



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: March 8, 2011
SUBJECT: Side Letter Agreement with Placer Public Employees Organization (PPEO)

ACTION REQUESTED

It is recommended that your Board approve the attached Side Letter of Agreement with the Placer Public Employees Organization (PPEO) and authorize the Chairman of the Board to sign five originals.

BACKGROUND

During the 2006-10 contract negotiations, it was agreed that the parties would conduct payroll side table discussions to review then-current practices and document best payroll practices. The attached side letter agreement reached by the Board's negotiating team and PPEO representatives clarifies and documents the agreed upon snow shift assignment practices, and will facilitate consistent implementation throughout the Department of Public Works and provide training documentation for department payroll staff

Key points clarified in the side letter include:

1. County management, through the Director of Public Works will determine when a "declared snow shift assignment" is to be made.
2. Only employees assigned to work one of these shifts by the Director will be eligible to receive the assignment differential.
3. Efforts will be made to fill snow shift assignments through a volunteer process however department management has the right to make these assignments as needed.
4. There is no guaranteed notice timeline required for changes to employee's shifts and no additional pay other than the 10% snow shift differential, and the night shift differential when applicable, will be paid.
5. Employees may have to "move" snow during the normal course and scope of their duties; however, this does not generate snow shift assignment pay.
6. Other areas such as overtime eligibility, flexibly scheduled snow shifts, employee prep time, and when the snow shift assignment pay begins were also clarified.

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FISCAL IMPACT

Given that the items listed in the side letter of agreement are the County's current practices, and that the side letter only serves to document those practices, there should be no additional cost to the County if approved.

Attachment

Snow Shift Assignment Side Letter of Agreement

Declared Snow Shift Assignments

When weather warrants and the Director of the Public Works Department authorizes a "declared snow shift assignment", all bargaining unit members assigned to be actively involved in shift duties, for example mechanics, sand and fuel truck operators, and supervisors, will receive an assignment differential of ten percent (10%).

Every effort will be made to fill snow shift assignments through a volunteer process. However, if sufficient qualified volunteers are not available, department management maintains the right to make these assignments as needed.

It is understood by all parties that while every effort will be made to provide as much notice of a "declared snow shift assignment" as possible, there are no guaranteed notice timeline requirements for the changes to the employees' shift and no additional pay other than the 10% snow shift differential, and night shift differential when applicable, will be paid.

Overtime will be paid after 40 regular pay equivalent hours are completed during the employee's work week. The beginning and ending of the employee's regular 40-hour work week will be monitored for compliance with FLSA overtime requirements. No overtime will be paid for specifically changing the start or end time of an assigned employee's work shift for "declared snow shift assignments".

Standard snow shifts can be for one or more days and require an entire crew or multiple crews to report for duty. Snow shifts include paid break and meal periods; are typically flexibly scheduled and can extend for up to 12 hours or longer; examples:

- noon to midnight and/or midnight to noon,
- 7 am to 7 pm and/or 7 pm to 7 am, and/or
- 5 am to 5 pm and/or 5pm to 5 am in Tahoe

If a snow shift is declared during an employee's regular work shift and he/she is assigned to the first "midnight shift" he/she may be sent home with pay for the remainder of his/her shift (a maximum of 3 hours) if approved by the Director of the Public Works Department. It is expected that use of this provision will be a rare occurrence during the snow season. If additional preparation time is needed by the employee, he/she may request to use leave hours if additional paid hours are needed to provide a full 40 paid hours within the employee's work week. As an alternative to using leave hours the first few hours of the "snow shift" can be applied toward the employee's 40 hours worked in the week.

Declared snow shift assignment pay begins when the employee reports for duty at the designated location to begin the work assignment. For employees temporarily assigned to Tahoe, the pay begins when everyone reports (typically in the Auburn yard) and they all leave.

Declared Snow Shift Assignments

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Normal work shifts are not considered "declared snow shift assignments", and snow removal duties which qualify for this special pay are considered to be above and beyond those duties performed during the normal course and scope of work. Declared snow shift assignment pay will not be paid to individual employees who work in snow while performing regular, customary job responsibilities; examples:

- Bargaining unit members who are repairing storm drains when snow is on the ground,
- Bargaining unit members plowing snow during a regular work shift,
- Routine sanding during non-declared snow shifts such as early morning, at the end of a shift or weekends.

Signatures:

Date:

Placer Public Employees Organization:

County of Placer:

Jerry Kalmar, Business Manager
Stationary Engineers, Local 39

Robert Weygandt, Chairman Board of Supervisors

Madison Bland, President
Stationary Engineers, Local 39

Thomas Miller, County Executive Officer

Joan Bryant, Director of Public Employees
Stationary Engineers, Local 39

Nancy Nittler, Personnel Director

Chuck Thiel, Business Representative
Stationary Engineers, Local 39

Adopted by the Placer County Board of Supervisors
on _____

James Britton, Business Representative
Stationary Engineers, Local 39

Clark Gehlbach, PPEO President

Jim Tygrett, PPEO Vice President