

## **SIDE LETTER AGREEMENT BETWEEN THE COUNTY OF PLACER AND THE PLACER PUBLIC EMPLOYEES ORGANIZATION INTERNATIONAL UNION OF OPERATING ENGINEERS STATIONARY ENGINEERS LOCAL 39**

Pursuant to the provisions of the Meyers-Milias-Brown Act, this Side Letter of Agreement is entered into on Sept. 5, 2017 between the County of Placer ("County") and the Placer Public Employees Organization (PPEO) to make minor modifications to certain sections of the current memorandum of understanding (MOU) covering the term July 1, 2017 to June 30, 2022. It is understood and agreed that the specific provisions contained in this Side Letter Agreement shall supersede any previous agreements, whether oral or written, regarding the matters contained herein. Except as provided herein, the MOU and all other wages, hours and other terms and conditions of employment presently enjoyed by employees in job classifications represented by the PPEO, shall remain in full force and effect.

The County and the PPEO have met and conferred in good faith concerning the terms and conditions of this Side Letter Agreement and its implementation and now therefore agree that sections 4.13, 6.06, 6.14, 6.16, 8.06, 10.11, and 11.15 be replaced with the language shown below. New language is noted in bold/underline and deletions are noted in strike through.

### **4.13 – STAND-BY DUTY**

- a. Stand-by duty requires the employee so assigned:
  1. To be ready to respond to calls for his or her service; and
  2. To be reachable by telephone or radio; and
  3. To refrain from activities which might impair his or her ability to perform his or her assigned duties.
- b. Stand-by duty may only be assigned by a department head or designated representative.
- c. Stand-by duty shall be compensated at a flat rate of twenty-seven dollars (\$27.00) for weekdays and thirty dollars (\$30.00) for weekends and holidays, **for eight hours (one normal shift) of stand by duty, or any portion thereof, and shall be paid in the pay period it is earned.**
- d. Weekdays are defined as Monday 12:01 a.m. through Friday midnight. Holidays are defined as the County declared holiday from 12:01 a.m. to midnight.
- e. Stand-by duty and stand-by compensation shall not be deemed overtime compensation.

### **6.06 – CERTIFICATION PAY, SPECIAL SKILLS / LICENSE PAY**

- a. Certification Pay
  1. Building Inspector Certificate Pay. Certificates that are attained by employees in the classifications of building inspector I/II, senior building inspector and supervising building inspector beyond those presented to meet the minimum qualifications as stated in the class specifications shall be compensated at the rate of \$50 per certificate

per month up to a maximum of \$200 per month for each of the certificates listed:

- Plans Examiner
- Plumbing
- Mechanical/Electrical (commercial or residential)

The County will reimburse a qualifying employee for all initial exams and renewal fees associated with the above certificates for up to three (3) exams per year.

2. Universal Technician Pay. Upon request of the department head, and approval by the Human Resources Director, the County will pay an additional five percent (5%) of base hourly rate, plus longevity if applicable, to employees who have been certified as a universal technician as required by 40 CFR part 82, subpart F and who are assigned duties in the Department of Facility Services that are consistent with that certification.
3. LCSW/MFT/MFCC Pay. The County shall pay an additional five percent (5%) of base hourly rate, plus longevity if applicable, to each employee in the classifications of client services practitioner I/II/senior and client service program supervisor, who obtain a certificate as a Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT) or Marriage, Family Child Counselor (MFCC). Effective upon adoption of this MOU add: Licensed Professional Counselor (LPCC) and Licensed Psychologist (Ph.D. and Psy.D.).
4. Professional Certification & Licensing, Misc. Professional employees shall have the following mandated certificate, registration or license fees paid by the department. Any additions or deletions to this list shall be approved by the Human Resources Director: California Bar Association, Civil Engineering Certificate, California State Nursing License, State Surveyor Registration, Licensed Clinical Social Worker, State Sanitarian Registration, & American Occupational Therapy Association Certificate of Registration.
5. Psychiatric Technician License. The County shall pay the costs of renewal of the Psychiatric Technician License for employees in the classifications of client services counselor I, II and senior, where the license is required by the employee in the performance of County employment, provided the employee does not perform "moonlight" work with said license.
- 6. Civil Engineer or Land Survey Certificate of Registration. The County will pay an additional five percent (5%) of base hourly rate, plus longevity if applicable, to employees in the classes of assistant engineer, associate engineer and assistant surveyor, upon presentation of a Certificate of Registration as a Civil Engineer or Land Surveyor issued by the California State Board of Registration for Professional Engineers.**

#### **6.14 – NIGHT SHIFT DIFFERENTIAL PAY**

- a. For the purposes of this paragraph, “regularly assigned to work” means the hourly work schedule assigned to each employee.

- b. All employees regularly assigned to work 50% or more of his or her hours between the hours of 5:00 P.M. and 6:00 A.M. shall receive a night shift differential of 7.5% of base pay for all hours worked.
- c. All employees regularly assigned to work 50% or more of his or her hours between the hours of 5:00 P.M. and 6:00 A.M. shall continue to receive the 7.5% shift differential even when he or she works outside of the 5:00 P.M. and 6:00 A.M. time period.
- d. All employees who are not regularly assigned to work 50% or more of his or her hours between the hours of 5:00 P.M. and 6:00 A.M. shall receive the night shift differential of 7.5% of base pay for all hours worked between the hours of 5:00 P.M. and 6:00 A.M., provided he or she works a minimum of ± 3 hours between the period of 5:00 P.M. and 6:00 A.M. **excluding any hours that are a part of the employees' regular shift.**

#### **6.16 – TAHOE BRANCH ASSIGNMENT PREMIUM**

- a. Tahoe Branch Assignment Premium shall be seven hundred and seventy five dollars (\$775) per month.
- b. Effective the first pay period following July 1, 2018, Tahoe Branch Assignment Premium shall be eight hundred and twenty five dollars (\$825) dollars per month.
- c. Effective the first pay period following July 1, 2019, Tahoe Branch Assignment Premium shall be eight hundred and seventy five dollars (\$875) per month.
- d. Effective upon the adoption of this Agreement by the Board of Supervisors, employees hired into or transferring into a position located in the North Lake Tahoe area and who reside in the following areas will qualify for the Tahoe Branch Assignment Premium: the Serene Lake area and all areas in Placer County east of the Serene Lake area; the Emerald Bay area and all areas in California north of Emerald Bay area; the South Lake Tahoe area in El Dorado County, CA; all of the Lake Tahoe Basin area including Washoe County, Nevada **(but only that portion of Washoe County that is within the Tahoe Basin)**; and the Town of Truckee and the unincorporated Truckee area in Nevada County, CA and immediate vicinity.
  - 1. Employees will be required to request Tahoe Branch Assignment Premium and will need to demonstrate and certify residency within the specified areas.
  - 2. Employees will be required to notify Human Resources if they no longer reside in an area qualifying for Tahoe Branch Assignment Premium.
  - 3. Employees already receiving Tahoe Branch Assignment Premium at the time this Agreement is adopted by the Board of Supervisors will continue to receive the premium for the uninterrupted and continuous duration of the employee's position in the North Lake Tahoe area. If an employee no longer occupies a position in the North Lake Tahoe area, but resumes a position in the North Lake Tahoe area after the adoption of this Agreement, the residency requirement of this section will apply to the employee upon re-occupying the same or different position in the North Lake Tahoe area.
  - 4. Residency under this section shall be determined in accordance with the Government Code section 244.

## **7.06.c. – CALPERS RETIREMENT FORMULAS AND EMPLOYEE CONTRIBUTIONS**

c. **Tier 3: Employees Hired on or after January 1, 2013.** Final comp based on three year final compensation period average. Placer County will comply with the Public Employees' Pension Reform Act of 2013 (PEPRA) legislation and/or regulations.

1. Safety Plan Member: 2.7% at 57 retirement formula. Employees will pay at least 50% of the total normal cost rate of their defined benefit plan or the current contribution rate of similarly situated employees, whichever is greater.

2. Miscellaneous Plan Member: 2.0% at ~~62~~ 55 retirement formula. Employees will pay at least 50% of the total normal cost rate of their defined benefit plan or the current contribution rate of similarly situated employees, whichever is greater.

3. CalPERS Classic Member:

i. Safety Plan Member: 3.0% at 55 retirement formula. Employees will pay 100% of the employee contribution.

ii. Miscellaneous Plan Member: 2.0% at 55 formula. Employees will pay 100% of the employee contribution.

## **8.06 – RELEASE DURING OTHER THAN INITIAL PROBATIONARY PERIOD**

Other than an initial probationary period, an employee may be released by the appointing authority at any time during the ~~promotional~~ probationary period, and the probationer shall be without the right of review of any kind. Notification of release shall be made in writing by the appointing authority to the Human Resources Director. The appointing authority shall give such employee, at any time up to and including the last day of the probationary period, ten (10) working days' notice of release of promotional probation of employment. Such employee shall ~~perform at the level of, and~~ be entitled to receive, during such last ten (10) working days, the salary of the position in which said employee was on during probation. ~~This section does not apply to a probationary period required by Placer County Code Section 3.08.410.~~

## **10.11 – EFFECTIVE DATE OF DISCIPLINE**

The employee may file a request for an appeal hearing within ten (10) calendar days of being served, per Article 10.12, herein, and Placer County Code, Chapter 3, Section 3.08.1280.

- a. Discipline less than termination shall become effective eleven (11) **calendar** days after the employee has been served with the order of discipline, whether or not an appeal has been filed by the employee.
- b. Discipline that involves discharge from employment shall become effective when the appointing authority has served the employee with a copy of the order and filed the original order with the Human Resources Director pursuant to Article 10.09 (Placer County Code, Chapter 3, Section 3.08.1240).

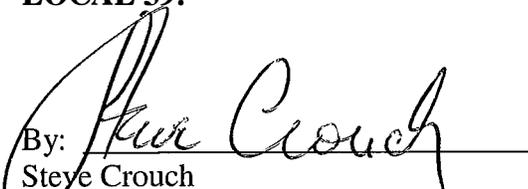
**11.15 – UNIFORM ALLOWANCE**

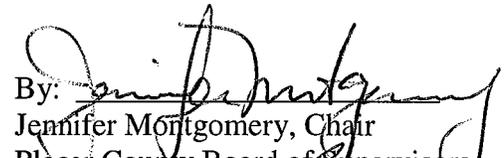
Uniform allowances shall be processed as non-reimbursable, taxable, bi-weekly pay in accordance with procedures established by the Auditor Controller’s Office.

- a. \$750 Allowance. An annual uniform allowance for employees who are required to wear a uniform as a regular part of their duties will be paid for the following class series in the amount of seven hundred fifty dollars (\$750) per year: administrative clerical, administrative legal clerical, accounting clerical, public safety dispatcher, correction support supervisor and Probation Department Staff Services Analyst, Probation Assistant, Probation Department Information Technology, **Probation Department Administrative Technician, Probation Department Executive Secretary, Sheriff’s Office Public Information Specialist,** and Kennel Attendant.
- b. \$1,065 Allowance. An annual uniform allowance for employees who are required to wear a uniform as a regular part of their duties will be paid for the following class series in the amount of one thousand sixty-five dollars (\$1,065) per year: agricultural and standards inspectors, animal control officer, community service officer, correctional officer, environmental health specialists, environmental health technical specialists, environmental health technicians, evidence technician, and deputy probation officers – field, institution, and Investigative Assistant.

**PLACER PUBLIC EMPLOYEES ORGANIZATION AND STATIONARY ENGINEERS, LOCAL 39:**

**THE COUNTY OF PLACER:**

By:   
Steve Crouch  
Director of Public Employees

By:   
Jennifer Montgomery, Chair  
Placer County Board of Supervisors

By:   
James Britton  
Business Representative

By:   
David Boesch  
County Executive Officer

By:   
Aaron Johnson, President  
Placer Public Employees Organization

By:   
Lori Walsh  
Human Resources Director

By:   
Matt Bartholomew, Vice-President  
Placer Public Employees Organization