



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:** May 6, 2014  
**Placement:** Departmental  
**Estimated Tme:** 5 Minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Jeri Muth, Human Resources Director, 568-2816  
Contact Info: Joseph Pisano, Employee Relations Manager, 568-2839

**SUBJECT:** *Terms and Conditions of Employment for: Civil Attorneys Association, SEIU, Local 620 Public Defenders, and Unrepresented Attorneys*

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**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:

1. Approve a Memorandum of Understanding (MOU) with the Civil Attorneys Association (CAA), effective April 28, 2014 through December 18, 2016 as set forth in Attachment A;
2. Approve the side letter agreement in Attachment B with the Service Employees International Union, Local 620 (Local 620), adjusting wages for employees in Deputy Public Defender IV and Senior classifications;

3. Provide the same unit wide wage increases and wage adjustments for similarly-situated unrepresented attorneys as provided to attorneys represented by the CAA; and
4. 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 Civil Attorneys Association was formally established as a representation unit in July 2013, and the County and the CAA have been in negotiations for a Memorandum of Understanding since November 2013. The parties have met and conferred in good faith and 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.

Deputy Public Defenders are represented by Local 620, with whom the County recently reached a successor MOU, approved by the Board on February 18, 2014, that included provisions for the parties to continue to bargain over potential wage increases for Deputy Public Defenders. On April 21, 2014 the parties reached agreement on salary adjustments for employees in Deputy Public Defender IV and Senior classifications as set forth in Attachment B.

The recommended actions approve the proposed MOU in Attachment A and the side letter agreement with Local 620 in Attachment B. In addition, the recommended actions provide the same unit wide wage increases and wage adjustments for similarly-situated unrepresented attorneys as provided to attorneys represented by the CAA.

**Background:**

The CAA represents approximately 22 attorneys employed in the County Counsel and Child Support Services departments. The parties have reached a tentative agreement for a multi-year contract that ends on December 18, 2016. The recommended action approves this contract, which is set forth in full in Attachment A. The agreement includes the following significant changes from current terms and conditions of employment for employees represented by the CAA:

- The elimination of the freeze on merit step increases for eligible employees in CAA represented classifications, effective November 25, 2013, subject to the restriction that eligible employees will advance no more than one step per year of the contract.
- A 2% wage increase for all CAA represented classifications, effective April 28, 2014,
- An increase in Unit Cash allowance to \$236.51, the amount received by the majority of County employees, effective April 28, 2014,
- A 1% wage increase for all CAA represented classifications, effective December 8, 2014,

- A 1% wage increase for all CAA represented classifications, effective December 7, 2015,
- A series of wage adjustments designed to realign salaries for employees in Deputy County Counsel IV and Senior classifications with similarly situated attorneys in the County service:
  - 2.0% effective June 23, 2014
  - 2.5% effective June 22, 2015, and
  - 3.0% effective June 20, 2016.

The recommended actions also implement a series of wage adjustments designed to realign salaries for 14 employees in Deputy Public Defender IV and Senior classifications with similarly situated attorneys in the County service:

- 2.0% effective June 23, 2014
- 2.5% effective June 22, 2015, and
- 3.0% effective June 20, 2016.

In addition the recommended actions implement the same across-the-board wage increases and wage adjustments at the Attorney IV and Senior levels for similarly-situated unrepresented attorneys as are recommended as part of the CAA agreement to maintain parity with their represented counterparts.

**Fiscal Analysis:**

The recommended actions will restore merit step increases for CAA represented attorneys and for unrepresented attorneys effective November 25, 2013, with the restriction that eligible employees will not advance more than one step per year through December 2016.

The recommended actions also implement a 2% wage increase for CAA represented attorneys and for unrepresented attorneys effective April 28, 2014, a 1% wage increase for these employees effective on December 8, 2014, and a 1% wage increase for these employees effective on December 7, 2015.

In addition, the recommended actions provide for wage adjustments totaling 7.5% over a three year period for attorneys at the IV and Senior levels in the County Counsel and Public Defender departments.

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

Fiscal Year 2013-14	24,000
Fiscal Year 2014-15	351,000
Fiscal Year 2015-16	340,000
Fiscal Year 2016-17	339,000
<b>Total</b>	<b>\$1,054,000</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. These adjustments account for \$91,000 in Fiscal Year 2014-15. Budgets will be monitored, and if salary savings in Fiscal Year 2014-15 are not enough to offset the estimated \$91,000 of unbudgeted costs, a budget revision will be requested. The development of the Fiscal Year 2015-16 and future budgets will reflect these changes.

The estimated four-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 \$603,000, or 57% of the total estimated cost of approximately \$1,054,000.

cc: Mona Miyasato, County Executive Officer  
Michael C. Ghizzoni, County Counsel  
Raimundo Montes De Oca, Public Defender  
Carrie Topliffe, Child Support Services Director

Attachment A: Civil Attorneys Association MOU  
Attachment B: Side Letters with Local 620