



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Human Resources
Department No.: 064
For Agenda Of: March 24, 2020
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Maria Elena De Guevara, Human Resources Director
Director(s) 568-2816
Contact Info: Joseph M. Pisano, Employee Relations Division Chief
568-2839

SUBJECT: Terms and Conditions of Employment, Deputy District Attorneys' Association

County Counsel Concurrence

As to form: Yes

Other Concurrence: Select_Other

As to form: Select_Concurrence

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve a successor Memorandum of Understanding with the Deputy District Attorneys' Association for terms and conditions of employment through June 27, 2021 as set forth in Attachment A, and
- B. Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

Summary Text:

The most recent Memorandum of Understanding (MOU) between the County and the Deputy District Attorneys' Association (DDAA) expired on June 30, 2019, but the parties have met and conferred in good faith and have reached potential agreement for an MOU that would govern terms and conditions of employment for this group through June 27, 2021 as set forth in Attachment A. The proposed terms for this agreement have been ratified by vote of the DDAA membership and will be effective March 23, 2020 if approved by the Board.

The recommended actions approve the proposed MOU, which contains unit-wide wage increases offset in part by additional retirement cost sharing by “classic” (aka “legacy”) employees as defined under the Public Employees’ Pension Reform Act (PEPRA). These increases and retirement cost sharing provisions are the same as those agreed to by all other non-safety employee groups with whom the County has reached terms for successor MOUs. In addition, the parties have agreed that DDAA represented employees will receive a one-time lump sum ratification incentive of \$2,400 each, and to other changes in terms and conditions of employment that largely align the DDAA with other non-safety groups in contracts that expire on June 27, 2021 as detailed below and in the attachments.

Background:

The MOU that expired on June 30, 2019, included a reopener for retirement cost sharing and future wage increases, and the parties met and conferred in good faith to try to reach an agreement, but were unable to do so at that time. The County unilaterally implemented a provision for employees in classic retirement plans to contribute 1.5% of their pensionable income as a mandatory pre-tax contribution (pick-up) toward the County’s share of retirement costs by Board action on October 2, 2018, with no additional wage increases or employee pick-ups of the County’s pension contributions.

The parties began to meet and confer on terms for a successor agreement in February 2019, reached impasse in September, completed mandatory fact finding in November, and received the Fact Finding Panel Chair’s recommendations in January 2020. Subsequently, the parties reached the following potential terms for a successor MOU:

- Continuation of 1.5% classic employee pension cost-sharing previously imposed
- As soon as practicable upon ratification of the contract and approval by Board:
 - Additional 0.5% classic employee pension pick-up
 - \$2,400 one-time lump-sum payment to each Association member
 - 2.5% wage increase
 - Incorporate existing unit cash allowance into base pay
 - County contribution to a 401 (a) plan equal to that received by the Deputy Public Defenders’ and Civil Attorneys’ Association bargaining units
 - Implement employee paid participation in State Disability Insurance
 - Initiate a classification study of all DDAA represented job classifications
- Additional 0.5% classic employee pension pick-up effective June 29, 2020
- 2.5% wage increase effective June 29, 2020
- Ministerial changes to delete dead contract language or to clarify existing terms
- MOU expires June 27, 2021

The recommended actions approve these terms for a successor MOU as set forth in full in Attachment A, with changes from the previous MOU tracked in Attachment B.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

As noted above, the recommended actions include a one-time lump sum payment of \$2,400 to each DDAA represented employee, two wage increases of 2.5% each, offset in part by additional increases in pension pick-ups totaling 1% by classic employees, and a modest County contribution to a 401(a) plan of 0.24% of base salary each pay period that mirrors contributions to other County attorneys.

Proposed MOU Provision	FY 2019-20	FY 2020-21	Total
One-time payment \$2400	158,232	-	158,232
2.5% Wage Increase Mar 23 2020	63,524	235,945	299,469
Incorporate unit cash into base wages	-	-	-
0.5% Legacy Plan Pension Cost Sharing	(5,217)	(19,862)	(25,079)
401(a)0.24%	4,261	16,222	20,483
2.5% Wage Increase June 29, 2020	-	253,255	253,255
0.5% Legacy Plan Pension Cost Sharing	-	(19,862)	(19,862)
Total	220,800	465,697	686,497

Attachments:

- Attachment A: DDAA MOU
- Attachment B: DDAA MOU – Changes Tracked

Authored by: Joseph Pisano

- cc:** Mona Miyasato, County Executive Officer
 Michael C. Ghizzoni, County Counsel
 Betsy Schaffer, Auditor Controller
 Joyce E. Dudley, District Attorney
 Bernard Melekian, Assistant County Executive Officer