



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: December 13, 2016
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Lori Gentles, Human Resources Director, 568-2816
Contact Info: Joseph Pisano, Employee Relations Manager, 568-2839

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

County Counsel Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Approves a successor Memorandum of Understanding (MOU) with the Deputy District Attorneys' Association (DDAA), effective December 19, 2016 through June 30, 2019, implementing the changes summarized in Attachment A and detailed in Attachment B (changes tracked) and Attachment C (changes not tracked), and
- b) Determines 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 MOU between the County and the DDAA expires on December 18, 2016. The parties have been engaged in negotiations for a successor contract since October 2016 and have reached a tentative agreement for a successor MOU that would expire on June 30, 2019 if approved by the Board.

The recommended actions adopt the proposed MOU in Attachment B (changes tracked) and Attachment C (untracked version). Significant changes from the most recent MOU are summarized in Attachment A.

Background:

DDAA represents approximately 45 employees working in the District Attorney's office. The recommended actions approve and implement provisions of a successor MOU between the County and DDAA, which include significant changes from the previous MOU (summarized in Attachment A) as well as ministerial changes to update or clarify language or to eliminate obsolete language in certain sections.

The complete text of the successor MOU appears in Attachments B and C. Significant changes include:

- 2% salary increase effective on Board approval
- 2.5% salary increase effective July 3, 2017
- 2.5% salary increase effective July 2, 2018
- Removing negotiated restrictions on multiple step increases and adhering to Civil Service Rule 409 again going forward
- Me-Too Provision regarding base salary increases and equity adjustments for Deputy District Attorney classifications with the Public Defender's bargaining unit and the Civil Attorneys Association
- Increase in On-call Duty Pay from \$450 to \$800 per pay period
- Increase in Professional Expenses Allowance (for training, subscriptions, books, computer equipment, software, etc.) from an annual maximum of \$250 to an annual maximum of \$500 annually on a use it or lose it basis
- A contract reopener on the issue of employee retirement contribution rates and potential related salary adjustments on or after September 1, 2017
- The addition of a Grievance Procedure to the MOU consistent with that of other employee organizations
- Implementation of Agency Shop as soon as practical after the DDAA provides results from an Association-wide election that indicate over 50% support for an agency shop arrangement

Fiscal Analysis:

Budgeted: Yes, for the current fiscal year.

As noted above, the recommended actions provide for general wage increases in each year of the successor agreement and other financial benefits upon approval by the Board. The approximate initial incremental cost increases, as well as the ongoing cost of each component of the agreement, are estimated by fiscal year in the table below. Fiscal Year 2017-18 and Fiscal Year 2018-19 costs will be incorporated into future years' budgets.

| Tentative Agreement | FY 2016-17 | FY 2017-18 | FY 2018-19 |
|--|-------------------|-------------------|-------------------|
| 2% on BOS Approval (assumes PP 2017-01 - 12/19/16) | 83,718 | 155,475 | 155,475 |
| Remove restriction on multiple steps | 3,333 | 6,190 | 6,190 |
| \$350 increase in Deputy Duty Pay | 14,674 | 27,251 | 27,251 |
| \$250 increase to Professional Expenses Allowance | 6,058 | 11,250 | 11,250 |
| 2.5% July 3, 2017 | - | 198,231 | 198,231 |
| 2.5% July 2, 2018 | - | - | 203,187 |
| Total | 107,782 | 398,398 | 601,585 |

cc: Mona Miyasato, County Executive Officer
 Michael C. Ghizzoni, County Counsel
 Theo Fallati, Auditor-Controller
 Assistant CEOs
 Joyce E. Dudley, District Attorney

Attachment A: Summary of Changes to DDAA MOU
 Attachment B: Successor DDAA MOU (changes tracked)
 Attachment C: Successor DDAA MOU (untracked/final)