



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: December 13, 2011
Placement: Departmental
Estimated Tme: 5 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Chandra Wallar, County Executive Officer, 568-3404
Jeri Muth, Human Resources Director, 568-2816

Contact Info: Joseph Pisano, Employee Relations Manager, 568-2839

SUBJECT: *Successor Memorandum of Understanding: Deputy District Attorneys Association*

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors approves a Memorandum of Understanding with the Deputy District Attorneys Association, effective from December 12, 2011 through December 8, 2013, implementing the changes summarized in Attachment A.

Summary Text: The current Memorandum of Understanding (MOU) with the Deputy District Attorneys Association (DDAA) expired on October 2, 2011. The recommended action adopts

the proposed successor MOU (Attachment B; a legislative copy tracking changes appears in Attachment C).

Background:

The DDAA represents approximately 39 employees in the District Attorney's Office. Since March 2011, representatives of the County and DDAA have been negotiating in an effort to reach a successor agreement on wages, hours, and other terms and conditions of employment in such a way as to assist the County in managing ongoing fiscal challenges.

In November, the County and DDAA reached a tentative agreement for a contract which was subsequently ratified by a vote of DDAA members. If approved by the Board, this contract would expire in December 2013 and includes significant changes from the previous MOU (as detailed in Attachment A). In addition, there are minor changes and/or ministerial changes to update the language in certain sections of the MOU which are not captured on Attachment A. The complete text of the proposed successor MOU appears in Attachment B, with tracked changes found in Attachment C. Significant highlights of the agreement include:

- A 3.5% across-the-board wage reduction for employees in the classifications of Deputy District Attorney IV and Deputy District Attorney Senior, with a base earning of no less than \$54 per hour;
- No general wage increases for the term of the agreement;
- A freeze of all merit step/performance based increases for the term of the agreement;
- A reduction in the salary increase on promotion from Deputy District Attorney III to Deputy District Attorney IV and from Deputy District Attorney IV to Deputy District Attorney Senior from 10% to 5%;
- Elimination of employees' ability to cash out up to 80 hours of accrued vacation leave annually;
- Elimination of employer-paid retirement offset of \$96.04 biweekly for current and future employees;
- A provision for current and future employees to pay up to one-half of the increased annual Normal Cost of the retirement Cost of Living Adjustment (COLA) effective June 25, 2012, capped at a 2% increase for employees in a given year; and
- Pension reform via a new retirement tier for future employees effective June 25, 2012, including elimination of the retiree medical program for future employees and the following components:
 - Formula of 2% @ 61¼
 - Half-rates
 - Pension calculated on final average salary of three years
 - 2% retiree Cost of Living Adjustment

Fiscal Analysis:

The recommended action will implement various wage and benefit concessions resulting in estimated savings of approximately \$186,000 in Fiscal Year 2011-2012 (\$41,000 in one-time savings and \$145,000 from permanent, ongoing savings) and approximately \$486,000 in Fiscal Year 2012-2013 (\$217,000 in one-time savings and \$269,000 from permanent, ongoing savings). The agreement with the DDAA stipulates that all savings generated from these concessions will remain in the District Attorney's Office.

cc: Chandra L. Wallar, County Executive Officer
Dennis Marshall, County Counsel
Robert Geis, Auditor Controller
Joyce Dudley, District Attorney

Attachment A: Summary of Changes to DDAA MOU

Attachment B: Successor DDAA MOU

Attachment C: Successor DDAA MOU with changes tracked