



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: CEO  
Department No.: 012  
For Agenda Of: January 6, 2015  
Placement: Administrative  
Estimated Time:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Jeri Muth, Human Resources Director, 568-2816  
Director(s)  
Contact Info: Joseph Pisano, Employee Relations Manager, 568-2839  
**SUBJECT: Terms and Conditions of Employment for Deputy District Attorneys' Association**

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**County Counsel Concurrence**

As to form: N/A

Other Concurrence: N/A

As to form: Select\_Concurrence

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

1. Approve a Memorandum of Understanding with the Deputy District Attorneys' Association, effective January 5, 2015 through December 18, 2016 as set forth in Attachment A; and
2. Determine that these actions are exempt from the California Environmental Quality Act (CEQA) review as it is not a project pursuant to CEQA Guidelines section 15378 (b) (2).

**Summary Text:**

The most recent Memorandum of Understanding (MOU) between the County and the Deputy District Attorneys' Association (DDAA) expired on December 8, 2013, and the parties have been in negotiations for a successor MOU since December 2013. The parties have met and conferred in good faith and have reached a tentative agreement for an MOU that governs terms and conditions of employment for this group through December 18, 2016 as set forth in Attachment A. The recommended actions approve the proposed successor MOU. Changes to the previous MOU are tracked in Attachment B, and significant changes are summarized in Attachment C.

**Background:**

The DDAA represents approximately 44 attorneys employed in the District Attorney's Office. The parties have reached a tentative agreement for a successor MOU that expires on December 18, 2016. The recommended action approves this contract, which is set forth in full in Attachment A, with changes from the previous MOU tracked in Attachment B. The agreement includes the following significant changes from current terms and conditions of employment for employees represented by the DDAA:

- The elimination of the freeze on merit step increases for eligible employees in DDAA represented classifications, effective December 23, 2013, subject to the restriction that eligible employees on a five-step salary range will advance no more than one step per year of the contract, and eligible employees on the broadband pay range will receive no more than one performance-based increase per year.
- A 3% wage increase for all DDAA represented classifications, effective January 5, 2015.
- An increase in Unit Cash allowance to \$236.51, the amount received by the majority of County employees, effective January 5, 2015.
- Reimbursing DDAA represented employees for the costs of dues for membership in the California District Attorneys Association (CDA) up to \$140 annually.
- A 1% wage increase for all DDAA represented classifications, effective December 7, 2015.
- A series of wage adjustments for employees in Deputy District Attorney IV and Senior classifications as follows:
  - 2.0% effective January 5, 2015 for attorneys earning \$73.45 or less per hour;
  - 2.5% effective June 22, 2015; and
  - 3.0% effective June 20, 2016.

**Performance Measure:**

**Fiscal and Facilities Impacts:**

Budgeted: No. Unbudgeted impact for remainder of FY 2014-15 is \$67,000 with a General Fund impact of \$41,000. Fiscal Year 2015-17 will be budgeted.

**Fiscal Analysis:**

The recommended actions will restore merit step and performance-based increases for DDAA represented attorneys effective December 23, 2013, with the restriction that eligible employees on a five-step salary range will advance no more than one step per year, and eligible employees on a broadband will receive no more than one performance-based increase per year through December 2016.

The recommended action also implements a 3% wage increase for DDAA represented attorneys effective on January 5, 2015, a 1% wage increase for these employees effective on December 7, 2015, and includes provisions to reimburse DDAA represented attorneys for membership in the California Deputy District Attorneys Association (CDAА).

In addition, the recommended actions provide for wage adjustments totaling 7.5% over a three year period for DDAA represented attorneys at the IV and Senior levels.

The approximate incremental increased costs in each fiscal year based on current employee counts are estimated in the table below:

Fiscal Year 2014-15	445,000
Fiscal Year 2015-16	355,000
Fiscal Year 2016-17	195,000
<b>Total</b>	<b>\$995,000</b>

The majority of the increased costs above were anticipated in the Fiscal Year 2014-15 Recommended Budget, except for the wage adjustments specific to attorneys at the IV and Senior levels, the increase in Benefit Allowance, and the reimbursement for CDAА dues. These adjustments account for approximately \$67,000 in Fiscal Year 2014-15. The District Attorney's Department budget will be monitored, and if salary savings in Fiscal Year 2014-15 are not enough to offset the estimated \$67,000 in unbudgeted costs, a budget revision will be requested. The development of the Fiscal Year 2015-16 and future budgets will reflect and plan for the changes in the proposed successor MOU.

The estimated three-year cost of the recommended actions would be paid for by various funds, as well as federal and state reimbursements, with the General Fund Discretionary Revenue portion estimated at approximately \$605,000, which is approximately 61% of the total estimated cost of approximately \$995,000.

**Key Contract Risks:**

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

**Attachments:**

**Authored by:** Joseph Pisano

**cc:** Mona H. Miyasato, County Executive Officer  
Michael C. Ghizzoni, County Counsel

Robert W. Geis Auditor-Controller  
Joyce E. Dudley, District Attorney

Attachment A: Deputy District Attorneys Association MOU

Attachment B: Deputy District Attorneys Association MOU – Changes Tracked

Attachment C: Summary of Significant Changes to DDAA MOU