded on August 28, 2009. The result of that vote was that the proposed MOU that had been tentatively agreed upon was rejected by the unit's membership.

#### **Conditions Since Adoption of the Proposed Budget**

On May 26, 2009 the Board of Supervisors adopted the FY 2009-10 Proposed Budget in the amount of \$769 million, reduced over the prior year by \$96.3 million or 11%. The General Fund at \$361 million was reduced \$15 million or 4% from the prior year and required the use of \$4 million in reserves to balance.

As first noted during the June 23, 2009 Board presentation, this year's budget cycle continues to challenge with further declines in sales and property tax revenues expected, and additional, probable budget impacts yet to be adopted by the State of California. Staff currently estimates this year's budget deficit could be in excess of \$26 million due primarily to proposed State funding reductions that would significantly impact the County's current budget and cash flow operations (\$21.7 million General Fund, \$3.8 million Public Safety Fund and \$500,000 Other Funds).

Placer County's revenue projections have declined further since adoption of the Proposed Budget, and the General Fund's revenue collections are expected to diminish in excess of \$4.6 million, particularly in property tax, sales tax, and realignment revenues. The Public Safety Fund is

expected to have a similar reduction with about \$3.4 million less public safety sales tax revenues than are currently budgeted and \$100,000 in other funds.

Recent State Budget impacts include Proposition 1A that will require the County to give a mandatory loan to the State of \$8-11.1 million, or 8% of the County's property tax revenue. Other State Budget impacts include further reductions to Placer County health and human service program funding estimated at \$5.3 to \$6 million; \$400,000 for security provided by the Sheriff's Department to the local courts; and \$400,000 Proposition 1A impacts on the Library and Fire Funds.

### **DSA Represented -- Measure F Salary Adjustments**

Pursuant to a voter approved initiative, Measure F, each February safety management and DSA members employed in the Sheriff's Department receive mandatory salary adjustments. Measure F salary increases are formula driven; set by position class at a level equal to the average of the salary for the comparable positions in the Nevada County, El Dorado County and the Sacramento County Sheriff's Offices. Measure F increases are the result of a voter adopted ballot measure and, as a result, it is not within the Board of Supervisors authority to deny, adjust or delay Measure F adjustments. Measure F has the following budget implications:

- Deputy sheriff II received a 6.31% salary increase and sheriff sergeants received a 6.30% salary increase in February 2009.
- Members will receive an additional Measure F increase in February 2010 that, based upon past trends, should result in salary increases between 3 and 6% for DSA employees.
- By agreement District Attorney (DA) investigators and welfare fraud investigators receive 5% above the base pay of the classification of sheriff's sergeant (which Measure F determines).

### **Last, Best and Final Offer (LBFO)**

Government Code Section 3503.4 authorizes a local public agency, after exhaustion of impasse procedures, to implement its last, best and final offer. As impasse has been declared and impasse procedures under the EER Policy have been exhausted, it is recommended that the Board direct staff to implement the provisions of the County's last, best and final offer delivered in the negotiations. The only modification to the LBFO is that the PERS employee contribution pickup will be come effective in the first pay period after adoption by the Board, rather than on July 18, 2009, as stated in the proposal. The content of the County's LBFO encompass compensation and benefits that, when combined, equate to labor savings of less than 5% and include greater cost sharing for health insurance premiums and a new cost sharing for retirement contributions. LBFO provisions include the following:

- February 2010 / Measure F salary increases based upon the voter approved formula; anticipated, based upon past trends, to range from a minimum of 3% to a maximum of 6% (actual percent determined January 2010).

- DA investigators and welfare fraud investigators to receive 5% above the base pay of the classification of sheriff's sergeant which Measure F determines.
- Health Insurance Cost Sharing: Midyear adjustment whereby employees pay 20% of the premium cost and a capping the County's employer contribution to PERSCare.
- Retirement Cost Sharing:
  - DSA represented Safety employees that receive safety retirement to pick up 2.5% of the 9% total required PERS employee contribution (the County will continue to pick up 6.5% of the employee contribution as well as the 24.9% employer contribution).
  - DSA represented Miscellaneous employees to pick up 2% of the 8% total required PERS employee contribution (the County will continue to pick up 6% of the employee contribution as well as the 13.7% employer contribution).
- Wellness Incentive to be reduced from 5% to 2.5% of base pay.
- Increased Rural Health Subsidy Allowance for Tahoe employees (reimburses medical expenses not covered by any other insurance plan).
- Increased tuition reimbursement from \$400 to \$600 per semester.
- Various personnel rule changes affecting probationary periods, Compensatory Time Earned carryover, shift differential, uniform allowance, personal property loss, part-time employee prorated benefit tiers, holiday pay provisions and various other terms and conditions of employment many of which have already been applied to other represented / non-represented groups.

### **FISCAL IMPACT**

The continuing reductions projected for the County's revenue streams, anticipated significant State budget impacts and rising costs related to labor and ongoing operations, make it essential that the County achieve labor savings through wage and benefit changes to obtain budget savings. On August 4<sup>th</sup>, staff projected that approval of the recommended action would save the County approximately \$815,793 in FY 2009-10, or about 5% of the total of all DSA represented employees' annual base pay. Due to delayed implementation of payroll labor concessions to September 26<sup>th</sup>, the recommended action is now projected to save the County approximately \$747,962 (\$67,831 less) in FY 2009-10.

The individual employee impact from these labor concessions will vary due to the health insurance provider and type of coverage that the employee chooses and that employee's base rate of pay. Staffs estimate that the FY 2009-10 employee impacts are estimated to range between 4% and 6.5% of base pay. This impact will be offset by the Measure F salary increases that are required to be implemented automatically in February 2010.

As part of the Final Budget process Public Safety Fund budget have been reduced by labor savings. These Public Safety Fund reductions were necessary to partially offset continuing declines in public safety sales tax and other revenues estimated to be in excess of \$3.8 million.

Attachments

1. Resolution to impose the County's July 1, 2009 Last, Best and Final Offer to DSA for a term that begins July 1, 2009 through June 30, 2010.
2. Ordinance implementing compensation and benefits adjustments for DSA represented employees.
3. Uncodified ordinance implementing compensation and benefits adjustments for DSA represented employees.
4. Resolution for the CalPERS DSA Safety employee retirement contribution.
5. Resolution for the CalPERS DSA Miscellaneous employee retirement contribution.

