

MEMORANDUM

PLACER COUNTY
OFFICE OF THE COUNTY EXECUTIVE

To: Honorable Board of Supervisors
From: David Boesch, County Executive
By: Maryellen Peters, Deputy County Executive
Date: September 23, 2014
Subject: Appeal by Placer County Peace Officers Association of Denial of Unit
Modification Petition

BACKGROUND:

The Meyers-Milias Brown Act (MMBA, Government Code sections 3500 et seq.) governs labor-management relationships within California local entities, including counties. The MMBA permits the County to establish local rules governing labor relations after consultations with the County's employee organizations. At the same time, the MMBA establishes mandatory rights and duties governing all local agencies.

Placer County and its employee organizations have agreed to local rules in the form of the Placer County Employer-Employee Relations Policy (EERP). The EERP was last amended and adopted by the Board on June 24, 2001. (Joint Exhibit 1) Among other matters, the EERP provides the procedures governing how an employee organization is chosen to represent a group of employees and how bargaining units are created and modified.

Placer County currently has two exclusively recognized employee organizations. The Placer Public Employees Organization (PPEO) and the Placer County Deputy Sheriffs' Association (PCDSA). The PPEO represents two bargaining units – the General Bargaining Unit and the Professional Bargaining Unit. County Deputy Probation Officers, who are represented by PPEO, are currently members of the Professional Bargaining Unit. On the other hand, Correctional Officers, who are also represented by PPEO, are currently members of the General Bargaining Unit.

DISCUSSION:

On February 28, 2014, the Placer County Peace Officers Association (PCPOA) filed a Recognition Petition, Articles of Incorporation, Bylaws and Constitution with the County Executive Office asking that the County create a new collective bargaining unit comprised solely of the Deputy Probation Officer series and the Correctional Officer series. A copy of the Petition is attached as Attachment A.

Pursuant to the procedures of the Employer Employee Relations Policy, the County Executive Officer serves as the County Employee Relations Officer (ERO) and the ERO determines if the Recognition petition is in compliance with the rules established by the EERP. On March 19, 2014, the ERO notified the PCPOA that the Petition was defective and even if it had not been the PCPOA was not an appropriate unit. A copy of the determination is attached as Attachment B.

The ERO met with PCPOA on April 15th, where PCPOA was allowed an opportunity to consult with the County regarding its petition. On April 16, 2014, the ERO notified PCPOA in writing that the County's position had not changed.

PCPOA requested State Mediation. The Mediation was held on August 15, 2014. The County and PCPOA were unable to resolve the matter, the mediator recommended PCPOA file an appeal with the Board of Supervisors within 30 days.

The appeal from PCPOA was received on August 18, 2014. Following the procedures in the EER Policy the Appeal Hearing was initially set for the September 9 agenda, but the parties stipulated to continue the hearing to September 23, 2014.

As part of the hearing process, the County ERO and the PCPOA, through their respective attorneys, have stipulated to a set of procedures for the hearing. The hearing will be bifurcated so that Action 1 and Action 2, if necessary, can be addressed separately. This stipulation was submitted to County Counsel in advance of the hearing for review and modification, if any.

The parties stipulated to the following items:

1. PCPOA has the burden of proving why its appeal should be granted. The standard of proof is a preponderance of the evidence (more likely than not).

2. While this appeal is referred to as a hearing, it is not a formal evidentiary type hearing where witnesses will be called to testify and be subject to cross-examination.
3. The parties have agreed to jointly submit a set of exhibits 1- 17 for consideration, although the County has stated an objection to exhibit 16 (consisting of job descriptions) as irrelevant.
4. The parties agreed that either may submit a written letter brief to the Board prior to the hearing. The Board should have received copies of these letter briefs before the date of the Board meeting.
5. The parties agreed to a schedule of speakers for position statement and time limitations for each speaker, as follows:
 - a. PCPOA will present its initial position statement for a total time not to exceed 20 minutes.
 - b. In response, the County will present its initial position statement for a total time not to exceed 20 minutes.
 - c. Either side may then present additional speakers in support of its position, for a total time not to exceed 5 minutes per speaker. PCPOA will present its speakers first, and then the County may present its speakers. The parties agreed to provide the Clerk of the Board (or designee) the list of additional speakers in advance of the hearing no later than 9:00 a.m. on September 23, 2014.
 - d. Any other individual may speak as part of public comment in support or against the appeal for a total time not to exceed 3 minutes per speaker.
 - e. Each party may then present closing/rebuttal arguments as follows:
 - i. As part of its closing/rebuttal, PCPOA may speak for no more than 5 minutes.
 - ii. As part of its closing/rebuttal, the County may speak next for no more than 5 minutes.
 - iii. As part of its sur-rebuttal, PCPOA may speak for no more than 3 minutes.
6. The parties agreed that any member of the Board or County Counsel's Office may ask questions of either party.
7. The parties agreed that the Board may make a final decision on the matter at this hearing or may take the matter under submission and issue a decision at a later time than the September 23, 2014 Board meeting.

8. The parties agreed that any decision of the Board of Supervisors to modify the parties' proposed procedures, and in determining the substance of the dispute shall be final and binding.

ACTION REQUESTED

Action No. 1: The parties ask that the Board to decide whether PCPOA's petition was properly filed pursuant to the County's Employer-Employee Relations Policy. If the Board finds that it was not properly filed, then the Board may deny PCPOA's petition on that basis.

Action No. 2: If the Board finds that the petition was properly filed, PCPOA proposes a second issue for the Board's review of whether its proposed unit is appropriate because Probation and Correctional officers share a community of interest. The County objects to the second issue being presented and both parties will submit their arguments on the second issue for the Board's consideration.

Attachments:

- Attachment A: Recognition Petition filed by the Placer County Peace Officers' Association (PCPOA).
- Attachment B: Letter from David Boesch, County Executive Officer, in Response to PCPOA's Petition.

**RECOGNITION PETITION FILED BY THE
PLACER COUNTY PEACE OFFICERS ASSOCIATION**

BARGAINING UNIT MODIFICATION PETITION OF THE PLACER COUNTY PEACE OFFICERS ASSOCIATION AND PETITION FOR RECOGNITION OF SEPARATE BARGAINING UNIT.

The Placer County Peace Officers Association (PCPOA) submits this Petition for unit modification pursuant to Article II, Section 9 of the Employer-Employee Relations Policy ("Policy").

Pursuant to Article II, Section 9 of the Policy, the PCPOA Petitions to modify the General-Safety Unit and Professional- Safety Unit uniting the existing units into one appropriate bargaining unit comprised solely of public safety officers in the classifications of Deputy Probation Officer I, Field; Deputy Probation Officer I, Institution; Deputy Probation Officer II, Field; Deputy Probation Officer II, Institution; Deputy Probation Officer, Senior, Field; Deputy Probation Officer, Senior, Institution; Deputy Probation Officer, Supervising, Field; Deputy Probation Officer, Supervising, Institution; Correctional Officer I, Correctional Officer II, and Correctional Sergeant. These classifications are currently part of the General- Safety and Professional- Safety Units and are represented by Placer Public Employees Organization (PPEO). Pursuant to Section 9 of the Policy, the PCPOA requests to modify the bargaining unit so as to create a separate Probation Officer and Correctional Officer Unit represented by the PCPOA. The PCPOA further requests the County recognize the PCPOA as the exclusive collective bargaining representative for the Probation Officer and Correctional Officer Unit for purposes of collective bargaining and representation over wages, hours, and other terms and conditions of employment.

ARTICLE II, SECTION 3 INFORMATION.

Pursuant to the requirements set forth in Article II, Section 3 of the Policy, PCPOA submits the following:

a) Name and address of the employee organization:

Placer County Peace Officers Association Inc., doing business as "Placer County Peace Officers Association", P.O. Box 7844, Auburn, California 95604.

b) Names and titles of its officers:

Trista Hansen, President
Rebecca Lyke, Vice-President
Kenny Hee, Vice-President
Michel Pichardo, Secretary
Jake Mucher, Treasurer

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- c) Names of employee organization representatives who are authorized to speak on behalf of the organization:

Trista Hansen, President
Rebecca Lyke, Vice-President
Michel Pichardo, Secretary
Jake Mucher, Treasurer
Kathleen N. Mastagni Storm, Attorney for PCPOA
Brendon P. Parenti, Attorney for PCPOA

- d) A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with the County:

The PCPOA's primary purpose is the responsibility of representing employees in their employment relations with the County.

- e) A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional, state, national or international organization, and, if so, the name and address of each such other organization:

The PCPOA is not a chapter of, nor affiliated directly or indirectly in any manner, with a local, regional, state, national or international organization.

- f) Certified copies of the employee organization's constitution and bylaws:

Certified copies of the Articles of Incorporation and Constitution and Bylaws are attached hereto collectively as Exhibit "1."

- g) A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose:

Trista Hansen, President, P.O. Box 7844, Auburn, California 95604
Michel Pichardo, Secretary, P.O. Box 7844, Auburn, California 95604

- h) A statement that the employee organization has no restriction on membership based on race, color, religion, creed, sex, national origin, age, sexual orientation, mental or physical disability or medical condition:

The PCPOA has no restriction on membership based on race, color, religion, creed, sex, national origin, age, sexual orientation, mental or physical disability, or medical condition.

- i) The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein:

The Management- Safety Unit contains approximately 98 employees in the classifications of: Deputy Probation Officer I, Field; Deputy Probation Officer I, Institution; Deputy Probation Officer II, Field; Deputy Probation Officer II, Institution; Deputy Probation Officer, Senior, Field; Deputy Probation Officer, Senior, Institution; Deputy Probation Officer, Supervising, Field; Deputy Probation Officer, Supervising, Institution. The General-Safety unit contains approximately 98 employees in the classifications of: Correctional Officer I, Correctional Officer II, and Correctional Sergeant.

- j) A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the County:

The PCPOA has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the County. Article I, Section 2 of the Policy defines "Proof of Employee Support" as "(2) a verified authorization petition or petitions recently signed and personally dated by an employee."

Pursuant to Article I, Section 2(2) proof of support is reflected in the attached verified authorization petition. (True and correct copies of the verified authorization petition is attached hereto as Exhibit "2.")

- k) A request that the Employee Relations Officer formally acknowledge the petitioner as the Exclusively Recognized Employee Organization Representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.

The PCPOA requests that the Employee Relations Officer formally acknowledge the PCPOA as the Exclusively Recognized Employee Organization representing the employees in the Probation and Correctional Officer Unit.

STATEMENT OF ALL RELEVANT FACTS AND CITATIONS IN SUPPORT OF THE PROPOSED MODIFIED UNIT IN TERMS OF THE POLICIES AND STANDARDS SET FORTH IN ARTICLE II, SECTION 8.

The factors set forth in Section 8, support a determination that the proposed unit modification of forming a separate Probation and Correctional Officer Unit represented by the PCPOA is appropriate. The proposed unit will have a positive effect on the efficient operations of the County and its compatibility with the primary responsibility of the County and its employees to effectively and economically serve the public, and provide employees with effective representation based on recognized community of interest considerations. The unit proposed by the PCPOA satisfies the factors set forth in Section 8 as follows:

- a) Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions:

The proposed Probation and Correctional Officer Unit would be comprised solely of public safety officers that have similar or identical kinds of work, required qualifications and working conditions. All employees are mandated to obtain and maintain peace officer certifications from State of California "Standards and Training for Corrections (STC)," as well as course work required by Penal Code Section 832. The employees have annual STC training requirements. All members of the proposed unit perform similar work, and are subject to the same or similar working conditions and policies. The employees are responsible for supervising and monitoring inmates and probationers, including juvenile and adult offenders. Prepare reports based on inmate or probationer activities. Prepare reports for, and testify in court. Conduct searches and investigations on both juvenile and adult inmates and probationers. Interview and assess juvenile and adult inmates and probationers for classification and placement. All employees are all committed to ensuring and maintaining a safe community by providing and enhancing a coordinated level of services and programs designed to lessen the impact and reoccurrence of crime, and to protect and serve the people of Placer County.

All employees have the same or similar educational requirements. All employees are subject to the same or similar background and psychological evaluations and physical requirements. All employees are currently subject to the same benefits, are represented by the PPEO in the same Professional-Safety and General- Safety Units, and subject to the same memorandum of understanding. All employees are subject to alternative work-schedules, such as 24 hour staffing. They are eligible for shift differential, holiday pay, and specialty assignment pay pursuant to their memorandum of understanding. In their current bargaining unit, Probation and Corrections number approximately 200 safety officer members out of approximately 1500 non safety county employees.

In *Long Beach Community College District* (1999) PERB Decision No. 1315, PERB held security officers were entitled to sever from the established general employee association, the California School Employees Association, and form a separate bargaining unit comprised solely of campus security officers and become affiliated with Police Officers' Association. PERB based this decision on its determination that the security employees possessed a community of interest separate from the other classified employees. PERB noted the security officers carry guns, wear special uniforms, special patches, and special shoes, possessed POST basic certifications, maintained sworn status, received specialized training, physical ability evaluations, and psychological evaluations to be hired. The factors set forth in *Long Beach* are equally applicable to the instant Petition and support the requested unit modification. Similarly, in *Sacramento City Unified School District* (1977) PERB Decision No. 30, PERB found strong public policy considerations in favor of a separate unit for security officers.

- b) History of representation in the County and similar employment; except however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized:

The employees in the proposed Probation and Correctional Officer Unit are represented by the same Exclusively Recognized Employee Organization, the PPEO. The employees in the proposed unit are covered by the same memorandum of understanding, and have taken part in the same negotiation process. The proposed unit continues the existing practice of representation, albeit with the probation employees and correctional employees within the same unit. The negotiating history supports establishment of a Probation and Correctional Officer Unit represented by the PCPOA. (*See, Livermore Valley Unified School District (1981) PERB Decision No. 165.*)

- c) Consistency with the organizational patterns of the County:

The proposed Probation and Correctional Officer Unit is consistent with the organizational patterns of the County because they will continue to be represented by one Exclusive Representative. The only change that will result is the employees will no longer be included in an Employee Organization that is comprised of a substantial majority of non-public safety officer units. Moreover, the probation employees were previously members of the Deputy Sheriffs Association, a similarly comprised peace officer employee association.

- d) Effect of differing legally mandated impasse resolution procedures:

The proposed Probation and Correctional Officer Unit will be comprised of employees who are all subject to the same impasse resolution procedures. Currently all members of the existing PPEO represented unit and the proposed unit are subject to the same impasse resolution procedures, which culminate in fact finding pursuant to AB 646, PERB Regulation 32802, and Government Code Sections 3505.4 through 3505.7. The proposed modification does not change these rights.

- e) Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units:

The proposed unit encompasses approximately 196 employees and eleven (11) classifications. No fragmentation of classifications will occur because all classifications in the probation series and all classifications in the correctional series will be placed in the same unit. The requested modification will not result in proliferation of units. Further, the probation and correctional employees do not seek, nor does the statute require, proliferation of separate units comprised of different probation and corrections classifications.

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- f) Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classifications among two or more units:

The proposed unit does not divide single classifications among two or more units. The proposed unit will combine the Professional- Safety and General- Safety Units into a single Probation and Correctional Officer Unit. Therefore the effect of the proposed Probation and Correctional Officer Unit is de minimis.



COUNTY OF PLACER

BOARD MEMBERS

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**OFFICE OF
COUNTY EXECUTIVE**

David Boesch, County Executive Officer

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March 19, 2014

Via Facsimile & U.S. Mail

Brendon P. Parenti, Attorney at Law
Mastagni, Holstedt, Arnick, Miller & Johnsen
1912 I Street
Sacramento, CA 95811

Re: County's Response to PCPOA's Petition for Unit Modification and Response to Request for Clarification Letter

Dear Mr. Parenti:

The County has received your letter, dated March 10, 2014, stating that the Placer County Peace Officers Association (PCPOA) seeks to clarify its "Petition for Unit Modification of the Placer Public Employee Organization/Petition for Recognition of Exclusively Recognized Employee Organization Placer County Peace Officers Association," by adding a third petition – a Petition for Severance. The PCPOA filed its initial petition on February 28, 2014, under Section 3 and Section 9 of the County's Employer-Employee Relations Policy (EERP), and now contends that it also intended to cite to Section 10 for Severance. Yet, the PCPOA acknowledges that its petition is lacking a specific reference to Section 10. The County has considered these arguments but is unable to process the petition for the reasons stated below.

A. PCPOA Submitted a Defective Petition

Section 3 of Article II of the EERP sets forth the requirements for filing a recognition petition by the employee organization. Section 9 of Article II of the EERP sets forth the procedure for modification of established appropriate units. Section 10 of Article II of the EERP sets forth the procedure for processing severance requests. Section 10 provides that an employee organization may file a request to become the recognized employee organization of a unit alleged to be appropriate that consists of a group of employees who are already a part of a large established unit represented by another recognized employee organization.

The petition filed by PCPOA is defective, and the County is unable to process the petition as one for severance, as you are now seeking, and is returning the petition so that the PCPOA may re-file the petition to clearly identify what it is seeking in order to allow the County to properly process the petition. Any amended or new petition would be subject to the procedures and filing deadlines under the EERP, and would not relate back to the original filed petition.

The original petition for unit modification is deficient for several reasons: 1) there is not authorization under EERP Section 9, Procedure for Modification of Established Appropriate Units for individual employees, or a group of employees, to petition to split apart from their bargaining unit(s) and their

lawfully recognized exclusive representative; 2) it is not appropriate for the County to consider one single Unit Modification petition for employees from two separate recognized represented bargaining units; 3) the proposed new bargaining unit is not an appropriate unit; and 4) Placer County's EERP does contain an appropriate process for a Severance Petition which was not utilized.

The Petitioners "re-filed" Severance Petition under EERP Section 10 was not timely and cannot be considered. The EERP provides that the window period for filing these petitions is the month of February. It is not proper for the County to waive EERP timelines to accommodate a defective petition that was filed on the last day of the 28-day window period.

The County has considered the authorities you have cited for why the County should nonetheless proceed to process the defective petition. These authorities are distinguishable. First, in *Santa Monica-Malibu Unified School District (1987) PERB No. Ad-163*, PERB was interpreting one of its own regulations, not an agency's local rule. Further, PERB specifically held that its decision to allow for the processing of a petition for decertification despite its failure to timely serve the petition by two days was "restricted to [the] facts as they appear in the record and should not be construed as an indication that this Board will readily excuse a failure to abide by duly-promulgated regulations."

Second, PCPOA's reliance upon *Union of American Physicians & Dentists v. County of Orange (2010) PERB No. 2138-M* is misplaced. PCPOA contends this case supports a finding that PERB considers petitions to modify and petitions to sever functionally equivalent in terms of process. However, in *County of Orange*, the applicable employer-employee relations policy failed to include an explicit severance rule. Unlike in *County of Orange*, Placer County's EERP does contain an explicit severance rule, as contained in Section 10. The PCPOA's petition fails to identify this Section 10 as the applicable rule.

The PCPOA appears to be asking the County to disregard the "technical" defects of the petition. However, the County considers the failure to identify this as a severance petition under Section 10 as a substantive, not technical, defect. The County is not under any legal duty to process the petition as a petition for severance since it was not filed as one. (See also *Orange County Medical & Dental Association v. County of Orange (2012) PERB No. 2294-M* [no duty to process defective petition].) Furthermore, as explained above and below, both the original and "re-filed" petitions are substantively defective on several grounds. The County is not obligated to waive its local rules, does not seek to create an undesirable precedent or past practice, and is obligated to maintain a neutral role in administering these procedures.

B. The Proposed Unit is Not an Appropriate Unit

Notwithstanding the above, even if the County considered the petition as a timely filed petition for severance, which it is not, the proposed unit is not an appropriate unit under Section 8 of Article II of the EERP. As stated in Section 8 of Article II of the County's Employer-Employees Relations Policy (EERP), the policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of the County and its compatibility with the primary responsibility of the County and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Below, the Employee Relations Officer has considered the relevant factors as follows:

- a. Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions.

Probation officers and correctional officers do not perform similar kinds of work, simply because they are identified as public safety. As reflected in their job descriptions, they do not share the same qualifications or duties.

Correctional officers are part of the General Bargaining Unit. The General Bargaining Unit also consists of other public safety employees, specifically in the classifications of Public Safety Dispatchers, Community Service Officers, Evidence Technicians and Animal Control Officers who are not included in the proposed unit of "public safety" employees.

Correctional officers maintain security and ensure inmate welfare in a County jail, oversee jail activities and facilities during an assigned shift, and perform related work as assigned. They are not authorized to carry weapons and they do not have powers of arrest.

Probation officers perform a variety of duties, based upon their specific classification. The Probation Officer-Institution provides for the care and custody of incarcerated juveniles in county institutions; and provides counseling on an occasional basis to juvenile wards. The Probation Officer-Field is assigned to investigate cases of juvenile delinquency or adult applicants for probation; and to supervise and counsel juveniles and adults on probation. Probation Officers are authorized to carry weapons and they have powers of arrest.

- b. History of representation in the County and similar employment; except, however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.

Probation officers are both peace officers and professional employees. Correctional officer classifications are neither. Probation officers have not always been represented by the PPEO, but were once a part of the Deputy Sheriffs Association (DSA).

Both the General Unit and the Professional Unit are represented by the same Exclusively Recognized Employee Organization, the Placer Public Employees Organization (PPEO). The history of employee relations between the County and PPEO are not unstable. The now-expired MOU by the PPEO provides for the specific needs of both the probation officers and the correctional officers. For example, correctional officers are allowed a uniform allowance. Probation officers assigned to work undercover are allowed 5 percent additional compensation.

- c. Consistency with the organizational patterns of the County.

There will be less consistency with the organizational patterns of the County. Right now, the correctional officers are part of the General Unit, whereas the probation officers are part of the Professional Unit. Both the General Unit and the Professional Unit are represented by the same Exclusively Recognized Employee Organization, the Placer Public Employees Organization.

- d. Effect of differing legally mandated impasse resolution procedures.

The impasse resolution procedures are the same for all bargaining units in the County.

- e. Number of employees and classifications, and the effect on the administration of employer-employee relations created by fragmentation of classifications and proliferation of units.

The Probation Officer classifications and the Correctional Officer classifications both seek to separate from their respective units. The Probation Officer classifications are both peace officers and professionals. On the other hand, the Correctional Officer classifications are not professional

employees. They are also not peace officers as defined by Penal Code section 830.5 or 830.1, but are public officers as defined by Penal Code section 831. Their request to join a separate unit with the probation officers, who are peace officers, would result in a mixed unit of peace and non-peace officers. The Probation Officer classifications are not seeking to move into a unit consisting solely of peace officers or into a unit consisting solely of professional employees.

The proposed unit has a total of 11 classifications, three of which are the Correctional Officer classifications, and the eight remaining are Probation Officer classifications. The PCPOA petition states that a total of 98 employees work in the Probation Officer classifications, and a total of another 98 employees work in the Correctional Officer classifications. It further states that the General and Professional Units represent a total of 1500 non-safety employees. The Probation Officer classifications, whether as professional employees or peace officers, have a right to be represented separately from the general classifications (the Correctional Officer classifications). The existing Deputy Sheriff's Association bargaining unit is an appropriate unit available under the current structure. If the petition for a separate Peace Officer bargaining unit was approved they would constitute a unit of 11 classifications and approximately 196 employees. An additional bargaining unit of 196 employees separate and apart from the currently existing units with the same interests, would not be efficient for the administration of labor relations, and would lead to the fragmentation of bargaining units and a decrease in collective influence.

f. Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classifications among two or more units.

The PCPOA petition does not appear to create a division of a single or related classifications among two or more units.

In reviewing these factors, the proposed unit is not appropriate. It does not serve the County's stated policy objectives. The proposed unit will create a proliferation of units. The proposed unit will not be the broadest feasible grouping of positions that share an identifiable community of interest.

Should you have any additional authority for the County to consider or wish to meet to discuss the petition, please let me know. Under the EERP Section 4 you have a right to meet with me as the Employee Relations Officer. Feel free to contact me at 530-889-4031 to schedule an appointment.

Sincerely,

COUNTY OF PLACER



David Boesch
Placer County Executive Officer

Cc: Trista Sherfey ("via electronic e-mail only")
Rebecca Lyke ("via electronic e-mail only")